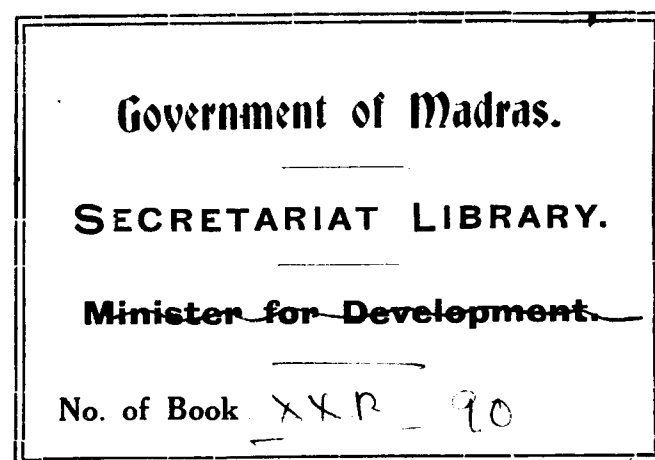




Ch. S. V. 3-100-17-10-24.

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

ASSEMBLED FOR THE PURPOSE OF MAKING

LAWS AND REGULATIONS

FROM JULY 1918 TO JUNE 1919

[NOTE.—The subject-matter of questions asked in Council will be found alphabetically arranged under the heading
"QUESTIONS ASKED IN COUNCIL."]

PAGE

A

Acts assented to by His Excellency the Governor—

The Doddappanayakkanur and Vuyyuru Impartible Estates Act, 1918	184
The Koodalmanickam Devaswom Act, 1918	449
The Madras Agricultural Pests and Diseases Act, 1919	1001
The Madras City Municipal Act, 1919	1001
The Madras Port Trust Amendment Act, 1918	449
The Madras Prevention of Adulteration Act, 1918	184
The Mappilla Succession Act, 1918	42

Acts assented to by His Excellency the Governor-General—

The Doddappanayakkanur and Vuyyuru Impartible Estates Act, 1918	331
The Koodalmanickam Devaswom Act, 1918	449
The Madras Port Trust Amendment Act, 1918	835
The Madras Prevention of Adulteration Act, 1918	839
The Mappilla Succession Act, 1918	42

Acts—Madras—

Amendment of— See Bills.

Additional Members (New)—

Campbell, C.I.E., the Hon'ble Mr. A. Y. G.	448
Duncan, the Hon'ble Mr. H. S.	184
Harris, the Hon'ble Mr. L. T.	988
Hutton, the Hon'ble Mr. W.	448
Littlehales, the Hon'ble Mr. R.	448
Marjoribanks, C.I.E., the Hon'ble Mr. N. E.	448
Molony, the Hon'ble Mr. J. C.	448
Moscardi, the Hon'ble Mr. A. F. G.	988
Nayar, the Hon'ble Dr. T. M.	448
Niblock, I.M.S., the Hon'ble Lieut.-Col. W. J.	804
Ramaswami Ayyar, the Hon'ble Mr. C. P.	988
Stokes, C.I.E., the Hon'ble Mr. H. G.	448
Surya Rao Bahadur, the Hon'ble Sri Raja Rao Venkata Kumara Mahipati, Raja of Pithapuram	448
Thonger, the Hon'ble Mr. J. H.	2
Wood, the Hon'ble Mr. R. B.	448
Young, the Hon'ble Mr. M.	184

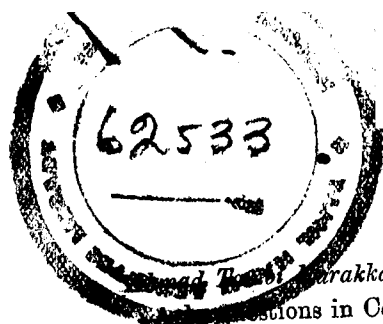
Adulteration Bill. See Bills.

Advocate-General. See Srinivasa Ayyangar, the Hon'ble Mr. S.

Aden, D.N., the Hon'ble the Most Reverend John—

Resolutions on matters of general public interest—

Alms for beggars	1065
University and secondary education	216
Madras City Municipal Bill, 1918	97, 719



<i>Arakkayar Sahib Bahadur, the Hon'ble Khan Bahadur A. T. G. M.—</i>	
Questions in Council	2-6,
	272-273, 806-808, 988-989
Makes remarks in connexion with the budget on compulsory primary education, training of Indians in navigation, development of industrial education, industrial school at Negapatam, provision in the District Municipalities Act for the representation of Mussalmans, recommendations of the Pilgrim Committee with regard to Nagore, sewage scheme at Nagore and Negapatam, accommodation for the Indian officers of the Government in mufassal towns and rise in prices of foodstuffs	1133-1134
Resolutions on matters of general public interest—	
A committee to advise on the provision of house-sites for panchamas in Tanjore.	106
A committee to investigate the nature, etc., in regard to the influenza epidemic ..	370
Committee to inquire and report on the opening of new police stations	1109
Control of the export trade in oil-seeds	1048-1049
Dramatic performance and cinematographs to be a transferred subject (mover) ..	252-253
Measures to be adopted to alleviate the situation due to high prices	394-395
Opening of the Tiruturaipundi-Vedaranniyam line (mover)	867-868
Religious endowments to be a transferred subject (mover)	253
Removal of inter-district restrictions on transport of foodstuffs	851-853
Schools for teaching navigation (mover)	409-411,
	412
Steps to prevent importation of infectious diseases from Ceylon (mover)	127, 129
Amended Draft Financial Statement—	
Resolutions regarding—	
Grant to Tanjore district board for improvement of roads (mover)	560-561,
	562
Reduction of provision for salary for the Director of Civil Supplies	551
Termination of the war	380
A Bill to provide for the voluntary registration of Mussalman marriages and divorces	47
The Madras Agricultural Pests and Diseases Bill, 1918	77
The Madras City Municipal Bill, 1918	96-97,
	606, 607-608, 611-612, 651

Amendments. See Bills.

Annamalai Chettiyar Avargal, the Hon'ble Rao Bahadur S. R. M.—

Asks questions in Council	15-17,
	283-284, 804-806, 989

Resolutions on matters of general public interest—

Authorizing district magistrates to issue passports to persons going to Straits Settlements, etc. (mover)	445
Extension of the period for which composition of income-tax may be permitted (mover)	164, 165
Extension of the time-limit for submission of return of income (mover)	163
Industrial development to be a transferred subject	202
Removal of railway restriction on the despatch of parcels of Indian hand-made cloths (mover)	446
Taluk committees to co-operate with district committees in controlling prices (mover)	166

Aziz-ud-din Husain Sahib Bahadur, Khan Bahadur, C.I.E., I.S.O., O.B.E., the Hon'ble Muhammad—

Amended Draft Financial Statement—

Resolutions regarding—

Grants-in-aid to the Vaniyambadi Muhammadan Educational Society for the Islamia College	477-478
A Bill to provide for the voluntary registration of Mussalman marriages and divorces	47, 48-49

B

Barber, Kt., the Hon'ble Sir Fairless—

Makes remarks in connexion with the budget on the improvement of the condition of the masses, influenza and medical research	1138,
	1147

Barber, Kt., the Hon'ble Sir Fairless—cont.

Resolutions on matters of general public interest—

Borrowing on the sole credit of Provincial revenues	213
Control of the export trade in oil-seeds	1051
Imperial grant for the development of the industries in this Presidency	940, 942
Industrial development to be a transferred subject	204, 207
Land revenue administration to be a transferred subject	197, 198
Measures to be adopted to alleviate the situation due to high prices	400-401, 408
Removal of inter-district restrictions on transport of foodstuffs	863
Termination of the war	378
The Madras Agricultural Pests and Diseases Bill, 1918	77, 578,
	594, 735, 737, 738, 746
The Madras City Municipal Bill, 1918	89
The Madras Prevention of Adulteration Bill, 1918	60

Bills—

A Bill to amend the Madras Outports Landing and Shipping Fees Act, 1885 (of the Hon'ble Diwan Bahadur P. Rajagopala Achariyar Avargal, C.I.E.)—

Motion to read Bill in Council	1002
Bill discussed	1002
Motion to refer Bill to Select Committee	1002
Motion regarding constitution of Select Committee	1002

A Bill to amend the Madras Port Trust Act, 1905 (of the Hon'ble Diwan Bahadur P. Rajagopala Achariyar Avargal, C.I.E.)—

Motion to read Bill in Council	71
Motion to refer Bill to Select Committee	71
Motion regarding constitution of Select Committee	72
Motion to take Bill and report into consideration at once	340
Amendments discussed	340-343
Motion to pass Bill into law	343
Bill passed	343

A Bill to provide for the voluntary registration of Mussalman marriages and divorces (of the Hon'ble Yaqub Hasan Sahib Bahadur)—

Motion for leave to introduce Bill	43
Bill discussed	46-50
Leave granted	50

The Doddappanayakkanur and Vuyyuru Impartible Estates Bill, 1918 (of the Hon'ble Sir Alexander Cardew, K.C.S.I.)—

Motion to read Bill in Council	64
Bill discussed	65-70
Motion not to refer Bill to Select Committee	70
Motion to suspend the operation of rule 46	71
Motion to pass Bill into law	71
Bill passed	71

The Koodalmanickam Devaswom Bill, 1918 (of the Hon'ble Diwan Bahadur P. Rajagopala Achariyar Avargal, C.I.E.)—

Motion to read Bill in Council	339
Motion not to refer Bill to Select Committee	339
Motion opposed	339
Motion carried	339
Amendments discussed	340
Motion to pass Bill into law	340
Bill passed	340

The Madras Agricultural Pests and Diseases Bill, 1918 (of the Hon'ble Diwan Bahadur P. Rajagopala Achariyar Avargal, C.I.E.)—

Motion to read Bill in Council	76
Bill discussed	76-81
Motion to refer Bill to Select Committee	81
Motion regarding constitution of Select Committee	82
Motion to take Bill and report into consideration at once	574
Amendments discussed	574-596,
	732-744
Motion to postpone the consideration of the Bill	598
Motion to pass Bill into law	744
Bill passed	747

Bills—cont.

The Madras City Municipal Bill, 1918 (of the Hon'ble Diwan Bahadur P. Rajagopala Achariyar Avargal, C.I.E.)—

Motion to read Bill in Council	82
Motion to postpone the consideration of Bill	84
Motion lost	91
Bill discussed	91-98
Motion to refer Bill to Select Committee	98
Motion regarding constitution of Select Committee	98
Motion to take Bill and report into consideration at once	598
Amendments discussed	599-730, 747-802, 870-872
Motion to postpone consideration of Bill	694
Motion to pass Bill as amended into law	872
Motion amended	876
Motion lost	918
Motion to pass Bill into law put	918
Bill passed	918

The Madras Prevention of Adulteration Bill, 1918 (of the Hon'ble Diwan Bahadur P. Rajagopala Achariyar Avargal, C.I.E.)—

Motion to take Bill and report into consideration at once	51
Amendments discussed	51-64
Motion to pass Bill into law	64
Bill passed	64

Buckley, C.S.I., the Hon'ble Mr. L. E.—

Resolutions on matters of general public interest—	
Formation of a grain-storing department	1053-1055
Measures to be adopted to alleviate the situation due to high prices	405
Remission of revenue in South Kanara	427-428
Resettlement of the Vizagapatam district	1093-1094, 1096
Suspension and remission of assessment	1063

Budget for 1919-1920—

— presented	1001
Discussion on the — adjourned	1001
Debate on —	1122-1166

C

Campbell, C.I.E., the Hon'ble Mr. A. Y. G.—

Resolutions on matters of general public interest—	
Free advertisement for co-operative institutions	1115
A Bill to amend the Madras Outports Landing and Shipping Fees Act, 1885	1002
Takes his seat as an Additional Member of Council	448

Cardew, K.C.S.I., the Hon'ble Sir Alexander—

Presides at a meeting of the council	987-1166
Replies to supplementary questions	6, 8, 16, 17, 20, 23, 286, 805, 811, 825, 826, 829

Resolutions on matters of general public interest—

A committee to advise on the provision of house-sites for panchamas in Tanjore	102-104
A committee to investigate the nature, etc., in regard to the influenza epidemic	373, 374
Appointment of itinerating sub-assistant surgeons	976, 977
Committee to consider amendment of the Acts relating to village service	430
Constitution and powers of advisory committees for charitable endowments	167-168
Encouragement of ayurvedic and unani systems of medicine	112-113, 122-123
Encouragement of co-operative house-building societies	443
Government loans to co-operative agricultural societies	953-955
Imperial grant for the development of the industries in this Presidency	942-943
Inquiry into the system of district administration	419-420, 424
Introduction of the Mulgeni Rent Enhancement Bill	984
Measures to be adopted to alleviate the situation due to high prices	385, 391-394, 399, 406-408

Cardew, K.C.S.I., the Hon'ble Sir Alexander—cont.

Resolutions on matters of general public interest—cont.

Public inquiry into the economic condition of the Bellary district as a preliminary to resettlement	926, 927, 928
Removal of inter-district restrictions on transport of foodstuffs	845-849, 862, 864, 866, 867
Scale of water-rates	174-175, 176
Stock of foodgrains in Northern Circars	180-181
Supply of seeds to agriculturists at cost price	435
Amended Draft Financial Statement—	
Introduces certain heads	453, 454, 463, 467, 504, 552
Resolutions regarding—	
Additional allotment for the improvement of the Ramnad headquarter hospital	571
Additional provision under 3-C. Land Records for payment of war allowances to karnams, vettis and ugranis	459, 460, 462
Appointment of travelling sub-assistant surgeons in mufassal hospitals	505
Deduction from provision for temporary establishment under Land Revenue, Survey and Settlement	457, 458
Grants-in-aid to district boards for the construction and improvement of village roads	559
Increased allotment for improving handloom weaving in the Presidency	546, 548
Increased provision for additional technical scholarships	497
Leave reserve for the revenue establishment in the North Arcot district	456
Lump provision for opening a medical school at Bellary	506-507
Omission of the provision for taking over the Royapetta hospital	509
Provision for raising the medical school at Vizagapatam into a college	511
Provision for the relief of distress in the Gōdāvari district	572
Reduction of provision for salary for the Director of Civil Supplies	550-551
Reference to the death of the late Mr. H. F. W. Gillman, c.s.i.	448-449
Reference to the death of the late Mr. K. R. V. Krishna Rao	262
The Doddappanayakkanur and Vuyyuru Impartible Estates Bill, 1918	64-65, 68, 69-70, 71
The Madras Agricultural Pests and Diseases Bill, 1918	736
The Madras City Municipal Bill, 1918	694

Chidambaranatha Mudaliyar, the Hon'ble Mr. K.

Asks questions in Council	34, 271, 823-824, 993
-----------------------------------	-----------------------

Makes remarks in connexion with the budget on the agricultural situation, remission of revenue, high prices, sinking of wells, co-operative societies, decrease of the area under food grains, duty on the export of non-food grains, repair of survey stones, Kannambadi reservoir and irrigation panchayats	1148-1150, 1161
---	-----------------

Resolutions on matters of general public interest—

Borrowing on the sole credit of Provincial revenues	214
Civil justice to be a transferred subject	241
Control of services of transferred departments to be a transferred subject	231
Forests and forest produce to be transferred subjects without limitation	234
Improvements to a section of the Buckingham canal (mover)	444
Industrial development to be a transferred subject	208
Inquiry into the situation caused by the failure of the monsoons (mover)	443
Inquiry into the system of district administration	423
Land revenue administration to be a transferred subject	200
Major irrigation to be a transferred subject	250
Measures for improving the quality, etc., of livestock	432
Measures to be adopted to alleviate the situation due to high prices	401
Modification of the order regarding house-sites for panchamas (mover)	108
Opening of the Tiruturaipundi-Vedaranniyam line	868
Opening up of minor ports in the Presidency (mover)	444, 445
Public inquiry into the economic condition of the Bellary district as a preliminary to resettlement	928
Removal of inter-district restrictions on transport of foodstuffs	863
Scale of grazing fees in reserves not to be increased	366
Translation of the proceedings of the Legislative Council	1018
University and secondary education	220

Chidambaranatha Mudaliyar, the Hon'ble Mr. K.—cont.

PAGE

Amended Draft Financial Statement—

Resolutions regarding—

Additional provision under 3-C. Land Records for payment of war allowances to karnams, vettis and ugranis	463
Grants-in-aid to district boards for the construction and improvement of village roads	557
Increased allotment for improving handloom weaving in the Presidency (mover)	544-545, 546, 548-549

The Madras Agricultural Pests and Diseases Bill, 1918	585, 747
The Madras City Municipal Bill, 1918	699, 714, 722, 723, 771

Communications to the Council—

Regarding list of towns in the Presidency notified under Board's Standing Order 21 (9) during 1917-18	42
Regarding improvements effected to the water-supply in grazing grounds	42
Regarding the Bill to amend the Madras Port Trust Act, 1905	184
Regarding the Bill to amend the Madras Village Courts Act, 1888	42
Regarding the Bill to provide for the voluntary registration of Mussalman marriages and divorces.. .. .	339
Regarding the Madras Agricultural Pests and Diseases Bill, 1918	449-450, 835-836, 1001
Regarding the Madras City Municipal Bill, 1918	450
	184, 339, 450, 835

Condolence—

Reference to the death of the late Hon'ble Mr. K. R. V. Krishna Rao	262
Reference to the death of the late Hon'ble Mr. H. F. W. Gillman, C.S.I.	448-449

Couchman, the Hon'ble Mr. M.E.—

Resolutions on matters of general public interest—	
Drinking water for cattle in reserved forests	362
Remission of revenue in South Kanara	427
Scale of grazing fees in reserves not to be increased	363-366

Council—

Commencement of meetings of—	1, 75, 145, 183, 225, 261, 375, 413, 447, 489, 531, 573, 597, 641, 687, 731, 775, 803, 869, 909, 949, 987, 1043, 1081, 1121.
Adjournment or closing of meetings of—	72, 144, 181, 223, 255, 374, 412, 446, 488, 530, 572, 596, 639, 685, 730, 774, 802, 868, 908, 948, 985, 1041, 1079, 1120, 1166
Motion for adjournment of—	42, 186, 450

D

Davidson, C.S.I., the Hon'ble Mr. L.—

Replies to supplementary questions in Council	805, 809, 811, 825
Replies to remarks in connexion with the budget on the Provincial Judiciary, forests, sandalwood oil industry, Kannambadi reservoir, railway lines on the West Coast, expenditure on the Police department, Indian officers in the Police department and the imputation against the Superintendent of Police who was in charge during the Madura riots	1160-1162
Resolutions on matters of general public interest—	
Appointment of a civil judicial officer in the Home (Judicial) department	1075-1076, 1078-1079
Appointment of Indians as Deputy and Under Secretaries to Government, Public Works department	972
Asylums for beggars	1065-1066, 1068, 1070, 1072-1073
Committee to inquire and report on the opening of new police stations.. .. .	1109, 1110, 1113
Committee to inquire into expenditure on the police department	943, 946-947, 948

PAGE

Davidson, C.S.I., the Hon'ble Mr. L.—cont.

Resolutions on matters of general public interest—cont.

Development of district board railways	1037, 1038-1039, 1041
Double track of railway between the Beach station and Chingleput	444
Inquiry into recent incidents in Madura	345, 346, 348-351, 355, 356, 359-361
Legislation to check juvenile smoking	921-922, 923, 924
Opening of the Tiruturaipundi-Vedaranniyam line	868
Steps to promote irrigation schemes in the Ceded districts	968-970
The Salem-Suramangalam railway line	1031, 1032
Amended Draft Financial Statement—	
Introduces certain heads	463-464, 467, 469, 552

Resolutions regarding—

Additional provision under 3-C. Land Records for payment of war allowances to karnams, vettis and ogranis	462
Provision for a uniform retaining fee for mufassal Government pleaders	468, 469
Provision for improving the water-supply in reserved forests	465
Reduction of expenditure under Police	470

Duncan, the Hon'ble Mr. H. S.—

Replies to supplementary questions	265
Resolutions on matters of general public interest—	
Salaries of teachers in elementary and secondary schools	384
Takes his seat as an Additional Member of Council	184

F

Fraser, Kt., the Hon'ble Sir Gordon—

Asks questions in Council	20
Resolutions on matters of general public interest—	
Amendment of the Madras City Civil Court Act, 1892	126
Borrowing on the sole credit of Provincial revenues	214
Committee to consider Mr. Lanchester's report on the Madras City	179
Control of the export trade in oil-seeds	1049-1050, 1051
Establishment of a commercial museum in Madras	1119-1120
Extension of the period for which composition of income tax may be permitted.. .. .	164-165
Imperial grant for the development of the industries in this Presidency	939-940, 941
Industrial development to be a transferred subject	207-208
Land revenue administration to be a transferred subject	193, 194, 198
Measures to be adopted to alleviate the situation due to high prices	396-397
Questions relating to business concerns to be transferred	242, 243-244
Removal of inter-district restrictions on transport of foodstuffs	858-861

Amended Draft Financial Statement—

Resolutions regarding—	
Increased allotment for improving handloom weaving in the Presidency	546-547, 548
Special meeting to consider report on Indian Constitutional Reforms	147
The Madras City Municipal Bill, 1918	86, 89, 639, 643-644, 645, 649, 653, 675, 679, 681, 695, 696, 702, 707, 715, 716, 718, 725, 749, 764, 776, 779, 780, 787, 791, 792, 793, 794, 795, 797, 798, 799, 800, 801.

The Madras Prevention of Adulteration Bill, 1918	56
--	----

G

Giffard, C.S.I., I.M.S., the Hon'ble Major-General—

Resolutions on matters of general public interest—	
A committee to investigate the nature, etc., in regard to the influenza epidemic.. .. .	369-370, 373-374
Encouragement of ayurvedic and unani systems of medicine	116-119
The Madras Prevention of Adulteration Bill, 1918	60

<i>Gillman, C.S.I., the Hon'ble Mr. H. F. W.—</i>		PAGE
Replies to supplementary questions	29	29
Resolutions on matters of general public interest—		
Amendment of the Madras City Civil Court Act, 1892	124, 125–	126
Control and administration of railways	248, 249	253
Dramatic performance and cinematographs to be a transferred subject	252	252
Inter-provincial immigration and emigration to be transferred subjects	134–135	48, 49
Posting of police officers to their native districts		
A Bill to provide for the voluntary registration of Mussalman marriages and divorcees		

H

<i>Harris, the Hon'ble Mr. L. T.—</i>		PAGE
Takes his seat as an Additional Member of Council	988	
<i>Howley, the Hon'ble Mr. W. J. J.—</i>		PAGE
Resolutions on matters of general public interest—		
Improvement of drainage conditions in the Gōdāvari and Kistna deltas	1084–1085,	1087
<i>Hutton, the Hon'ble Mr. W.—</i>		PAGE
Takes his seat as an Additional Member of Council	448	

K

<i>Kavalappara Muppil Nayar, the Hon'ble Mr. K. K. R.—</i>		PAGE
Asks questions in Council	24–25,	274–275, 993
Makes remarks in connexion with the budget on prices of foodstuffs, Wynad re-settlement, janmam and poramboke lands, canal traffic and renewal and repair of survey marks	1132–1133	
Resolutions on matters of general public interest—		
Land revenue administration to be a transferred subject	193	
Measures to be adopted to alleviate the situation due to high prices	404	
Publication of vernacular scientific primers	140	
Remission of revenue in South Kanara	426	
Reference to the death of the late Mr. H. F. W. Gillman, C.S.I.	449	
Termination of the war	380	
The Doddappanayakkanur and Vuyyuru Impartible Estates, Bill, 1918	67	
The Madras Agricultural Pests and Diseases Bill, 1918	77, 591,	744
The Madras City Municipal Bill, 1918	98	
<i>Krishna Rao, the Hon'ble Mr. A. S.—</i>		PAGE
Asks questions in Council	32–33,	268–270, 826–827,
	997–998	
Makes remarks in connexion with the budget on the material condition of the Presidency, economic condition of the agriculturists, land revenue assessment, inadequate share of the Imperial grants, local Government's contribution to the Imperial exchequer, increased cost of administration, war allowances, free compulsory education, medical relief and indigenous systems of medicine	1152–	1156
Resolutions on matters of general public interest—		
A committee to advise on the the provision of house-sites for panchamas in Tanjore	105	
A committee to investigate the nature, etc., in regard to the influenza epidemic	371	
Appointment of a civil judicial officer in the Home (Judicial) department	1076–	1077, 1079
Appointment of an itinerant rural sanitary board	959, 960	
Appointment of Indians as Deputy and Under Secretaries to Government, Public Works department (mover)	971–972	
Appointment of itinerant sub-assistant surgeons (mover)	975–976,	977
Asylums for beggars	1066–	1067, 1071
Borrowing on the sole credit of Provincial revenues	212–213,	214–215
Chairmen of municipal councils to be consulted before appointment of municipal councillors by Governor in Council (mover)	975	

<i>Krishna Rao, the Hon'ble Mr. A. S.—cont.</i>		PAGE
Resolutions on matters of general public interest—cont.		
Civil justice to be a transferred subject	239–240	
Committee to consider amendment of the Acts relating to village service	430	
Committee to inquire and report on the opening of new police stations	1111–	1112
Committee to report on principles contained in recent resolution on local self-Government (mover)	148–151,	159, 160–161
Constitution of text-book committees (mover)	1032–	1036
Control and administration of railways	249	
Control of services of transferred departments to be a transferred subject (mover)	226–227	
Co-optation of members on district boards (mover)	972–973,	974–975
Development of district board railways (mover)	1036–	1038, 1041
Effect to be given to certain recommendations in the resolution on local self-Government	934, 935	
Encouragement of ayurvedic and unani systems of medicine	113–114	
Financial assistance to local bodies for maintenance of medical institutions (mover)	445	
Formation of a grain-storing department	1056–	1057
Free advertisement for co-operative institutions	1115	
Improvement of the acoustic properties of the Council Chamber and facilities for the attendance of representatives of vernacular dailies	1024	
Increased accommodation in Intermediate classes of Government colleges	171	
Industrial development to be a transferred subject	203–204	
Inquiry into recent incidents in Madura	351–352	
Inquiry into the system of moderation of marks for the school final certificate scheme (mover)	161–162	
Inquiry into the system of district administration (mover)	414–418,	423–424
Land revenue administration to be a transferred subject (mover)	189–191,	200
Legislation to check juvenile smoking	922–923	
Legislation to organize administrative village panchayats	1030	
Major irrigation to be a transferred subject (mover)	250	
Measures to be adopted to alleviate the situation due to high prices	389–391	
Publication of vernacular scientific primers	141–142	
Public inquiry into the economic condition of the Bellary district as a preliminary to resettlement	926	
Removal of inter-district restrictions on transport of foodstuffs	853–855	
Resettlement of the Vizagapatam district	1098–	1099
Scale of water-rates	174	
Steps to promote irrigation schemes in the Ceded districts	967–968	
University and secondary education	219	
Amended Draft Financial Statement—		
Resolutions regarding—		
Additional provision under 3-C. Land Records for payment of war allowances to karnams, vettis and ugranis	460	
Appointment of travelling sub-assistant surgeons in mufassal hospitals (mover)	504–505	
Grant of scholarships to indigent pupils in secondary schools	488	
Grants to municipalities for improvement of roads (mover)	567, 569	
Grants-in-aid for district boards for the construction and improvement of village roads	556–557	
Increased allotment for improving handloom weaving in the Presidency	547, 548	
Increased allotment for scholarships to mufassal students (mover)	491, 494	
Increased allotment for scholarships to students pursuing scientific and technical education (mover)	494–495	
Leave reserve for the revenue establishments in the North Arcot district (mover)	454–456	
Provision for the appointment of additional assistant inspectors of schools in the Provincial Educational Service (mover)	471–472,	473
Provision for the establishment of a secondary school for girls at Nellore (mover)	481–482	
Provision for free boarding houses for scholars of depressed classes (mover)	499–500,	503–504
Special meeting to consider report on Indian constitutional reforms	147	

	PAGE
<i>Krishna Rao, the Hon'ble Mr. A. S.—cont.</i>	
A Bill to amend the Madras Port Trust Act, 1905	340-341
The Doddappanayakkanur and Vuyyuru Impartible Estates Bill, 1918	67, 70
The Madras Agricultural Pests and Diseases Bill, 1918	575-576, 582, 585, 587, 588, 590, 594, 733, 735-736, 737, 738, 740, 743, 745
The Madras City Municipal Bill, 1918	86-87, 97, 606-607, 609, 612-613, 617-618, 620-621, 632, 633, 637-638, 650, 655, 661, 663, 667-668, 675, 678, 698-699, 704-705, 707, 710, 726, 729, 750, 755, 757, 758-759, 760, 770-771, 773, 776, 783, 789, 795, 796, 798-799, 892-893.
The Madras Prevention of Adulteration Bill, 1918	51, 52, 53-54, 60
<i>Krishna Rao, the Hon'ble Mr. K. R. V. (Zamindar of Polavaram).—</i>	
Asks questions in Council	14-15
Resolutions on matters of general public interest—	
Publication of vernacular scientific primers	142-143
Scale of water-rates (mover)	173-174, 175-176
The Madras Agricultural Pests and Diseases Bill, 1918	77
The Madras City Municipal Bill, 1918	97

L

Littlehales, the Hon'ble Mr. R.—

Replies to remarks in connexion with the budget on free compulsory elementary education, education of girls, Cocanada high school, Muhammadan education, scholarships, medical inspection of schools, grants-in-aid, university education, economic work in the University and technical and agricultural departments in elementary schools	1156-
Replies to supplementary questions	1157
Resolutions on matters of general public interest—	995
Appointment of jiu-jitsu teachers	1089
Constitution of text-book committees	1093,
Development of education in the Ceded districts	1036
Opening a university institute of economics	925
Amended Draft Financial Statement—	957
Introduces certain heads	
Resolutions regarding—	471
Additional provision for board secondary school buildings	486
Grant of scholarships to indigent pupils in secondary schools	487
Grants for the Madura municipality for providing sites and buildings for municipal schools	481
Grants-in-aid to the Vaniyambadi Muhammadan Educational society for the Islamia College	477
Increased allotment for scholarships to mufassal students	491-492
Increased allotment for scholarships to students pursuing scientific and technical education	495
Increase of pay to teachers in the secondary schools in the Presidency	483-484
Increased provision for additional technical scholarships	497
Increased provision under building grants for the Government Muhammadan secondary school, Georgetown	490
Provision for four additional circle inspectors for education	473-474
Provision for the establishment of a secondary school for girls at Nellore	482
Provision for the appointment of additional assistant inspectors of schools in the Provincial Educational Service	472
Provision for free boarding houses for scholars of depressed classes	500-501
Reduction of school and college fees	485
Takes his seat as an Additional Member of Council	448

M

Marjoribanks, C.I.E., the Hon'ble Mr. N. E.—

Amended Draft Financial Statement—	
Resolutions regarding—	
Provision for opening a forest school in the Agency tracts	465, 466
Takes his seat as an Additional Member of Council	448

Molony, the Hon'ble Mr. J. C.—

The Madras City Municipal Bill, 1918	617, 635, 649, 659, 660, 670-671, 714-715, 719, 720, 750, 755, 756, 757, 760, 761, 764, 768, 773, 797, 798, 800, 801, 802, 871, 902-903, 915
Takes his seat as an Additional Member of Council	448
<i>Moscardi, the Hon'ble Mr. A. F. G.—</i>	
Takes his seat as an Additional Member of Council	988
<i>Muhammad Ali Sahib Bahadur, Khan Bahadur, G.C.S.I., the Hon'ble Sir Ghulam, Amir-i-Arcot or Prince of Arcot—</i>	
Termination of the War	376

N

Narasimha Ayyar, the Hon'ble Mr. B. V.—

Asks questions in Council	21-22, 263-264, 809-810, 995-997
Makes remarks in connexion with the budget on the co-operation between official and non-official members in the Council, share of the Madras Presidency in the burden of the Indian administration, excise, forests, police, co-operation, free compulsory education and panchama education	1150- 1152, 1159
Resolutions on matters of general public interest —	
A committee to advise on the provision of house-sites for panchamas in Tanjore	104- 105, 107
A committee to investigate the nature, etc., in regard to the influenza epidemic	373
Appointment of an itinerant rural sanitary board	961
Appointment of jiu-jitsu teachers	1090- 1091
Appointment of non-official presidents to the district boards of Vizagapatam and Ganjam	978
Asylums for beggars	1067- 1069
Borrowing on the sole credit of Provincial revenues	214, 215
Civil justice to be a transferred subject	241
Committee to consider amendment of the Acts relating to village service	430
Committee to inquire regarding the distribution of necessities of life (mover)	836-840
Committee to report on principles contained in recent resolution on local self-Government	156-157
Control of services of transferred departments to be a transferred subject	230, 231
Dramatic performances and cinematographs to be a transferred subject	253
Drinking water for cattle in reserved forests (mover)	361-362
Encouragement of ayurvedic and unani systems of medicine	114-115
Encouragement of co-operative house-building societies (mover)	443
Forests and forest produce to be transferred subjects without limitation	235
Formation of a grain-storing department	1057- 1058, 1059
Free advertisement for co-operative societies (mover)	1114- 1115
Government loans to co-operative agricultural societies	953
Imperial grant for the development of the industries in this presidency	941-942
Improvement of the acoustic properties of the Council Chamber and facilities for the attendance of representatives of vernacular dailies (mover)	1021- 1023, 1025
Industrial development to be a transferred subject	206
Inquiry into recent incidents in Madura (mover)	343-347, 348, 351, 357-359, 361
Inquiry into the system of district administration	422-423
Inquiry into the system of moderation of marks for the school-final certificate scheme	163
Interpreters and translators at meetings of Council (mover)	1002- 1005, 1006, 1010, 1011
Inter-provincial immigration and emigration to be transferred subjects	252
Land revenue administration to be a transferred subject	192-193
Legislation to check the juvenile smoking (mover)	919-921, 923, 924
Measures to be adopted to alleviate the situation due to high prices	403-404
More facilities for vernacular dailies to report Council proceedings (mover)	964

Narasimha Ayyar, the Hon'ble Mr. B. V.—cont.

Resolutions on matters of general public interest—cont.

Opening of a university institute of economics	957
Petitions about the resettlement of the Wynad (mover)	445
Power of suspending local bodies to be transferred	252
Prisons and administration of Press etc., Acts, to be transferred subjects in addition to those in list II	233
Proceedings of the Legislative Council to be published within a fortnight (mover)	1011, 1013
Promotion of new co-operative societies (mover)	1113
Remission of dry assessment in areas in which there has been failure of crop (mover)	428
Remission of revenue in South Kanara	426-427, 428
Removal of inter-district restrictions on transport of foodstuffs	848, 849, 865-866, 867
Scale of grazing fees in reserves not to be increased (mover)	363, 366-367
Steps to prevent importation of infectious diseases from Ceylon	127-128
Subjects in List II of Appendix II to be transferred	246
Suspension of the land revenue collection owing to the prevalent distress (mover)	428
The next administration report to be presented to a committee before publication (mover)	965, 1002
The Salem-Suramangalam railway line (mover)	1030-1031, 1032
To expunge a paragraph from the introduction to the Madras Administration report (mover)	965, 1002
Translation of the proceedings of the Legislative Council (mover)	1013-1014, 1018-1019, 1020
University and secondary education	216, 217
Amended Draft Financial Statement—	
Resolutions regarding—	
Grants to the district boards of Gōdāvari, Kistna and Guntūr for the acquisition of house sites for depressed classes	526
Grants-in-aid to district boards to maintain rural sanitary parties	516
Grants-in-aid to the Vaniyambadi Muhammadan Educational society for the Islamia College	477
Increased allotment for scholarships to students pursuing scientific and technical education	495
Increased allotment for improving handloom weaving in the presidency	546
Increased provision for additional technical scholarships	497
Increased provision under minor sanitary grants to local boards	523
Increased provision under minor sanitary grants to the Tuticorin municipality for drains and a slaughter-house	518
Provision for free boarding houses for scholars of depressed classes	501-502
Provision for opening a secondary school for girls at Nellore	482
Provision of funds for informal panchayats	527
Reduction of school and college fees	485
Motion for the postponement of business before the meeting	42, 43, 188
Special meeting to consider report on Indian constitutional reforms	146, 147
The Doddappanayakkanur and Vuyyura Impartible Estates Bill, 1918	68-69, 70, 71
The Madras Agricultural Pests and Diseases Bill, 1918	78-79, 734, 735, 737-738, 741, 743
The Madras City Municipal Bill, 1918	88, 90, 605, 606, 612, 615, 616, 618, 633-635, 636, 638, 649, 651, 654, 655, 666, 683, 695, 698, 706, 707, 715, 720, 723, 752, 753, 759, 763, 772, 780, 781, 787, 789-790, 801, 888-889, 915, 918
The Madras Prevention of Adulteration Bill, 1918	51, 54, 58, 60, 62

Naydr, the Hon'ble Dr. T. M.—

The Madras City Municipal Bill, 1918	617, 618, 629-630, 647, 648, 649, 652, 660, 662, 663, 668-669, 674-675, 683, 691-693, 695, 696, 697, 703, 710-711, 720, 721, 728-729, 748, 752, 761, 762, 768-769, 777, 786-787, 792, 871, 897-900
Takes his seat as an Additional Member of Council	448

Niblock, I.M.S., the Hon'ble Lieut.-Col. W. J.—

Resolutions on matters of general public interest—

Training of medical officers in the diagnosis of tuberculosis	1105-1106
Takes his seat as an Additional Member of Council	804

P

Papers laid on the table—

Correspondence with the Madras Zamindars and Landholder's Association on Reforms	303
Government Order No. 1848, Revenue, dated 13th May 1918, regarding improvements effected to the water-supply in grazing grounds	73-74
Government Order No. 107 L., dated 4th January 1918, regarding plantation of road avenues	333-337
Government Order No. 81, Medical, dated 28th September 1916, regarding provision for medical education of Oriyas	41
List of persons and public bodies invited to offer remarks on the Reforms Report	302-303
List of places notified as towns in the Madras Presidency under Board's Standing Order No. 21 (9) during 1917-18	74
Instructions regarding extensions of service to officers	38
Reports regarding minute subdivision of agricultural holdings	304-333
Representations received from the public in regard to the incidents in Madura	287-290
State of files in the High Court	833
Statement of officers on Rs. 200 and above in the judicial department and of deputy collectors in the land revenue department who were given extensions of service	37
Statement of the establishment proposed to be employed in the Sivaganga estate	39-40
Statement showing for each month from January 1914 to June 1918 the highest rate, the lowest rate and the average of these two rates of the exchange value of the rupee	36
Statement showing sales of kerosene oil in each district between 1st November 1918 and 28th February 1919 in units of eight gallons compared with the sales of the corresponding period in 1917-18	833
Statement showing the dates of meeting and the dates of publication of the proceedings in the gazette	999
Statement showing the distribution of grants to local bodies	1000
Statement showing the irrigation projects under investigation	294-296
Statement showing the irrigation projects that have been considered by the Government during the last ten years (1908-18) but have been abandoned or indefinitely postponed	297-299
Statement showing the names of officers who have acted as Collectors of Madras during the five years ending 30th June 1918, with the period of each appointment	40
Statement showing the number and strength of elementary schools for Panchamas on 31st March 1918, districtwar	293
Statement showing the number of criminals in each criminal settlement	293
Statement showing the number of voters in the district municipalities in the Presidency during 1917-18	338
Statement showing the places where looting took place in the Presidency within six months from the 1st May 1918	291-292
Statement showing the programme of work of settlement parties	35
Statement showing the progress of acquisition work in the Tanjore district	300
Statement showing the subdivisions in the Gōdāvari, Kistna and Guntūr districts having charge of irrigation works and the area comprised in each	834
Statement showing the weekly average level of the Kannambadi reservoir, water readings at the Cauvery dam, at the Grand Anicut and of the Lower Coleroon	301-302
Statistics of cases in the High Court	290

Pittendrigh, the Hon'ble the Rev. G.—

Resolutions on matters of general public interest—

Encouragement of ayurvedic and unani systems of medicine	120
Increased accommodation in Intermediate classes of Government colleges	172
Publication of vernacular scientific primers	142
University and secondary education (mover)	215-216
Amended Draft Financial Statement—	
Resolutions regarding—	
Grants-in-aid to the Vaniyambadi Muhammadan Educational society for the Islamia College	480
The Madras City Municipal Bill, 1918	87, 94-95, 707, 718-719, 796

President, His Excellency the —

Introductory speech at the meeting in connexion with transferred and reserved subjects	184-186
Makes remarks while closing the budget debate on the deficit in the budget, financial relation between the Local Government and the Government of India, land revenue, excise revenue, Elementary Education Bill, relationship between the official and non-official members of Council and the responsibility of Government	1165-1166
Replies to supplementary questions	19, 22, 23, 30, 31, 265, 282, 990

Resolutions on matters of general public interest—

A committee to advise on the provision of house-sites for panchamas in Tanjore	107
Appointment of a civil judicial officer in the Home (Judicial) department	1079
Appointment of Indians as Deputy and Under Secretaries to Government, Public Works department	972
Appointment of jiu-jitsu teachers	1092
Asylums for beggars	1071
Borrowing on the sole credit of Provincial revenues	214, 215
Civil justice to be a transferred subject	241
Committee to inquire and report on the opening of new police stations	1111, 1112-1113
Committee to report on principles contained in recent resolution on local self-Government	153, 157, 159
Constitution of text-book committees	1036
Constitution and powers of advisory committees for charitable endowments	163
Control and administration of railways	248, 250
Control of services of transferred departments to be a transferred subject	227, 230, 231
Development of district board railways	1037, 1041
Development of education in the Ceded districts	925
Double track of railway between the Beach station and Chingleput	444
Dramatic performance and cinematographs to be a transferred subject	352
Drinking water for cattle in reserved forests	362
Encouragement of ayurvedic and unani systems of medicine	123
Encouragement of co-operative house building societies	143
Extension of the period for which composition of income-tax may be permitted	165
Extension of the system of non-official chairmen and presidents in certain districts	139
Free advertisement for co-operative institutions	1115
Improvement of drainage conditions in the Gōdāvari and Kistna deltas	1087
Inquiry into the situation caused by the failure of the monsoons	443
Inquiry into the system of district administration	424-425
Inquiry into the system of moderation of marks in the school final certificate scheme	162-163
Introduction of the Mrlgeni Rent Enhancement Bill	984
Land acquisition to be a transferred subject	245
Land revenue administration to be a transferred subject	192, 194, 197, 198, 206
Legislation to organize administrative village panchayats	1030
Measures for improving the quality, etc., of live-stock	434
Measures to be adopted for increasing the area under cotton cultivation	431
Measures to be adopted to alleviate the situation due to high prices	385, 404
Opening of a University institute of economics	958
Opening up of minor ports in the Presidency	444-445
Organizing an industrial and economic survey of mining and other industries	431
Proceedings of the Legislative Council to be published within a fortnight	1013
Promotion of new co-operative societies	1013
Public inquiry into the economic condition of the Bellary district as a preliminary to resettlement	928
Publication of vernacular scientific primers	140
Questions relating to business concerns to be transferred	244
Religious endowments to be a transferred subject	253-254
Remission of revenue in South Kanara	428
Resettlement of the Vizagapatam district	984, 1093, 1091, 1099
Stationery and printing stores and supplies to be a transferred subject	254
Steps to promote irrigation schemes in the Ceded districts	968, 970-971
Subjects in list II of Appendix II to be transferred	246
Sub-registrars and the civil judicial test	1118
Suspension and remission of assessment	1063

President, His Excellency the—cont.

Resolutions on matters of general public interest—cont.

The Government soap works, Calicut, to be handed over to a limited liability company	436
Translation of proceedings of the Legislative Council	1020
University and secondary education	216, 217, 218, 221, 222, 223

Amended Draft Financial Statement—

Resolutions regarding —

Additional provision for board secondary school buildings	485
Additional provision under 3-C. Land Records for payment of war allowances to karnams, vettis and ugranis	463
Grant of scholarships to indigent pupils in secondary schools	487
Grants to the district boards of Gōdāvari, Kistna and Guntur for the acquisition of house-sites for depressed classes	526
Grants-in-aid for district boards for the construction and improvement of village roads	558, 559
Grants-in-aid to the Vaniyambadi Muhammadan Educational society for the Islamia College	477, 480
Improvement of the sanitary condition of pilgrim centres	530
Increased allotment for improving handloom weaving in the Presidency	548
Increased allotment for scholarships to mufassal students	493, 494
Increased allotment for scholarships to students pursuing scientific and technical education	495
Increased provision for additional technical scholarships	496-497
Increased provision to municipalities for plague expenditure	513
Increased provision under building grants for the Government Muhammadan secondary school, Georgetown	491
Increased provision under minor sanitary grants to the Tuticorin municipality for drains and a slaughter-house	520
Leave reserve for the revenue establishment in the North Arcot district	456
Provision for four additional circle inspectors for education	473, 474
Provision for free boarding houses for scholars of depressed classes	502-503, 504
Provision for the appointment of additional assistant inspectors of schools in the Provincial Educational Service	472, 473
Reduction of provision for soap-making experiments	541
Reduction of expenditure under Police	471
Motion for postponement of business before the meeting	42, 43, 187-138, 189
Reference to the death of the late Mr. H. F. W. Gillman, c.s.i.	449
Reference to the death of the late Mr. K. R. V. Krishna Rao	262
Special meeting to consider report on Indian Constitutional Reforms	146, 147, 148
Termination of the war	348, 376, 380-382
A Bill to provide for the voluntary registration of Mussalman marriages and divorces	48, 50
The Koodalmanickam Devaswom Bill, 1918	339, 340
The Madras Agricultural Pests and Diseases Bill, 1918	577, 579, 584, 585, 586, 735, 737, 739, 740, 746, 747
The Madras City Municipal Bill, 1918	87, 89, 91, 98, 602, 607, 610, 611, 612, 621, 622, 624, 625, 626, 631, 632, 633, 636, 638, 639, 648-649, 650, 652, 654, 656, 660, 662, 663, 664, 665, 666, 669, 671, 673, 674, 676, 679, 691, 693, 695, 697, 700, 701, 702, 703, 705, 707, 715, 716, 717, 720, 721, 722, 723, 724, 728, 729, 752, 753, 761, 767, 768, 769-770, 771, 772, 780-781, 792, 794, 796, 797, 799, 800, 801, 802, 836, 870, 871, 881, 882
The Madras Prevention of Adulteration Bill, 1913	52-53, 54, 59, 60

Questions asked in Council—

Abdur Rahim, Mr. See Provincial Educational Service.	
Absence from India. See Government of India Act, 1915.	
Accommodation. See Government Training School, Nellore.	
Accountants—	
Names and addresses of — approved by Government for income-tax purposes ..	284, 804
Acting district munsifs. See Salary.	
Additional lecturer. See Presidency College.	
Additional Secretary—	
to Government ..	32
Administration report. See Breeding operations.	
Admissions—	
to the Medical and Engineering colleges and schools ..	7
Advisory boards. See commodities.	
Advisory committee. See Prices.	
Agency rules—	
Recommendations by the Committee to revise the — ..	809
Agency tracts. See Agricultural farm and Veterinary hospital.	
Agents. See Passports.	
Agreement—	
Cancellation of the — between the South Indian Railway and British India Steam Navigation Company ..	823
Agricultural colleges. See Muhammadan education.	
Agricultural department. See Paddy.	
Agricultural Engineering department. See "Water-finder."	
Agricultural farm—	
An — for the Vizagapatam agency ..	813
for Ganjam ..	18
Opening of an experimental farm and school for Oriyas in Ganjam ..	816
Agricultural farms and veterinary institutions to be opened in current year ..	29
Agricultural holdings. See Subdivision of holdings.	
Agricultural schools—	
Opening of — ..	29
See Technical schools.	
Agricultural station—	
A coconut — in the Amalapur or Razole taluk ..	279
Agriculture—	
Publication of Mr. Tampoe's reports on the agricultural practices in the Godavari Western delta ..	809
Aided elementary schools. See Grants.	
Aiyur. See Irrigation.	
Amalapur taluk. See Agricultural station.	
Ambulance. See Secondary school leaving certificate syllabus.	
American Baptist Mission. See Criminal settlements.	
American cotton. See Cotton.	
Anaikatti. See Forest village system.	
Anantapur. See Agricultural farm and District and Sessions court.	
Anantapur district. See Notification system.	
Andhras. See Lecturers.	
Anglo-Indian Force. See Mappillas.	
Anglo-Indian Servants. See Exchange compensation allowance.	
Anicut. See Irrigation.	
Appeals. See High Court.	
Applications. See Accountants, Light keepers and Passports.	
Arabic language and literature. See Presidency College.	
Arakulam Odai. See Irrigation.	
Arkonam. See Railways.	
Armed reserved police. See District Conference.	
Arms—	
Training and supply of — to certain gentlemen in Namakkal ..	21
Arms licences—	
Arms Act licence forms ..	286
Army department. See Railway fares and freight.	
Arni estate. See Court of Wards.	
Arrack shops—	
Reduction of — in the Vizagapatam agency ..	813

Questions asked in Council—cont.

Arrack and toddy—	
Control of sale of — in municipal areas ..	15
Arts colleges. See Admissions and Moslem students.	
Arngupulli tope. See Forests.	
Aska. See Bridge.	
Assault—	
by the police on the sub-magistrate of Chowghat, South Malabar ..	831
Assessees. See Accountants and Election.	
Assessment. See Backyard cultivation, Backyards and Lands.	
Assessment books. See Taxes.	
Assistant Inspector of Salt. See Salt department.	
Assistant Inspectors—	
and Provincial Educational Service ..	33
Assistant Inspectors of Schools. See Daily allowance.	
Assistant Professor. See Presidency College.	
Attagada. See Kallikota.	
Ayacut maps—	
of the Godavari delta ..	994
Ayan. See Sivaganga zamindari	
Ayyavayyanar. See Irrigation.	
B. A. Course. See Kallikota.	
Backyard cultivation—	
Assessment of — ..	34
Assessment of backyards in Tanjore ..	9
Ballipodro. See Grazing fees.	
Banks. See Coins.	
Barur tank project—	
Failure of the — ..	276
Proposal to extend irrigation under the — ..	277
See Water-meters.	
Basel German Mission. See Industries.	
Bathing ghats—	
Local boards to be permitted to carry out certain works instead of the Public Works Department ..	819
Bathway, Godown lane, Trichinopoly. See Public pathway.	
Beach Station—	
The new — and its location ..	24
Bellary. See Building and Silt.	
Bengal. See Import.	
Berhampur. See Education, Oriya middle school, Oriyas, Secondary training school and Silk filatures.	
Berhampur College. See Scholarships.	
Berhampur municipal council. See Oriyas.	
Bhimavaram. See Taluk board.	
Bidi. See Juvenile smoking.	
Bills—	
relating to local self-government ..	31
See Local self-government.	
Board of Revenue—	
Changes proposed in the — ..	32
Reconstitution of the — ..	827
See Backyard cultivation, Charitable endowments and Provincial service.	
Board sessional school. See Education.	
Board's Standing Order. See Irrigation sources and Water-rates.	
Boggeru project. See Irrigation project.	
Bombay University. See Lady Fellows.	
Boring—	
Demonstration in — for water ..	19
Boring department—	
Supply of pipes to the — ..	
Brahman teachers. See South Indian Liberal Federation.	
Breeding operations—	
Expenditure under — ..	280
Bridge—	
Construction of a — between Neelapally and Yanam ..	27
Construction of the Pulamanthol — in Malabar district ..	274
Grant for the construction of a — on the Mahanadi near Aska ..	816

Questions asked in Council—cont.

	PAGE
British India Steam Navigation Company. See Agreement, Licences and Port Officers.	
Buchanan, K.C.I.E., the Hon'ble Sir G. See Harbour.	
Building—	
— for municipal high school, Bellary	
New — for Queen Mary High school and hostel, Vizagapatam	28
Burma. See Import.	
Burma rice. See Rice.	
By-law—	
Suspension of a — passed by the Ramnad District Board	819
Calicut. See Port Officers.	
Canals—	
Closure of — of the Godavari Western delta	821
Improvement of —	33
Cargo. See Steamer service.	
Carts. See Grains.	
Case—	
Adjournment of a criminal —	829
Cash grant. See Religious and charitable institutions.	
Catchment area. See Rainfall.	
Cattle—	
Drinking water for — in reserved forests	810
See Grazing fees.	
Cauvery. See Floods, Irrigation, Rainfall and Water-readings.	
Cauvery delta. See Irrigation.	
Cauvery reservoir project. See Kistna reservoir project.	
Ceded districts. See Girls' high school and Stipends.	
Census. See Live-stock.	
Central nazarat establishment. See Establishments.	
Central nazars. See Civil Judicial test.	
Certificates—	
Issue of — by the Director of Civil Supplies	271
Cess. See Railway cess.	
Chandragiri. See Religious disturbances.	
Channel bunds. See Coconut plantations.	
Channels. See Irrigation.	
Charitable endowments—	
Lists of —	17
Muhammadan —	23
Chatrapur district. See Court language.	
Chatrapur division. See Court language.	
Cheyyar. See Irrigation and Resettlement.	
Chicacole Taluk Board. See Taluk Board and Zamindaris.	
Chidambaram. See District Munsif's Court.	
Chidambaranatha Mudaliyar, the Hon'ble Mr. K. See Ryotwari Landholders' Association.	
Chilka lake canal—	
Transfer to the Salt department from the Public Works department of the —	998
Chillies. See Economic distress.	
Chingleput. See Irrigation.	
Chingleput municipality. See Water tax.	
Chittar, the. See Irrigation.	
Chittoor district. See Memorial.	
Cholam. See Foodgrains.	
Christian College. See Lecturers.	
Christian Mission high school. See Education.	
Cigarette. See Juvenile smoking.	
Circular—	
— of the District Magistrate, Ramnad, regarding copies of criminal complaints and first information reports	272
Civil assistant surgeons. See Sub-assistant surgeons.	
Civil Courts—	
Publication of Mr. Phillips' report on the — reorganization scheme	830
See Civil Judicial test.	
Civil Courts Act—	
Views of the High Court on certain questions	267

Questions asked in Council—cont.

Civil Judicial test—	
Simplification of the —	25
Civil revision petitions. See High Court.	
Civil rules of practice. See Encumbrance certificates.	
Civil Veterinary department. See Breeding operations.	
Clerks. See Civil Courts Act, Pay, Presidency port office, Presidency port service and War allowances.	
Clothing—	
Stocks of articles of — and control of their prices	7
Cloth merchants. See Cloths.	
Cloths—	
Railway restrictions on the despatch of parcels of Indian hand made —	284
See Foodstuffs.	
Coast lighthouses. See Coast light service.	
Coast light service—	
Recruitment of Indians for the — and their pay	807
Coast light stations—	
Inspection of — by Port Officers	6, 807
See Port lights.	
Cocanada. See Hospital.	
Cocanada taluk. See Taluk boards.	
Cochin. See Port officers.	
Coconut plantations—	
Lease of Government channel bunds in the Godavari and Kistna deltas for planting coconut trees	280
See Agricultural station.	
Coimbatore. See Prickly-pear.	
Coimbatore district. See Mahazar.	
Coimbatore District Board. See District board railways.	
Coimbatore Medical school. See Stipends.	
Coimbatore taluk. See Forest village system.	
Coins—	
Difficulty in obtaining —	15
Collector of Anantapur. See Notifications	
Collector of Ganjam. See Court language.	
Collector of Madras—	
Changes in the personnel of —	20
Collector of Nellore. See Deposits and Foodgrains.	
Collector of Salem. See Arms.	
Collector of Vizagapatam. See Arrack shops.	
Collectors. See Conference, Foodstuffs, Passports, Prices and Provincial Service.	
Colombo. See Export and Licences.	
Combatant branches. See Education.	
Commanders. See Port officers.	
Committee. See Accountants and Agency rules.	
Commodities—	
Supply and transport of —	253
Compensation leave—	
— to registering officers attending at private residences	2
Compounders. See Grain compensation allowance.	
Conference. See Elementary Education Bill and Foodstuffs.	
Contract Act, The. See Civil Judicial test.	
Controller. See Prices.	
Convicted persons. See Enlistment.	
Co-operative banks. See Educational committees.	
Copyist establishment. See Establishments and Nazarat establishment	
Coringa. See Irrigation.	
Coroner—	
A — for Madras City	13
Cotton—	
Production of higher grade of staple —	830
Countess of Dufferin's Fund. See Gosha hospital.	
Court-keepers. See Pay.	
Court language—	
Oriya as the — of Chatrapur division	20, 816
Court peons. See Pay.	
Court of Wards—	
Management of the Arni estate	989
See Minors and Sivaganga Zamindari.	

Questions asked in Council—cont.

	PAGE
Court of Wards Act. See Sivaganga Zamindari.	
Cow killing—	
Cattle shooting in the reserved forests near Tuticorin	820
Cows. See Permit fee.	
Cremation of Muhammadans. See Mappillas.	
Criminal appeals. See High Court.	
Criminal settlements—	
Grant to the American Baptist Mission for the management of —	
Non-official visitors to —	269
Criminals. See Criminal settlements.	
Crisis in India—	
Publication of a book by a district judge	809
Crops. See Cultivation.	
Cultivation—	
Area under wet and dry — in this Presidency	
Details of wet and dry — in the Presidency	271
Taluk where paddy — suffered for want of rains	279
See Foodgrains.	
Cumbu. See Foodgrains.	
Currency notes—	
Discount for cashing — in the Gōdāvari district	994
See Coins.	
Currency office. See Sovereigns.	
Daily allowance—	
— to certain Educational officers	991
Dam. See Kannambadi.	
Delta tracts. See Drainage.	
Dentists—	
— for district headquarter hospitals	994
Department of Fisheries. See Soap factory.	
Deposits—	
Investment of the — of toll-gate contractors in district banking unions	813
Deputy Collectors—	
Training of — in survey and settlement work	281
See Jamabandi.	
Deputy Inspector-General. See Shooting.	
Deputy Port Conservator—	
Status of the — Madras	
See Presidency Port Officer.	
Deputy Port Conservator's office. See Head clerk.	
Deputy Superintendents of police—	
Appointment of —	827
Deputy tahsildars—	
Appointment of Oriya graduates as — in Oriya tracts	815
Vacancies among — in the Vizagapatam district	286
Devakottai. See Education.	
Devakottai taluk board—	
Non-official president for —	17
Devarapalli project. See Irrigation project.	
Dindigul-Palghat Railway. See District board railways.	
Director of Agriculture. See Paddy.	
Director of Civil Supplies. See Certificates, Commodities, Foodstuffs, Rice and Steamer freight charges.	
Director of Public Instruction. See Education and Presidency College.	
Discount. See Currency notes.	
Dispensary. See Stud bulls and Veterinary hospital.	
Distribution of water—	
Transfer to the Revenue Department of the duty of distributing water under the Barur tank	277
District and Sessions court—	
A separate — for Anantapur	29
District banking unions. See Deposits.	
District board of Madura. See District board railways.	
District board of Malabar. See Bridge.	
District board presidents. See Deposits.	
District board railway. See North Arcot district.	

Questions asked in Council—cont.

	PAGE
District board railways—	
Progress made in district board railway construction	992
Schemes under investigation for the construction of —	997
Terms of working of the Tanjore District Board Railway line	12
District boards—	
— to be utilized by Collectors for advice and consultation	31
Election or nomination of presidents of —	285
See Railway cess, Special executive officers and Village roads.	
District committees. See Prices.	
District conference—	
The Police and the — at Thottiyam	26
District co-operative banking unions—	
Cash to be kept on hand by the —	813
District court. See North Arcot district.	
District court sarishtadars. See Civil Courts Act.	
District gazette. See Proceedings and Scheme reports.	
District judges—	
Appointment of Muhammadans as —	989
District magistrate. See Shooting.	
District magistrates. See Enlistment and Passports.	
District magistrate, Ramnad. See Circular.	
District Municipalities Act. See Local Self-Government, Profession-tax and Taxes.	
District Municipalities Bill—	
Publication of the draft —	826
District munsifs—	
Transfers of —	812
See Establishments, Munsifs' court, Berhampur, Pay and Salary.	
District munsif's court—	
Retransfer of the — from Chidambaram to Mannargudi	805
District officer. See District boards.	
District Registrars. See Registration department.	
District Superintendent of Police—	
Service of the — at Madura	276
See Shooting.	
District Superintendents of Police—	
Appointment of Muhammadans as —	989
Information regarding — recruited from Provincial service	272
Disturbances—	
— at Kamuthi, Ramnad district	277
Divisional officer, Koraput. See Arrack shops.	
Dowlaiswaram. See Headquarter.	
Draftsmen—	
Memorials from Public Works Department — and others for increased allowances	995
Drainage—	
— under Perunkulam, Marudur anicut system	278
Grant to the Masulipatam Municipality to improve —	808
Improvements to the Vettangudi —, Shiyali taluk	823
Reports of the Public Works Department on the — conditions of delta tracts	829
Drains—	
Improvement of — in the Gōdāvari Eastern and Central deltas	821
Drainage schemes. See Sanitary works.	
Drainage tax. See Taxes.	
Drinking—	
Restricting the possession of country spirits by private persons	822
Dry tracts. See Remissions.	
Dye houses. See Silk filatures.	
Economic condition—	
Further inquiry into the — of North Arcot	996
Inquiry into — of ryots in South Arcot	9
Report on the — of Tiruvannāmalai taluk	996
Economic distress—	
— and steps to alleviate it	806
Economic inquiry—	
— in selected areas	825

Questions asked in Council—cont.

	PAGE
Education—	
Board Sessional school, North Arcot	4
Converting the elementary school, Devakottai, into a middle school	16
Converting the municipal elementary school, Nellore, into a Secondary school	23
Free — of children of persons serving in combatant forces	25
Imposition of a penalty on primary school pupils seeking admission to secondary schools	11, 282
Opening of a fourth form in a school in Tiruvallūr	8, 22
Raising of second-grade colleges to the first grade	20
Educational authorities. See Text-books.	
Educational committees—	
Establishment of co-operative —	280
Educational Conference—	
Giving effect to the recommendations of the —	265
See Elementary education and Free studentships.	
Educational department—	
Reorganization of inspecting staff	33
See Juvenile smoking.	
Educational service —	
Promotions in the —	820
Egmore Balika Patasala. See Rules.	
Egyptian cotton. See Cotton.	
Election—	
Municipalities in which the privilege of electing chairmen is to be granted	805
Statistics of voters and electors in taluk boards and municipalities	282
Taluk boards in which the privilege of electing presidents is to be granted	805
See District boards.	
Elective seats. See Oriyas.	
Elective strength—	
Increase of — of the Erode Municipal Council	21
Electric lighting. See Water-power.	
Elementary education—	
Allotment of the Imperial grant for —	7
Bill for compulsory —	285
Compulsory —	18
Extension of —	281
Elementary Education Bill—	21, 265, 282, 809
Elementary schools—	
— for the children of depressed classes	270
Ellore. See Rice.	
Elunthuraikondan tank. See Irrigation.	
Emergency committees. See Food-stuffs and Prices.	
Employees. See Memorial and War allowance.	
Encroachment. See Poramboke lands.	
Encumbrance certificates—	
Reduction in the cost of —	819
Endowments. See Kazis.	
Engan regulator. See Irrigation.	
Engineering College—	
Removal of a student from the —	14
See Admissions.	
Engineering school. See Scholarships.	
Engineering school, Vizagapatam. See Admissions and Scholarships.	
England. See Minors and Passports.	
Enlistment—	
Persons convicted of offences and —	12
Ennore. See Salt.	
Ennore licensees. See Salt.	
Epidemics. See Influenza.	
Ernad. See Railways.	
Ernad taluk. See High schools.	
Erode municipal council. See Elective strength.	
Establishments—	
Central nazarat and copyist —	26
Sub-Judges and district munsifs and their —	2

Questions asked in Council—cont.

Estates Land Act—	
Amendment of the —	990
Estimates. See Drainage.	
European High School examination	264
European servants. See Exchange compensation allowance.	
Europeans. See Port and coast light.	
Eurasians. See Port lights.	
Exchange Compensation Allowances—	
Payment of —	10
Exchange value—	
— of the rupee	
Executive and advisory committee. See Rajkumar College.	
Executive Engineer, Chingleput. See Irrigation.	
Executive lower subordinates. See Draftsmen.	
Exodus—	
— to the hills	22, 812
Export—	
Prohibition of — of rice from Muttupet to Colombo	268
See Certificates and Grains.	
Extensions of service—	
— to officers	13
— to officers on Rs. 200 and above	11
Federated Malay States. See Passport regulations and Passports.	
Fees. See Education.	
Female inspecting agency. See Education department.	
Field stones. See Poramboke lands.	
Finance Committee. See Secretariat.	
Firing—	
Inquiry into deaths caused by police — on looters	268
First aid. See Secondary School Leaving Certificate Syllabus.	
First-grade colleges. See Education.	
First information reports. See Circular.	
Fisheries Department—	
Activities of the — in the Northern circars	286
Floods—	
— in the Cauvery	34
Food-grains—	
Action taken to prevent depletion of stocks of — in the Nellore district	997
Adequacy of stock of — and their export	6
Area under cultivation and the normal outturn under the principal —	823
Average price of — at taluk centres	810
Control of prices of —	7
Correspondence with the Government of India regarding export of — from this Presidency	810
Facilities for transport of —	283
Outturn of crops in Malabar and South Kanara	281
Prices of —	6
Special committees for the supply of —	824
Statistics in regard to stocks of —, etc.	283
Stocks of — in each district	997
See Goods train, Looting and Railway rates.	
Foodstuffs—	
Arrangements for the cheap supply of —	818
Arrangements for the supply of — and kerosene oil	827
Control of — by Government	991
Control of prices of —	268
Emergency committees in districts	283
Emergency committees to advise Collectors on prices of —	269
Localities where scarcity rates of — prevail	279
Prices of —	812
Publication of the market prices of — etc., in the Presidency	279
Rise in prices of —	271
Supply of — to the mufassal	992
To control the transport and price of paddy and other —	826
See Conference, Prices and Ryots.	
Forest officers. See Grazing fees.	
Forests—	
Reservation of Arugupulli tope, Ramnad, for grazing purposes	26

Questions asked in Council—cont.

	PAGE
Forest village system—	
Introduction of the — in certain areas, Coimbatore	12
Francis, C. See Lighthouse-keeper.	
Free boarding school—	
Establishment of a — for the children of non-Brahmana Mahrattas of Tanjore ..	813
Free studentships—	
— in secondary schools	29, 274
French Cochin China. See Passports.	
Frontier stations. See Notification system.	
Ganjām. See Agricultural farm, Deputy tahsildars, Munsifs, Oriya girls' schools, Oriyas and Salt department.	
Ganjām district. See Irrigation, Oriya prosecuting inspector of police and Ryots.	
Gazette. See Legislative Council proceedings.	
General Hospital. See Lighthouse-keeper.	
General Post Office. See Beach station.	
Girls' high schools—	
— and manual training centres	29, 274
Goats—	
Facilities for goat-rearing	279
Gōdāvari. See Currency notes, Irrigation, Water applications and Water-rates.	
Gōdāvari delta. See Aysent maps, Coconut plantations, Irrigation, Irrigation channels, Rules, Water applications, and Water readings.	
Gōdāvari district. See Bridge, Grains, Kist and Taluk boards.	
Gōdāvari District Association. See Indian Registration Act.	
Gōdāvari District Conference—	
Certain resolutions of the —	19
See Water applications.	
Gōdāvari Eastern and Central delta. See Drains.	
Gōdāvari Western delta. See Agriculture and Canals.	
Golconda taluk. See Grains and Magisterial powers.	
Goods. See Railway service.	
Goods train—	
Re-opening of the Tirutturaippundi-Vedaranniyam railway line for traffic ..	805
Goomsur division. See Ryots.	
Gosha hospital—	
The —, Vizagapatam	18
Gothic and Anglo-Saxon languages. See Lecturers.	
Government colleges. See Lecturers.	
Government contribution. See Religious institutions.	
Government experimental tannery—	
Appointment of technically trained men in the —	831
Government high school. See High schools.	
Government of India. See Bills, Exchange compensation allowance, Food-grains, Indian Civil Service officers, Industrial Commission, Judicial Service, Legislative Council, Pay, Provincial Judicial Service, Railway rates, Secretariat, Sub-assistant surgeons, Tanners, War and War allowances.	
Government of India Act, 1915—	
Exercise of the power conferred by section 93 (2) of the —	21
Government of India Act, XII of 1880. See Kazis.	
Government of India resolution. See Elementary education, Local Self-Government and Special Executive officers.	
Government Press, Mount road. See Memorial.	
Government scholarships. See Muhammadan education.	
Government Soap Works, Calicut—	
Handing over the — to private enterprise	16
Government technical institute, Madura	26
Government training school, Nellore—	
Accommodation in —	33
Govinda Rao, M.R.Rv. Rao Bahadur, M. R. See Devakottai taluk board.	
Grain compensation allowance—	
Grain compensation and house-rent allowances to compounders	28
Gram—	
Scarcity of —	828
Grains—	
Prohibition of export of — from the Gōdāvari to the Vizagapatam district ..	286
See Kyotwari Land-holders' Association.	
Grand anicut. See Water-readings.	

Questions asked in Council—cont.

	PAGE
Grant—	
Recurring — for improving pay of teachers	32
Grants—	
Distribution of — to local bodies	998
Monthly — to aided elementary schools	20
Grazing. See Permit fee.	
Grazing fees—	
Abolition of — and relaxation of the rules in regard to permits for grazing of cattle	264
System of levy of —	21
Water difficulties and the raising of — in reserved forests	264
Great Cotton road. See Municipal hospital.	
Green-manure. See Permit fee.	
Gudiyāttam. See North Arcot district.	
Goomsur division. See Ryots.	
Guntūr. See Water applications and Water-rates.	
Guntūr district. See Government training school, Nellore.	
Harbour—	
— improvements at Tuticorin	808
See Memorial.	
Harbour Trust. See Beach station.	
Head clerk—	
Enhanced pay to — of Deputy Port Conservator's office	989
Head clerks—	
Increase of pay of — in out-port offices	807
See Civil Judicial test.	
Headmaster, Aryan secondary school. See Public pathway.	
Headquarter hospitals—	
Improvements to —	31
See Dentists.	
Headquarters—	
— of the Ramnad district	825
Transfer of the office of the Superintending Engineer, I Circle, from Dowlaiswaram to Vizagapatam	822
See Salt sub-inspectors.	
High Court—	
Arrears of work in the —	267, 810
Statement of work in the —	267
Temporary judgeships at the —	267
See Beach station, Civil Courts Act, District munsifs, Judicial service, Muslim leader, Pay and Provincial judicial service.	
High schools—	
A high school for Muhammadans at Trichinopoly	3
Opening of Government —	22
Opening of a high school at Manjeri, Malabar	24
See Education and South Indian Liberal Federation.	
Hindu girls' school. See Rules.	
Hindupur. See Notification system.	
Hindus. See Muhammadans and Religious disturbances.	
His Excellency Lord Chelmsford. See Reforms Report.	
His Excellency The Viceroy. See Indian Constitutional reforms and Tanners.	
Honorary chairman. See North Arcot district.	
Honorary Director of Fisheries. See Government Soap Works, Calicut.	
Hospet taluk. See Silt.	
Hospital—	
Construction of a new — at Cocanada	27
Hospital Committees. See Headquarter hospitals.	
Hostel. See Buildings.	
House-rent allowance. See Grain compensation allowance.	
House-sites—	
— for Panchamas, Tanjore district	271
Provision of — for Panchamas in Tanjore	11
Houses. See House-sites.	
House-tax. See Taxes.	
Imperial grant. See Elementary education.	
Import—	
Statistics of — of paddy and rice into the Presidency	266

Questions asked in Council—cont.

Income-tax. See Accountants.	
Income-tax Manual. See Accountants.	
Incomplete secondary school. See Education.	
Indian Arms Act. See Arms licences.	
Indian Army. See Education.	
Indian Capitalists. See Government Soap Works, Calicut.	
Indian Civil Service. See Indian Civil Service Association.	
Indian Civil Service Association—	
Memorandum of the —	811
On the —, its objects and aims	814
Indian Civil Service Officers—	
Memorandum of the — on the Reform scheme	814
Indian Constitutional Reforms—	
Publication of the opinion of the Government on the Reform proposals	829
Publication of report on — in vernaculars	11
Special Legislative Council meeting for considering report on Constitutional Reforms	30
See District boards.	
Indian Educational Service. See Educational service and Lecturers.	
Indian Evidence Act. See Civil Judicial test.	
Indian light-keepers—	
Names of —	989
Indian Medical Service Officer. See Inspector-General of Prisons.	
Indian refreshment rooms—	
Condition of — on railways	30
Report on the condition of — on railways	274, 814
Indian refreshments—	
Report of committee for inspection of food arrangements at railway stations	5
Indian Registration Act—	
Amendment of section 88 of the —	822
Indians. See Inspectors of Schools, Nilgiri Library, Ootacamund, Port lights and Port and coast light.	
Indigenous systems of medicine—	
Investigation of —	30
Placing the — on a scientific basis	823
Industrial Commission—	
Representatives of Indian Commerce to be consulted regarding the recommendations of the —	827
Industrial education. See Industries.	
Industries—	
Disposal of the — owned by the Basel Mission	274
Development of — and technical and industrial education	8
Influenza—	
Statistics of — and other epidemics to be furnished by local bodies	264
Informal panchayats—	
— and their working	32
Permitting — to raise money for their purposes	285
Inspection. See Coast light stations.	
Inspector-General of Prisons—	
Appointment of —	13
Inspectorate of schools—	
Reorganization of the —	280
Inspectors. See Deputy Superintendents of police.	
Inspectors of Schools—	
Appointments of Indians to the new posts of Circle —	830
Posting of four additional inspectors and twelve additional sub-assistant —	826
See Pay.	
Instructors. See Physical training.	
Intermediate examination—	
Results of the —	18
Irrigation—	
Condition of Kuntikutta channel, Ganjam	18
Construction of an anicut across the Chittar river, Tinnevely district	819
Defective — of the Pallavannar, Tanjore district	812
Defective — of the Pettara-arnar, Tanjore	813
Defective — in certain villages in Tiruturaipundi taluk, Tanjore district	268
Extension of — to Coringa and Polavaram islands	15
Improvement of an — source in Ramnad district	26

Questions asked in Council—cont.

Irrigation—cont.

Improvement of the water-supply of the Periyakulam tank, Tinnevely district	820
Improvements to the Ayyavayyanur in the Mayavaram taluk, Tanjore district. }	823
Improvements to the Cauvery from below the Mayavaram bridge	
Improvements to the Pokku vaikal in the Cauvery delta	274, 814
Investigation of the Kinnivattam channel, Chingleput	272
— under the Vettar and Odambogiyar	14
Lands classified as irrigable dry in the Gōdāvari delta	996
Reclassification of — sources in North Arcot	15
Remodelling of channels in Gōdāvari deltas	994
Request for G.O. No. 541 I. of 1913	27
Restoration of a channel, Chingleput	
See Barur tank project and Tank restoration scheme.	
Irrigation channels—	
— in the zamindari areas of the Gōdāvari delta	821
Irrigation Commission. See Irrigation projects.	
Irrigation projects—	
Devarapalli irrigation project	822
Plans and estimates for the Polavaram island project	997
Reports regarding Thandava and other — in the Vizagapatam district	286
State of the Boggeru and Vengalapuram projects in Nellore district	279
Statement of — abandoned or postponed	270
Statement of — under investigation	
Irrigation sources—	
Classification of — in Gōdāvari and Kistna	994
See Resettlement and Water-rates.	
Irrigation tanks. See Prickly-pear.	
Irrigation works—	
Average net returns on productive —	278
Number and jurisdiction of subdivisional officers in charge of — in certain districts	821
Irrigational subdivisional officers. See Irrigation.	
Jaghirs. See Kazis.	
Jails—	
Mortality in —	30
Jalarpet. See Railways.	
Jamabandi—	
Select tahsildars to conduct — of taluks	994
Janmis. See Lands, Memorial, Resettlement and Survey marks.	
Jeypore—	
Constitution of — as an Oriya district	816
Jeypore Agency—	
Constitution of the — into a separate district	20
See Deputy tahsildars and Oriyas.	
Judicial Department—	
Extensions of service to officers in the —	811
See Extensions of service.	
Judicial service—	
Muhammadans in the —	23
Jurisdiction. See Srivaikuntam Munsif's Court.	
Juvenile smoking	813
Kachanam. See Irrigation.	
Kaliampundi. See Irrigation.	
Kallikota—	
Permission to the Zamindar of — and Attagada to study for the B.A.	990
Kallikota College. See Education.	
Kamuthi. See Disturbances.	
Kannambadi—	
— dam works	993
See Water readings.	
Karnams. See Memorial.	
Kavali. See Criminal settlements.	
Kazis—	
Endowments for maintenance of —	23, 26
Lists of —, etc.	22, 26f
Kerala Janmi Sabha. See Memorial.	

Questions asked in Council—cont.

Kerosene oil—	
Scarcity of —	806, 810, 824, 826, 828
See Economic distress, Foodstuffs and Oil-seeds.	
Kinnivattam channel. See Irrigation.	
Kist—	
Place at which — should be paid	14
Suspension of — collection	264
See Ryotwari Landholders' Association.	
Kistbandi—	
— in the Vizagapatam district	285
Kistna. See Rice, Water applications and Water-rates.	
Kistna delta. See Coconut plantations.	
Kistna district. See Government training school, Nellore and Taluk boards.	
Kistna reservoir project—	
Delay in the revision of the plans and estimates for the --	830
Koodakudi. See Irrigation.	
Krishna Rao, the Hon'ble Mr. A. S. See Economic inquiry.	
Krishnaswami Mudali, T. D. See Engineering College.	
Kudivaram. See Salt.	
Kumbakonam. See Teaching grants.	
Kunnakudi devasthanam. See Devakottai taluk board.	
Kuntikutta channel. See Irrigation.	
Kurangusamba. See Paddy.	
Kurnool. See Rice.	
Kurnool range. See Permit fee.	
Labour strike. See Mills.	
Labourers. See House-sites.	
Labouring classes. See Yarn.	
Lady Fellows—	
Appointment of —	18
Land-cess. See Union funds.	
Land Customs—	
— on the Karaikal frontier	3
Landholders. See House-sites, Irrigation and Poramboke lands.	
Land Improvement Loans Act. See Silk industry.	
Land records work. See Memorial.	
Lands—	
Decrease of cultivated area in Malabar and South Kanara owing to unfavourable season	281
Private janmam — in Malabar transferred to Government for public purposes	274
Procedure for the transfer of janmam — from unoccupied to occupied dry	993
Land-tax. See Taxes.	
Leases. See Sivaganga zamindari.	
Leasing of villages. See Sivaganga zamindari.	
Leather. See Government experimental tannery.	
Lecturers—	
Lecturer in Gothic and Anglo-Saxon at the Presidency College	272
—, etc., in Government Colleges in Telugu districts	18
Legislation. See Bills, Informal panchayats and Mulgeni Rent Enhancement Bill.	
Legislative business—	
Statement of — for 1918-19	265
Legislative Council—	
Extension of the term of the present —	830
See Elementary education, Elementary Education Bill and Indian Constitutional Reforms.	
Legislative Council proceedings—	
Dates of publication of the proceedings of the Legislative Council	997
Library. See Nilgiri Library, Ootacamund.	
Libraries. See Educational committees.	
Licences—	
Licensing steamer companies to touch at Tirumalavasal	11
See Salt.	
Lighthouse. See Port and coast light.	
Lighthouse-keeper—	
Death of a —, Tinnevely district	2

Questions asked in Council—cont.

Light-keepers—	
Transfers of lighthouse-keepers	278
See Port and coast light.	
Liquor transport rules. See Drinking.	
Live-stock—	
Information on agricultural — and pasturage	279
Loans. See Silk industry.	
Local Boards. See Charitable endowments, Foodgrains, Influenza and Union funds.	
Local Boards Act—	
Bill to amend the —	990
Local Boards Bill—	
Publication of draft —	827
Local bodies. See Provident fund, Supplementary questions, Stud bulls and War allowance.	
Local committees. See Prices.	
Local fund administration reports—	
Publication of certain statements in --	26
Local Government. See Indian Constitutional Reforms.	
Local Self-Government—	
Bills to amend the Madras District Boards and Municipalities Acts	285
Looting—	
Places where — took place	263, 268
Lower anicut. See Water readings.	
Lower subordinate class. See Engineering College.	
Madanapalle taluk. See Memorial.	
Madras City. See Coroner, Mortality and Survey.	
Madras City Municipal Bill. See Bills.	
Madras District Municipalities Bill. See Bills.	
Madras Educational rules. See Education.	
Madras Local Boards Bill. See Bills.	
Madras Pilot Service. See Port officers.	
Madras Police Act, 1859. See Police.	
Madras Port Manual. See Port officers.	
Madras-Rangoon steamer service. See Steamer service.	
Madras and Southern Mahratta Railway. See Railways.	
Madras weekly notes. See High Court.	
Madras Zamindars and Landholders' Association. See Reforms.	
Madrasa-i-Azam—	
Transfer of Mr. Naimur Rahman to the second-grade college connected with the —	267
See Muslim students.	
Madura—	
Inquiry into the state of unrest in —	276
Particulars regarding the sending of military troops to —	
See Non-official presidents, Shooting and Silk filatures.	
Madura-Bodinayakkanur Railway. See District board railways.	
Madura Collector's office. See Shooting.	
Madura district. See Election.	
Madura mills. See Mills.	
Madura technical institute—	
Re-organization of the —	17
Magisterial powers—	
— exercised by the Tahsildars of Sarvasiddhi and Golconda taluks, Vizagapatam district	285
Mahanadi, The. See Bridge.	
Mahazar—	
— from the ryots of Sinnathadagam, etc., villages in Coimbatore district	264
Mails. See Steamer service.	
Main roads. See Grants.	
Major Joly de Lothinière. See Water-power.	
Malabar. See Bridge, Education, Elementary education, High schools, Industries, Lands, Memorial Resettlement, Soap factory, Stipends and West Coast regiment.	
Malabar district board. See District board railways.	
Malabar Tenants Improvement Act—	
Extension of the — to the Nilgiri district	809
Malappuram. See Mappillas.	
Malappuram riot. See Mappillas.	
Malayalis. See West Coast regiment.	

Questions asked in Council—cont.

Male Inspecting agency. See Education department.	
Manantoddy. See Railways.	
Manapad lighthouse. See Lighthouse-keeper.	
Manjeri. See High schools and Mappillas.	
Mankada. See Mappilla outbreak.	
Mannargudi. See District munsif's court.	
Manual training centres. See Girls' high school.	
Mappilla outbreak—	
— and progress made in the matter of a railway through the Mappilla zone ..	831
Mappillas—	
Burning of the dead bodies of — who died in the recent Malappuram riot ..	989
Shooting of eight — by the police ..	806
Shooting of — in the Walavanad taluk, Malabar district ..	828
See Religious disturbances.	
Marine Adviser. See Deputy Port Conservator.	
Mark Hunter. See Lecturers.	
Marudur anicut. See Drainage.	
Marumakkattayam system. See Education.	
Masters. See Training schools.	
Masulipatam. See Drainage.	
Mayavaram-Arantangi line. See District board railways.	
Mayavaram bridge. See Irrigation.	
Mayavaram taluk. See Irrigation.	
Medical buildings. See Grants.	
Medical certificate. See Passport.	
Medical College. See Admissions.	
Medical education. See Oriyas.	
Medical school, Bellary. See Admissions.	
Medical school, Vizagapatam. See Scholarships.	
Medical schools. See Admissions.	
Meetings. See Rajapalaiyam union.	
Melattur. See Railways.	
Members of Council. See Scheme reports.	
Memorandum. See Indian Civil Service Association, Indian Civil Service Officers and Reforms.	
Memorial—	
Grievances of Janmis of Malabar ..	281
— from the employees in the Government Press, Mount Road ..	809
— to the Viceroy regarding the Harbour scheme ..	991
Memorials from certain karnams in regard to land records work ..	33
See Devakottai taluk board, Draftsmen, Free boarding school, House-sites, Kist, Provincial Judicial service, Registration department and Tanners.	
Merchants. See Cloths, Export and Yarn.	
Merchants of Tuticorin. See Memorial.	
Mesopotamia. See Rice.	
Middle schools. See Education.	
Military troops. See Madura.	
Mills—	
Labour conditions in the Madura — ..	
Labour strike in the Madura — ..	277
Ministerial officers. See Civil Judicial officers.	
Minors—	
Education in England of — under the Court of Wards ..	990
Mistresses. See Training schools.	
Mohini grant. See Religious and charitable institutions.	
Morappanad. See Water-supply scheme.	
Mortality—	
— in Madras City ..	31
See Jails.	
Muhammadian education—	
Encouragement of — ..	4
Muhammadian Educational Association of Southern India. See Presidency College.	
Muhammadian Educational Conference. See Muhammadian education and Presidency College.	
Muhammadian elementary schools—	
The Vellore taluk board and — ..	4

Questions asked in Council—cont.

Muhammadians—	
Friction between Hindus and — at Sivagiri ..	988
See District judges, High schools, Mappillas and Police.	
Mulgeni Rent Enhancement Bill—	
Introduction of the — ..	832
Municipal Council, Tuticorin. See Water-tax.	
Municipal elementary school. See Education.	
Municipal high school. See Building.	
Municipal hospital—	
Tuticorin — ..	5
Municipal towns. See Foodstuffs.	
Municipalities. See Charitable endowments, Election, Food-grains, Influenza and Police.	
Munsifs—	
Appointment of Oriya — in Ganjam ..	817
Munsif's Court, Berhampur—	
Transfer of the additional — to Aska ..	818
Museum Theatre. See Rules.	
Muslim leader—	
A — and the Tirappattur munsif ..	5
Muslim Literary Society. See High schools.	
Muslim students—	
Muhammadian candidates admitted into colleges ..	23
Proportion of Muhammadian students admitted into colleges ..	266
Muthupet. See Export.	
Mysore. See Economic condition and Grain.	
Mysore Government. See Kannambadi	
Naib Kazis. See Kazis.	
Naimur Rahman, Mr. See Madrasa-i-Azam.	
Namakkal. See Arms.	
Nanjundapuram. See Forest village system and Mahazar.	
Narasaraopet. See Water-supply.	
Narasapatnam. See Kistbandi.	
Narasapur. See Dentists.	
National high school. See High schools.	
Nattukottai Chetti. See Education.	
Nayar, Dr. T. M. See Passport.	
Nazarat establishments—	
Separate nazarat and copyist establishments for each court ..	
Reorganization of the — ..	267
Neelapally. See Bridge.	
Negapatam. See Licences and Port officers.	
Negotiable Instruments Act, the. See Civil Judicial test.	
Nellore. See Education.	
Nellore district. See Irrigation project.	
Nidamangalam-Mannargudi line. See District board railways.	
Night schools. See Educational committees.	
Nilgiri district. See Malabar Tenants Improvement Act and Resettlement.	
Nilgiri Library, Ootacamund—	
Government grant to the — ..	12, 267
Nominated members. See Government of India Act, 1915.	
Non-Brahmana Mahrattas. See Free boarding school.	
Non-official presidents—	
More — of taluk boards to be appointed in the districts of Madura, Tinnevely and Ramnad ..	819
See Special Executive officers.	
Non-official presidents of district boards. See Indian Registration Act.	
Non-official visitors—	
— for recruiting offices ..	31
See Criminal Settlements and Headquarter hospitals.	
Non-officials. See Conference, Food-grains and Foodstuffs.	
North Arcot. See Economic condition, Prickly-pear and Re-settlement.	
North Arcot district—	
Information regarding various matters in the — ..	996
See Education.	
North Arcot Muslim Educational Conference. See Muhammadian elementary schools.	
North Beach road. See Beach station.	

Questions asked in Council—cont.

Northern circars. See Fisheries department.	
Notices. See Survey marks.	
Notification system—	
Abolition of the plague —	28
Notifications—	
— inviting applications for appointments from particular castes	13
Nurseries. See Silk industry.	
Odambogiyar, the. See Irrigation.	
Offences. See Trial by jury.	
Officers. See Indian Civil Service Association.	
Officials. See Food-grains and Foodstuffs.	
Oil-seeds—	
Price of — and restriction of their export	824
Oriental Manuscripts Library—	
Oriya pandit for the —	279
Orissa. See Import.	
Oriya. See Court language.	
Oriya district. See Jeypore.	
Oriya district association, Ganjam —	
Representations made by the — and by the Hitaisini Samaj, Parlakimedi	815
Oriya girls' schools—	
An Oriya Assistant Inspector of Schools for the — in Ganjam and Vizagapatam.	815
Oriya graduates. See Deputy tahsildars.	
Oriya middle school—	
Provision of a special subsidy for the — at Berhampur	816
Oriya pandit. See Oriental Manuscripts Library.	
Oriya prosecuting inspector of police—	
Appointment of an — for Ganjam district	818
Oriya students. See School fees.	
Oriyas—	
Provision for medical education of —	21
Provision for the appointment of — in the public service in the district of Ganjam and in the Jeypore Agency	815
Reservation of certain elective seats on the Berhampur municipal council for —	816
— on local bodies	20
See Agricultural farm, Munsifs, Salt department, Scholarships, Secondary training school and Vaccinators.	
Ottappidaram taluk. See Irrigation.	
Outport offices. See Head clerk.	
Outposts—	
Increasing the number of — and police stations in the Ramnad district	992
See Police and Police department.	
Overtime allowance. See Port officers.	
Paddison, Mr. See Shooting and Subdivision of holdings.	
Paddy—	
Cultivation of a variety of — in Tanjore	10,282
See Cultivation, Grains and Import.	
Paddy crop—	
Extent of land uncultivated for the paddy first crop	265
Palar. See Irrigation.	
Pallavanar, the. See Irrigation.	
Palayakayal tank. See Water-supply.	
Palmyra trees—	
Penalty for over-tapping —	19
Palni. See Elections.	
Panangudi. See Irrigation.	
Panchaganthanallur. See Irrigation.	
Panchamas. See House-sites.	
Pandal tax—	
Tax on pandals in the Perungulam village, Tinnevely district	820
Pandikad. See Railways.	
Pangal. See Irrigation.	
Pardon. See Enlistment.	
Parlakimedi taluk board. See Zamindaris.	
Parthasarathi Nayudu, Mr. See Case.	
Passengers. See Railway service and Steamer service.	
Passport—	
— to Dr. T. M. Nair	13

Questions asked in Council—cont.

Passport regulations—	
Withdrawal of — to Straits Settlements and Federated Malay States	808
Passports—	
Abolition of — for travellers to the Straits Settlements, etc.	804
Issue of — to persons engaged in oversea trade	284
List of persons granted — to England	22
Pasturage. See Live-stock and Pasture.	
Pasture—	
Preservation of pasturage in villages	280
Pattarasarnar, the. See Irrigation.	
Pay—	
Increased — of clerks in Government offices in Presidency town	811
Increased — to sub-judges and district munsifs	998
— of clerks of inspectors of schools	33
— of peons in district munsifs' and sub-judges' offices	5
See Coastlight service, Grants, Head clerks, Port officers, Presidency port service, Sanitary inspectors and Typists.	
Peddapuram. See Water-supply.	
Pelly, Mr. See Shooting.	
Penalty. See Education and Palmyra trees.	
Penang. See Passports.	
Pension. See Provident fund.	
Pensioners. See Profession tax.	
Peons. See Salt and abkari department.	
Periyakulam tank. See Irrigation.	
Periyar project. See Water-power.	
Permit. See Grazing fees.	
Permit fee—	
Increase of — for green-manure in the Kurnool range	273
Increase of grazing fees as against Sugalis	
Personal Assistant to the Director of Public Instruction.	
A Muhammadan officer as —	4
Perungulam. See Pandal tax.	
Petitions. See Malabar Tenants Improvement Act.	
Phillips, Mr. Justice. See Civil courts and Provincial Judicial Service.	
Physical education. See Physical training.	
Physical training—	
Appointment of instructors in —	10
Piece-goods—	
Facilities for transport of Madras —	284
Restrictions on the export of — from Madras	
See Yarn.	
Pilgrims committee—	
Recommendations of the —	30
See Taxes.	
Pilgrim tax. See Taxes.	
Pipes. See Boring department.	
Plague charges. See Plague regulations.	
Plague committee. See Notification system.	
Plague regulations—	
Revision of the —	28
Plans and estimates. See Ramnad hospital.	
Pokku vaikal. See Irrigation.	
Polavaram. See Irrigation and Irrigation Project.	
Police—	
Increase of the strength of the regular —	269
Special — officers enlisted under the Madras Police Act, 1859	265
The conduct of a police officer in Madras City	12
See War allowance.	
Police department—	
Particulars regarding the organization of the police force	818
Reorganization of the —	277
Policeman—	
The case of a —	12
Police officers. See Police.	
Police stations. See Outposts.	
Ponduru. See Weaving institute.	
Ponnaiar. See Irrigation and water meters.	

Questions asked in Council—cont.

	PAGE
Poramboke lands—	
Encroachments on —	812
Port and coast light—	
Employment of Indians and Eurasians as — keepers	264
Particulars regarding port and coast lights keepers	278
Port lights—	
Employment of Indians and Eurasians in — and coast lights departments.	
Port officers—	
Authorizing — to survey sea-damaged cargo, etc.	5
Increased salary to —	808
Revision of pay of —	5
See Coast lights.	
Port Trust. See Steamer freight charges.	
Post offices. See Coins.	
Presidency College—	
Affiliation of the — in Arabic language and literature under Branch IX of the B.A. (Honours) course	266
Affiliation of the — in Persian and Arabic under group VI of the B.A. course ..	267
Chair of Arabic and Persian at the —	267
See Lecturers.	
Presidency Port office—	
Recruitment of clerks in the —	807
Presidency Port Officer—	
Appointments of — and Deputy Port Conservator	808
See Coast light stations, Deputy Port Conservator and Presidency Port office.	
Presidency Port service—	
Revision of pay of the staff in the —	807
Presidents. See District boards, Election and Special executive officers.	
Prices—	
Control of —	16, 30, 32
Steps to control —	323
Taluk committees to assist in controlling —	17
See Clothing and Foodgrains.	
Prickly-pear—	
Revenue from removal of — on the bunds of channels and irrigation tanks ..	267
Primary school pupils. See Education.	
Proceedings—	
Publication of the — of union panchayats	995
Process-service. See Pay.	
Profession-tax—	
Levy of — on pensions	15
Professor of Arabic. See Presidency College.	
Professor of Persian. See Presidency College.	
Prohibited area. See Certificates.	
Promotions. See Educational service.	
Provident fund—	
Pension to teachers and other servants of local bodies not benefited by the — scheme	814
Provincial Educational Service—	
Muhammadans in —	18
See Assistant Inspectors.	
Provincial Insolvency Act, the. See Civil Judicial test.	
Provincial Judicial service—	
Mr. Phillip's report on civil courts and —	32
Re-organization of the —	5, 8, 12, 32
Provincial Service—	
Listing of posts from the —	272
See District Superintendents of Police, Inspector-General of Prisons and Lecturers.	
Public bodies. See Elementary education and Reforms report.	
Publicity boards. See Commodities.	
Public opinion. See Indigenous systems of medicine.	
Public pathway—	
Closure of a — in Trichinopoly	4
Public servants. See Indian Civil Service officers.	
Public service. See Oriyas.	
Public Works Department. See Bathing ghats, Buildings, Chilka Lake canal	
Draftsmen, Irrigation, Irrigation works and Water applications.	
Pulamanthol bridge. See Bridge.	

Questions asked in Council—cont.

Pulses. See Economic distress.	
Pupils. See Elementary schools.	
Queen Mary high school. See Building.	
Questions based on newspaper reports —	
The "Hindu"	3, 15, 16, 22, 24, 28, 284, 806, 8, 24
The "Indian Patriot"	272
The "Justice"	13
The "Madras Mail"	24, 28, 814
The "New India"	24
The "Swadesamitran"	
Quit-rent pattas. See Memorial	
Ragi. See Foodgrains.	
Railway. See Mappilla outbreak.	
Railway Board. See Indian refreshment rooms and Railway rates.	
Railway cess —	
List of district boards levying —	997
Railway fares and freight—	
Reduction of —	825
Railway parcel. See Cloths.	
Railway rates—	
Reduction of —	810
Railway service—	
Increase of — in the main line of the South Indian Railway	825
Railway traffic—	
Restrictions on —	33
Railway wagons. See Licences.	
Railways—	
Doubling of railway line between Jalarpet and Arkonam	996
Survey of a railway line from Shoranur to Manantoddy	25
See Railway fares and freight.	
Rainfall—	
— in catchment areas of the Cauvery	34
Rajahmundry taluk board. See Taluk board.	
Rajapalayam union—	
Meetings of the — panchayat to be public	820
Rajkumar College—	
Composition and personnel of the — committees	990
Ramachandrapuram taluk. See Taluk boards.	
Ramesvaram. See Water-supply scheme and Water-works.	
Ramnad. See Non-official presidents and Out-posts.	
Ramnad district. See Devakottai taluk board, Education, Forests and Headquarters.	
Ramnad District Board. See By-law.	
Ramnad district board president. See Rajapalayam union.	
Ramnad hospital—	
Plans and estimates for the —	825
Razole. See Kist.	
Razole taluk. See Agricultural station and taluk board.	
Reading rooms. See Educational committees.	
Receiver. See Devakottai Taluk Board.	
Recruitment. See Presidency Port office.	
Recruits. See West Coast regiment.	
Reforms—	
Correspondence with the Madras Zamindars and Landholders' Association on—	
Reforms report—	
Public criticism on the —	272
Reforms scheme. See Indian Civil Service officers.	
Registering officers. See Compensation leave.	
Registrar. See High Court.	
Registrar of Madura. See Notifications.	
Registration. See Ryotwari lands.	
Registration department—	
Reorganization of the —	28, 273
See Encumbrance certificates.	
Relief works. See Ryotwari Landholders' Association.	
Religious and charitable institutions—	
— that receive grants from Government	805

Questions asked in Council—cont.

	PAGE
Religious disturbances—	
The Chandragiri rioting case in South Kanara	831
Religious establishment and endowment. See Sivaganga trust institutions.	
Religious institutions—	
Budget head relating to payment made to—	991
Payment by Government to — in respect of villages administered by Government on their behalf	272
Remission. See Kists and Ryots.	
Remissions—	
Amount of revenue — in the budget.	993
Reorganization. See Inspectorate of schools and Police.	
Reorganization scheme. See Civil Courts.	
Report. See Paddy, Sandalwood oil and Shooting.	
Reserved forests. See Cattle and Goats.	
Re-settlement—	
— of the North Arcot district	996
— of the Wynad	25
See Scheme reports.	
Resolution of the Government of India. See District boards.	
Resolution on local self-government. See District Municipalities Bill and Local Boards Bill.	
Retired Government officials—	
Permission to retired officials to practise as vakils	28
Returns. See Irrigation works.	
Revenue—	
Remission and suspension of — in South Kanara and other districts	832
See Prickly-pear and Water-rates.	
Revenue authorities. See Lands.	
Revenue Department. See Distribution of water and Extensions of service.	
Revenue Divisional officer, Peddapuram. See Notifications.	
Revenue Divisional officers. See Jamabandy and Typists.	
Revenue firka. See Cultivation.	
Rice—	
Import of — into Kurnool from Kistna	814
Price of — and export of grain to Mesopotamia	828
See Economic distress, Export, Foodgrains and Import.	
Right Hon'ble the Secretary of State. See Indian Constitutional Reforms and Reforms Report.	
Rioting. See Religious disturbances.	
Road avenues—	
Plantation of —	280
Royal Indian Marine. See Presidency Port Officer.	
Rules—	
Modification of — for the supply of water for the crops in the Godavari deltas	822
— governing the lending of the Museum theatre	990
See Agency rules and Supplementary questions.	
Ryots—	
Measures for the relief of distress in Goomsur	816
See Cotton, Grazing fees, Irrigation and Mahazar.	
Ryotwari landholders' association—	
Requests of the — to relieve distress	806
Ryotwari lands—	
Recommendations of the survey committee in regard to revenue-paying —	812
Salaries. See Port officers.	
Salary—	
— of acting district munsifs	19
Salem college—	
Expenditure on the construction of the —	995
Salem municipal council. See Arrack and toddy.	
Salt—	
Application by Ennore — licensees for increase in kudivaram	27
Sale of — by licensees	
Sale of — at Madras depot	832
Salt and Abkari department—	
Discharge of peons in the — in South Kanara and Malabar districts	815
Salt department—	
Appointment of an Oriya Assistant Inspector of Salt in Ganjam	
See Chilka lake canal.	

Questions asked in Council—cont.

	PAGE
Salt manufacture—	
Fall in quantity of salt manufactured	27
Salt sub-inspectors—	
Touring by —	994
Salvation army. See Criminal settlements.	
Sandalwood oil—	
Development of — industry	8,282
Sandalwood rules—	
Revision of the — in South Kanara	832
Sandalwood transport rules—	
Revision of — in South Kanara	281
Sanitary Engineer. See Sanitary works.	
Sanitary inspectors—	
Pay of —	275
Sanitary works—	
Programme of — under investigation and ready for execution for 1919-20	808
Sanitation—	
Information regarding sanitary improvements of villages in the Presidency	829
Sarasvati Patasala girls' school. See Teaching grants.	
Sarishtadars. See Civil judicial test.	
Sarvasiddhi taluk. See Kisthandi and Magisterial powers.	
Scheme report—	
— regarding the settlement of Vizagapatam district	286
Supply to council members of vernacular copies of scheme re-settlement reports	827
Scholarships—	
— for Oriyas in the Berhampur college	817
— for Oriyas in the Engineering and Medical schools, Vizagapatam	
— for Oriyas in the Engineering school, Vizagapatam	
— for Oriya students joining the School of Arts	
School of Arts. See Scholarships.	
School boys. See Juvenile smoking.	
School buildings. See Grants.	
School fees—	
Concession rate of — to Oriya students	817
School for Commerce. See Technical schools.	
Sea-damaged cargo. See Port officers.	
Season—	
Steps taken in consequence of failure of the —	824
Second grade College. See Education.	
Secondary School-Leaving, Certificate examinations. See South Indian Liberal Federation.	
Secondary School-Leaving Certificate syllabus—	
Inclusion in — an elementary course in ambulance and first aid	813
Secondary schools. See Education and Studentships.	
Secondary training school—	
The temporary secondary school for Oriyas at Berhampur to be made permanent.	816
Secretariat—	
Creation of the new —	9
Secretary of State. See Exchange compensation allowance, Extensions of service, Indian Civil Service officers, Kannambadi, Provincial Judicial service and Secretariat.	
Secretary to Government. See Additional Secretary.	
Seeds. See Silk industry.	
Senior Government Inspector. See Indian refreshment rooms.	
Sericultural Superintendent. See Silk industry.	
Settlement. See Scheme report.	
Settlement duty. See Deputy collectors.	
Settlement officer. See Resettlement.	
Settlement parties—	
— and their programme	9
Shiyali. See Licences.	
Shiyali taluk. See Drainage.	
Shooting—	
Inquiry into the recent incidents in Madura.	263, 265
Reports on the recent incidents in Madura !.	275, 276
Shoranur. See Railways.	
Silk filatures—	
Establishment of —, twisting mills and dye houses.	831

Questions asked in Council--cont.

	PAGE
Silk industry—	
— in the Presidency	280
Silt—	
Expenditure incurred in repairing the Tungabhadra channels	815
Singapore. See Passports.	
Sinnathadagam. See Forest village system.	
Sivaganga-Manamadurai Railway. See District board railways.	
Sivaganga trust institutions—	
Appointment of a Government officer as manager of trust institutions in the Siva-	
ganga zamindari	826
Management of the endowment attached to the —	991
Sivaganga Zamindari—	
Establishment attached to the Sivaganga estate	13
Lease of villages in the —	825, 990
Management of the —	826
Sivagiri. See Muhammadans.	
Sivalaleri. See Irrigation.	
Soap factory—	
The Malabar —	24
Sokkanatham koi. See Irrigation.	
South Arcot district. See Economic condition.	
South Indian Liberal Federation—	
Alleged malpractice of certain Brahman teachers of Trichinopoly	988
South Indian Railway. See Railway service and Railways.	
South Indian Railway Company. See Agreement and Beach station.	
South Kanara. See Education, Elementary education, High, schools. Lands.	
Revenue, Sandalwood rules, Sandalwood transport rules and Stipends.	
Southern Mahratta Railway Company. See Beach station.	
South Malabar. See Assault.	
Sovereigns—	
Issue of —	3
Sowcars. See Sovereigns.	
Sowrashtia community. See Cloths.	
Special Executive officers—	
Appointment of — to local boards which have non-official presidents	285, 286
Special officer. See Barur tank project, Mortality, Resettlement and Sandalwood	
oil.	
Special Police force. See Mappillas.	
Special Police officers. See Police.	
Special Settlement Officer. See Resettlement.	
Springhaven road. See Beach station.	
Srinivasa Ayyangar, Mr. T. See Judicial department.	
Srinivasa Rao. See Crisis in India.	
Srivaikuntam. See Pandal tax.	
Srivaikuntam munsifs court—	
Jurisdiction of the —, Tinnevely	819
Srivilliputtur. See Muhammadaus.	
Staff. See Police department.	
Stationary sub-magistrate, Poonamallee. See Case.	
Stationary sub-magistrates. See Magisterial powers.	
Station-house officers. See Police.	
Steamer freight charges—	
Reduction of — and certain other matters dealt with at a public meeting in	
Madras	265
Steamer service—	
Restoration of the Madras-Rangoon weekly —	805
Steamers. See Agreement.	
Stipends—	
— for Malabar and South Kanara students in the Coimbatore Medical school ..	282
Storage charges. See Steamer freight charges.	
Straits Settlements. See Passports and Passport regulations.	
Strike. See Mills.	
Stud-bulls—	
Maintenance of —	279
Students. See Stipends and Training schools.	
Students' Literary Association, Coimbatore. See Nilgiri Library, Ootacamund	
Sub-Assistant Inspectors. See Assistant Inspectors.	
Sub-Assistant Inspectors' cadre. See Daily allowance.	

Questions asked in Council--cont.

	PAGE
Sub-Assistant Inspectors of Schools. See Inspectors of Schools.	
Sub-Assistant surgeons—	
Promotion of — to the rank of Civil Assistant Surgeons	275
Subba Rao, Mr. A. See District Superintendents of Police.	
Sub-court—	
Making permanent the — at Vizagapatam	828
See North Arcot district.	
Subdivision of holdings—	
Minute subdivision of agricultural holdings	275
Subdivisional officers. See Irrigation works.	
Subjudges. See Judicial service and Provincial Judicial service.	
Subordinate Collegiate service. See Educational service.	
Subordinate judges. See Establishments and Pay.	
Subordinate judicial officers. See Civil Courts Act.	
Sub-magistrate of Chowghat. See Assault.	
Sub-registrars. See Registration department.	
Sub-treasuries. See Currency notes.	
Sugalis. See Permit fee.	
Sugar—	
Expert advice for sugarcane growers	830
Sugar experts. See Sugar.	
Superintending Engineer. See Irrigation project.	
Superintending Engineer, I Circle. See Headquarters.	
Superintending Engineer, II Circle. See Canals.	
Supplementary questions—	
— at meetings of municipal councils and local boards	263
Survey—	
— operations in the Madras City	812
Survey Committee. See Ryotwari lands.	
Survey marks—	
Notices to be served on janmis for the maintenance of missing	993
Survey school. See Deputy collectors.	
Suspension of kist. See Kist.	
Suspension of revenue. See Revenue.	
Syndicate. See Tamil Lexicon.	
Tahsildars. See Jamabandi, Magisterial powers and Water applications.	
Takkavi loans. See Ryots.	
Taluk committees. See Prices.	
Taluk board—	
Creation of a separate — for Razole taluk	822
Separate — for Parlakimedi	20
Taluk boards—	
Electorate to —	
Splitting up of —, Godavari and Kistna districts	6
See Election, Non-official presidents and Special Executive officers	
Tambraparni. See Bathing ghauts.	
Tamil Lexicon—	
Progress in the compilation of the —	271
Tampoe, Mr. See Agriculture.	
Tanjore. See Passports.	
Tanjore district. See Agreement, Backyard cultivation, Export, Free boarding	
schools, House-sites, Irrigation and Paddy.	
Tanjore district board. See District board railways.	
Tank Restoration Scheme—	
To expedite progress in —	830
Tanned skins. See Memorial.	
Tanners—	
Grievances of — in South India	15, 24
Tannery. See Government experimental tannery.	
Taxes—	
Revision of — in the Tirupati municipality	269
See Pandal-tax.	
Teachers. See Grant and Provident fund.	
Teaching grant—	
Refusal of grant to a girls' school, Kumbakonam	11
Technical education. See Industries.	
Technical schools—	
— for the Telugu districts	830

Questions asked in Council—cont.

Technological institute. See Technical schools.	
Telugu districts. See Lecturers and Technical schools.	
Telugu regiment—	
Formation of a —	8
Term of office. See Legislative Council.	
Text-books—	
Scarcity of — prescribed in schools, etc.	19
Thandava project. See Irrigation projects.	
Thangavelu Pillai, T. C., Mr. See Public pathway.	
Tinnevely. See Non-official presidents.	
Tinnevely district. See Irrigation and Lighthouse-keeper.	
Tinnevely-Tiruchendur railway. See District board railways.	
Tirumulavasal. See Agreement and Licences.	
Tirupati municipal council. See Taxes.	
Tirupattūr munsif. See Moslem leader.	
Tiruturaipūndi taluk. See Irrigation.	
Tiruturaipūndi-Vēdāranniyam railway line. See Goods train.	
Tiruvallūr. See Education.	
Tiruvannāmalai. See Resettlement.	
Tiruvannāmalai taluk. See Economic condition.	
Toll-gate contractors. See Deposits.	
Training schools—	
Opening of additional —	
Statement of —	270
Transfer of Property Act, the. See Civil Judicial test.	
Transfer of registry—	
Orders on — of pattas	995
Transfers. See District munsifs, Light-keepers and Presidency Port service.	
Travelling allowance. See Deputy collectors.	
Treasuries. See Coins.	
Trial by jury—	
Extension of the system of — to offences not punishable with death	827
Trichinopoly. See District Conference, Public pathway and South Indian Liberal Federation.	
Trust institutions. See Sivaganga zamindari.	
Tuticorin. See Harbour, Municipal hospital, Port officers and Water-supply scheme.	
Tuticorin municipality. See Cow-killing.	
Tungabhadra channel. See Silt.	
Twisting mills. See Silk filatures.	
Typists—	
Clerks working as — in Revenue divisional offices	273
— in Revenue divisional offices	28
Union funds—	
Contribution of a portion of land cess to —	285
Union panchayats. See Bathing ghauts, Proceedings and Union funds.	
University of Madras. See Presidency College and Tamil Lexicon.	
Upper anicut. See Water readings.	
Uttiramerūr. See Irrigation.	
Vaccinators—	
Training of Oriya —	817
Vakils' association. See High Court.	
Vamsadhara project. See Chilka Lake canal.	
Varadarajulu, Dr. See Shooting.	
Vayalpad. See Memorial.	
Vegetable oils. See Economic distress.	
Vellore. See Muhammadan education, Muhammadan elementary schools and North Arcot district.	
Vendors. See Kerosene oil.	
Vengalapuram project. See Irrigation project.	
Venkatarama Ayyar, Rao Bahadur K. S. See Goods train.	
Veterinary hospital—	
Opening of a — or dispensary in the Agency tracts	279
See Agricultural farm and Stud bulls.	
Veterinary institutions. See Agricultural farm.	
Vettangudi. See Drainage.	
Vettar, the. See Irrigation.	
Victoria Extension road. See Municipal hospital.	

Questions asked in Council—cont.

Victoria Gosha hospital. See Gosha hospital.	
Village officers. See Survey marks.	
Village roads—	
Expenditure incurred by district boards on new —	810
See Grants.	
Virapandi. See Forest village system.	
Vital statistics—	
Experimental registration of — in certain areas	812
Vizagapatam. See Buildings, Gosha hospital, Headquarters, Jeypore Agency, Oriya girls' schools, Scholarships and Sub-court.	
Vizagapatam Agency. See Agricultural farm and Arrack shops.	
Vizagapatam district. See Arms licences, Deputy tahsildars, Fisheries department, Grains, Irrigation project, Kistbandi, Magisterial powers and Scheme report.	
Vizagapatam school. See Stipends.	
Voters. See Election and Taluk boards.	
Wagons. See Rice.	
Walavanad taluk. See Mappillas and Railways.	
War—	
List of persons who have rendered — services	13
See Prices, Passport regulations and War allowance.	
War allowance—	
Extension of — to clerks whose pay is Rs. 75 and less	807
Persons who have benefited by the grant of —	830
— to clerks in Government service	12
— to employees of local bodies	27
War Emergency Acts. See Prices.	
War recruiting offices. See Non-official visitors.	
Water. See Cattle.	
Water applications—	
Tahsildars' powers to dispose of — in certain cases	14
— in delta taluks of Gōdāvari, Kistna and Guntūr	6
Water-finder—	
Use of the —	19
Water meters—	
Establishment of — to determine the supply from the Ponnai river and the catchment area of the Barur tank	277
Water-power—	
Utilization of — available at Periyār	271
Water-rates—	
Estimated revenue from the proposed —	278
— levied under first-class irrigation sources	8
Proposed scale of —	
Water-readings—	
Average — in the Cauvery at Kannambadi, etc.	271
— in the channels of Gōdāvari delta	14
Water-supply—	
— to the Palayakayal tank	26
— scheme for Narasaraopet and Peddapuram	808
Tuticorin — scheme	3
See Sanitary works and Taxes.	
Water-tax—	
— in the Chingleput municipality	4
Water-works—	
Completion of — at Rāmēsvaram	826
Weaving institute—	
A — at Ponduru	831
See Madura technical institute and Technical schools.	
Weekly returns of deaths. See Influenza.	
West Coast regiment—	
Malayalis already enlisted to be allowed to join the —	25
Wet lands. See Drainage.	
Wet tracts. See Remission.	
Women's medical service. See Gosha hospital.	
Wynad. See Resettlement.	
Yanam. See Bridge.	
Yarn—	
Railway facilities for carrying — and piece-goods to the mufassal	992
See Clothing.	

Questions asked in Council—cont.

Zamindari areas. See Irrigation channels.

Zamindaris—

Transfer of certain — from the Chicasole Taluk Board to Parlakimedi Taluk Board 816

R*Rajagopala Achariyar Avargal, C.I.E., the Hon'ble Diwan Bahadur P.—*

Replies to remarks in connexion with the budget on the free and compulsory education of panchamas and other depressed classes, corporation, drainage and water-supply schemes and the industries department 1158-1160

Replies to supplementary questions 17, 19, 283, 820, 832

Resolutions on matters of general public interest—

All non-official presidents of taluk boards to be elected 980-981
Appointment of an itinerant rural sanitary board 959, 960, 961-962, 963

Appointment of non-official presidents to the district boards of Vizagapatam and Ganjam 977-978, 979

Asylums for beggars 1068
Committee to consider Mr. Lanchester's report on the Madras City 178-179
Committee to report on principles contained in recent resolution on local self-Government 150, 151, 153-159, 160

Control of the export trade in oil-seeds 1049

Control of the services of transferred departments to be a transferred subject 229

Co-optation of members on district boards 973-974, 975

Effect to be given to certain recommendations in the resolution on local self-Government 931, 932-933, 934, 935

Establishment of a board of agriculture 1103, 1104

Establishment of a commercial museum in Madras 984, 1119, 1120

Establishment of an industrial school in the Telugu districts 982-983

Extension of the period for which composition of income-tax may be permitted 165

Extension of the system of non-official chairmen and presidents in certain districts 136-138, 139

Extension of time-limit for submission of return of income 163

Imperial grant for the development of the industries in this Presidency 937, 939, 941

Interpreters and translators at meetings of Council 1005, 1006-1007, 1008

Legislation to check juvenile smoking 923

Legislation to organize administrative village panchayats 1028-1029, 1030

Madras City special works 108

Measures for improving the quality, etc., of livestock 432-434

Opening up of minor ports in the Presidency 444, 445

Schools for teaching navigation 412

Steps to prevent importation of infectious diseases from Ceylon 128, 129

Sub-registrars and the civil judicial test 1116-1117, 1118

The Government soap works, Calicut, to be handed over to a limited liability company 436, 439, 440, 442

Amended Draft Financial Statement—

Introduces certain heads 463, 466, 471, 513, 531, 536-537, 552

Resolutions regarding

Additional provision for the revision of pay of sub-registrars 466

Grant to the Dindigul municipal council for opening and widening of lanes 524

Grant to the South Kanara district board for constructing bridges over the Gurgur and the Pavangi 570

Grant to Tanjore district board for improvement of roads 561-562

Grants to the Dindigul taluk board for the construction of a bridge over the Kodavanar 563-564

*Rajagopala Achariyar Avargal, C.I.E., the Hon'ble Diwan Bahadur P.—cont.**Amended Draft Financial Statement—cont.**Resolutions regarding—cont.*

Grants to district boards for the construction of bridges and culverts in deltaic tracts 566-567

Grants to the district boards of Gōdāvari, Kistna and Guntūr for the acquisition of house-sites for depressed classes 526

Grants to municipalities for the improvement of roads 568, 569

Grants-in-aid to district boards for the construction and improvement of village roads 554, 555-556, 558

Grants-in-aid to district boards to maintain rural sanitary parties 514, 516

Improvement of the sanitary condition of pilgrim centres 529, 530

Increased allotment for improving handloom weaving in the Presidency 545-546, 548

Increased grants to district boards for the improvement of important roads 563

Increased provision to municipalities for plague expenditure 512-513

Increased provision for the salary of the Director of Industries 544

Increased provision under minor sanitary grants to local boards 522-523, 524

Increased provision under minor sanitary grants to the Tuticorin municipality for drains and a slaughter-house 518-519, 520, 521

Proposal to abolish the appointment of Director of Fisheries and to increase the salary of the Assistant Director 539-540

Provision for a water-supply scheme for the Tinnevely and Palamcottah municipalities 525

Provision for investigation of paddy pests in the Gōdāvari and Kistna deltas 535, 536

Provision for making up the deficit balance of the Usilampatti taluk board 571

Provision for the improvement of water-supply and drainage of Guntūr town 533-534

Provision for the Kodaikānal municipality for scavengers' huts and for improvements of the markets and roads 564-565

Provision of funds for informal panchayats 527, 528

Reduction of provision for soap-making experiments 541, 542

A Bill to amend the Madras Outports Landing and Shipping Fees Act, 1885 1002

A Bill to amend the Madras Port Trust Act, 1905 71, 340, 342, 343

The Koodalmanickam Devasom Bill, 1918 339, 340

The Madras Agricultural Pests and Diseases Bill, 1918 76, 574, 576-577, 578, 589-590, 594, 595, 732, 736, 737, 738, 739, 742, 744

The Madras City Municipal Bill, 1918 82-84, 85, 90-91, 93, 598, 599-600, 602, 603-604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614-615, 616, 618, 621-622, 626, 637, 654-655, 656-658, 664, 666, 667, 672, 673, 676, 677, 678, 681-683, 689-691, 694, 695, 696-697, 700, 706, 707, 711-712, 714, 715, 716, 722-723, 725-726, 748-749, 752, 756, 757, 758, 759, 760, 763, 764, 779, 781, 788, 789, 790, 792-793, 795, 796, 797, 798, 799, 801, 871, 872-874, 877, 878, 879, 881, 895, 906, 907, 910-916, 917-918

The Madras Prevention of Adulteration Bill, 1918 51, 52, 53, 54, 56, 59, 60

Raja Rajeswara Setupati alias Mutturamalinga Setupati Avargal, Raja of Ramnad, the Hon'ble

B.

Asks questions in Council 13-14, 271-272, 825-826, 990-991

Makes remarks in connexion with the budget on the victorious termination of the war, influenza, excise revenue, provision under "Medicine", sanitation, measures to alleviate economic distress, local committees for the relief of distress, difficulties of railway journey, scholarships for poor students, improving the salaries of the judicial officers, police expenditure, recruitment of deputy tahsildars, industrial development, relation between the official and the non-official members of the Council, nominations to the Legislative Council by the Government, Rajkumar College and mohini payments to the religious institutions 1134-1138

Raja Rajeswara Setupati alias Mutturamalinga Setupati Atargal, Raja of Ramnad, the Hon'ble B.—cont.

Resolutions on matters of general public interest—

Committee to inquire and report on the opening of new police stations (mover) ..	1107-1108, 1112
Committee to report on principles contained in recent resolution on local self-Government ..	159
Inter-provincial immigration and emigration to be transferred subjects (mover) ..	251-252
Land revenue administration to be a transferred subject ..	199
The Madras Agricultural Pests and Diseases Bill, 1918 ..	76
The Madras City Municipal Bill, 1918 ..	89

Rama Ayyangar, the Hon'ble Mr. K.—

Asks questions in Council ..	26-27, 275-278, 818-821, 992
Makes remarks in connexion with the budget on a retrospect of the financial aspects of the Government, certain aspects of budgeting, improvement of the prospects of the Provincial Service officers and the Land Revenue Settlement policy ..	1142-1144, 1163

Resolutions on matters of general public interest—

A committee to advise on the provision of house-sites for panchamas in Tanjore.	105-106
Admission of students into the Intermediate course (mover) ..	129-132, 133
Borrowing on the sole credit of Provincial revenues ..	213-214
Civil justice to be a transferred subject ..	236-237
Committee to inquire and report on the opening of new police stations ..	1109, 1110-1111
Committee to inquire into the expenditure on the police department (mover) ..	943-946, 947, 948
Committee to inquire into recent incidents in Madura (mover) ..	348
Committee to inquire into the distribution of necessities of life ..	840, 841
Committee to report on principles contained in recent resolution on local self-Government ..	159
Constitution and powers of advisory committees for charitable endowments (mover) ..	166-167, 168
Control and administration of railways ..	248, 249
Control of services of transferred departments to be transferred ..	230-231
Development of district board railways ..	1039-1040
Encouragement of ayurvedic and unani systems of medicine ..	119-120
Extension of the system of non-official chairmen and presidents in certain districts (mover) ..	135-136, 138-139
Forests and forest produce to be transferred subjects without limitation (mover) ..	233-234
Formation of a grain-storing department ..	1055-1056
Industrial development to be a transferred subject ..	204-205
Land revenue administration to be a transferred subject ..	195-196
Major irrigation to be a transferred subject ..	251
Measures for the relief of distress caused by high prices (mover) ..	841-843
Posting of police officers to their native districts (mover) ..	133-134, 135
Prisons and administration of Press, etc., Acts to be transferred subjects in addition to those in list II (mover) ..	231-233
Railway facilities for the transport of piece-goods (mover) ..	1025
Removal of inter-district restrictions on transport of foodstuffs ..	863-865
Steps to prevent importation of infectious diseases from Ceylon ..	128-129
Sub-registrars and the civil judicial test ..	1117
Training of medical officers in the diagnosis of tuberculosis ..	1106-
Translation of the proceedings of the Legislative Council ..	1107
University and secondary education ..	1014
Amended Draft Financial Statement—	220-221
Resolutions regarding—	
Additional allotment for the improvement of the Ramnad headquarter hospital.	571
Additional provision under 3-C. Land Records for payment of war allowances to karnams, vettis and ugranis ..	461-462
Contribution to the Ramnad district board for completion of new roads under construction (mover) ..	562-563

Rama Ayyangar, the Hon'ble Mr. K.—cont.

Amended Draft Financial Statement—cont.

Resolution regarding—cont.

Grant of scholarships to indigent pupils in the secondary schools ..	487
Grant to the Dindigul municipal council for opening and widening of lanes (mover) ..	524
Grants to the Dindigul taluk board for the construction of a bridge over the Kodavanar ..	563, 564
Grants to the district boards of Gōdāvari, Kistna and Guntūr for the acquisition of house-sites for depressed classes ..	526
Grants to the Madura municipality for providing sites and buildings for municipal schools (mover) ..	481
Grants-in-aid to district boards for the construction and improvement of village roads (mover) ..	552-554, 558-560
Grants-in-aid to district boards to maintain rural sanitary parties (mover) ..	513-517
Increased allotment for scholarships to mufassal students ..	492-493
Increased grant to district boards for the improvement of important roads (mover) ..	562-563
Increased provision for additional technical scholarships ..	498-499
Increased provision under minor sanitary grants to local boards (mover) ..	521-522, 523-524
Increased provision under minor sanitary grants to the Tuticorin municipality for drains and a slaughter-house (mover) ..	518, 520-521
Provision for a water-supply scheme for the Tinnevely and Palamcottah municipalities (mover) ..	524-525
Provision for making up the deficit balance of the Usilampatti taluk board (mover) ..	570-571
Provision for the Kodaikanal municipality for scavengers' huts and for improvements of the markets and roads (mover) ..	564, 565
Special meeting to consider Indian Constitutional Reforms ..	146, 147, 148
The Doddappanayakkanur and Vuyyuru Impartible Estates Bill, 1918 ..	67-68
The Madras Agricultural Pests and Diseases Bill, 1918 ..	578, 586, 587, 589, 734, 735, 746
The Madras City Municipal Bill, 1918 ..	614, 622, 623, 624, 629, 656, 661-662, 664, 665-666, 672, 677, 698, 718, 750, 751, 752, 754, 756, 757, 763, 771, 772-773, 774, 781, 787, 904-906
The Madras Prevention of Adulteration Bill, 1918 ..	57, 62-63
<i>Ramachandra Rao Pantulu, the Hon'ble Diwan Bahadur M.—</i>	
Asks questions in Council ..	6-8, 265-266, 808-809
Makes remarks in connexion with the budget on the co-operation of the European members with the Indian members of the Council, relationship between the official and the non-official members of Council, financial position of the Presidency, deficit budget and Provincial service ..	1147-1148, 1158, 1164
Resolutions on matters of general public interest—	
Appointment of a civil judicial officer in the Home (Judicial) department ..	1077
Appointment of an itinerant rural sanitary board ..	962-963
Asylums for beggars ..	1069-1070
Borrowing on the sole credit of Provincial revenues (mover) ..	209-212, 213, 214, 215
Civil justice to be a transferred subject ..	237-238, 239
Closure of canals in the Kistna eastern delta (mover) ..	1079, 1113
Committee to consider amendment of the Acts relating to village service ..	430
Committee to investigate the nature, etc., in regard to the influenza epidemic ..	371-372, 373
Control and administration of railways (mover) ..	247-248
Control of services of transferred departments to be a transferred subject ..	228-229

Ramachandra Rao Pantulu, the Hon'ble Diwan Bahadur M.—cont.**Resolutions on matters of general public interest—cont.**

Control of the export trade in oil-seeds	1051-1052
Effect to be given to certain recommendations in the resolution on local self-Government	933-934
Establishment of a board of agriculture (mover)	1101-1104
Improvement of drainage conditions in the Gōdāvari and Kistna deltas	1085, 1086-1087
Improvement of the acoustic properties of the Council Chamber and facilities for the attendance of representatives of vernacular dailies	1023
Industrial development to be a transferred subject	202, 206-207
Inquiry into recent incidents in Madura	354-356
Inquiry into the system of district administration	420-421
Interpreters and translators at meetings of Council	1009, 1011
Irrigation of lands liable to submersion in and around the Kolair lake (mover)	181
Land revenue administration to be a transferred subject	193-194, 197-199
Legislation to organize administrative village panchayats	1029, 1030
Major irrigation to be a transferred subject	250-251
Measures to be adopted to alleviate the situation due to high prices	401-403
Minor sanitary grants to local bodies for town extension (mover)	1104
Proceedings of the Legislative Council to be published within a fortnight	1012
Questions relating to business concerns to be transferred	244
Removal of inter-district restrictions on transport of foodstuffs	855-857
Resettlement of the Vizagapatam district	1100-1101
Stationery and printing stores and supplies to be a transferred subject (mover)	254
Steps to promote irrigation schemes in the Ceded districts	968
Subjects in List II of Appendix II to be transferred (mover)	246
Training of medical officers in the diagnosis of tuberculosis (mover)	1104-1105, 1107
Translation of the proceedings of the Legislative Council	1016, 1019, 1020
The Government Soap Works, Calicut, to be handed over to a limited liability company	441
University and secondary education	216, 217-218, 221, 222
Water applications in the Kistna and Gōdāvari deltas (mover)	181

Amended Draft Financial Statement—**Resolutions regarding—**

Additional provision under 3-C. Land Records for payment of war allowances to karnams, vettis and ugranis	462-463
Grant of scholarships to indigent pupils in secondary schools	488
Grant to the Ramnad district board for carrying out the recommendations of the Pilgrim Committee with regard to Rameswaram (mover)	528-529
Grants to district boards for the construction of bridges and culverts in deltaic tracts (mover)	565-566
Grants to municipalities for the improvement of roads	568-569
Grants to the district boards of Gōdāvari, Kistna and Guntūr for the acquisition of house-sites for depressed classes (mover)	525, 526
Grants-in-aid to district boards for the construction and improvement of village roads	557-558
Increased provision for additional technical scholarships	497-498
Increased provision under minor sanitary grants to the Tuticorin municipality for drains and a slaughter-house	519-520
Lump provision for opening a medical school at Bellary	507
Omission of the provision for taking over the Royapetta hospital	509-510
Provision for free boarding houses for scholars of depressed classes	502
Provision for improving the water-supply in reserved forests (mover)	464-465
Provision for investigation of paddy pests in the Gōdāvari and Kistna deltas (mover)	534-536
Provision for the Kodaikanal municipality for scavengers' huts and for improvements of the markets and roads	564, 565

Ramachandra Rao Pantulu, the Hon'ble Diwan Bahadur M.—cont.**Amended Draft Financial Statement—cont.****Resolutions regarding—cont.**

Provision for the appointment of additional assistant inspectors of schools in the Provincial Educational Service	473
Provision for the improvement of water-supply and drainage of Guntūr town (mover)	532-533, 534
Provision for the relief of distress in the Gōdāvari district (mover)	571-572
Provision of funds for informal panchayats (mover)	526, 527-528
Motion for postponement of business before the meeting	186-187, 188
Reference to the death of the late Mr. H. F. W. Gillman, C.S.I.	449
Reference to the death of the late Mr. K. R. V. Krishna Rao	262
Termination of the war	377-378
A Bill to amend the Madras Port Trust Act, 1905	343
A Bill to provide for the voluntary registration of Mussalman marriages and divorces	48
The Doddappanayakkanur and Vayyuru Impartible Estates Bill, 1918	66-67
The Madras Agricultural Pests and Diseases Bill, 1918	79-80, 575, 584, 585, 586, 590, 592, 593, 594, 596, 732-733, 734-735, 741, 743
The Madras City Municipal Bill, 1918	88, 91, 599, 615, 621, 628-629, 636, 638, 648, 653-654, 659-660, 663-664, 669-670, 691, 693-694, 696, 699, 700, 703, 705-706, 713, 720, 721-722, 749, 759, 761, 762, 763, 764, 765, 766-767, 768, 769, 770-771, 772, 779, 780, 785-786, 790, 796, 797, 798, 871, 879, 881, 895, 900-902
The Madras Prevention of Adulteration Bill, 1918	52, 54, 56, 61-62

Ramanuja Achariyar Avargal, the Hon'ble Rao Bahadur V. K.—

Asks questions in Council	11-12, 267-268, 812-813
Resolutions on matters of general public interest—	
A committee to advise on the provision of house-sites for panchamas in Tanjore	102
Agriculture to be a transferred subject (mover)	
Committee to report on principles contained in recent resolution on local self-Government	159
Control of the export trade in oil-seeds	1050
Encouragement of ayurvedic and unani systems of medicine	115
Extension of the system of non-official chairmen and presidents in certain districts	136
Formation of a grain-storing department	1055
Land revenue administration to be a transferred subject	197
Omission of standing order regarding representation of different classes in the service (mover)	129
Provision for financing co-operative house societies	955
Re-settlement of the Vizagapatam district	1100
Scale of water-rates	175

Amended Draft Financial Statement—**Resolutions regarding—**

Additional provision for the revision of pay of sub-registrars (mover)	466
Additional provision under 3-C. Land Records for payment of war allowances to karnams, vettis and ugranis	462
Increased provision under minor sanitary grants to local boards	523
Reduction of expenditure under 11. Forest (mover)	465
Motion for postponement of business before the meeting	188
A Bill to amend the Madras Outports Landing and Shipping Fees Act, 1885	1002
The Madras Agricultural Pests and Diseases Bill, 1918	574, 575, 577, 580, 581, 582, 587, 588, 589, 592, 595, 732, 742
The Madras City Municipal Bill, 1918	88, 619, 636, 648, 664, 700, 750, 762, 763, 764, 765, 768, 771, 896-897

Ramaswami Ayyar, the Hon'ble Mr. C. P.—

Makes remarks in connexion with the budget on administrative panchayats, scarcity of crops, the Tamil Lexicon, University library, compulsory primary education, diploma in economics, grants-in-aid to aided institutions, investigation of indigenous drugs, co-operative credit, industrial policy, sanitation and the pay and prospects of judicial officers	1127-1129
--	-----------

Ramaswami Ayyar, the Hon'ble Mr. C. P.—cont.

Resolutions on matters of general public interest—

Appointment of a civil judicial officer in the Home (Judicial) department ..	1075
Appointment of jiu-jitsu teachers	1089
Asylums for beggars	1065
Interpreters and translators at meetings of Council	1009-1010
Legislation to organize administrative village panchayats	1028
Translation of the proceedings of the Legislative Council	1016

Ranga Achariyar Avargal, the Hon'ble Rao Bahadur T.—

Asks questions in Council	8-11,
	282-283, 810-812

Resolutions on matters of general public interest—

A committee to advise on the provision of house-sites for panchamas in Tanjore (mover)	98-102,
	106-107
Amendment of the Madras City Civil Courts Act, 1892 (mover)	124-125,
	126-127
Appointment of a civil judicial officer in the Home (Judicial) department (mover)	965, 1074,
	1077-1078, 1079
Appointment of jiu-jitsu teachers	1089-1090
A separate secretariat exclusively connected with the Legislative Council (mover) ..	124
Asylums for beggars (mover)	1064,
	1070, 1071-1072, 1073
Committee to consider amendment of the Acts relating to village service (mover) ..	428-429,
	430-431
Committee to consider Mr. Lanchester's report on the Madras City	178-179
Control of the export trade in oil-seeds (mover)	1044-1046,
	1047, 1052-1053
Encouragement of ayurvedic and unani systems of medicine (mover)	110-111,
	117, 120-122, 123
Establishment of a commercial museum at Madras	1120
Formation of a grain-storing department (mover)	1053,
	1059-1061
Imperial grant for the development of industries in this Presidency (mover)	936-938,
	939, 942, 943
Increased accommodation in Intermediate classes of Government colleges	172
Industrial development to be a transferred subject	203
Inquiry into recent incidents in Madura	352-354
Inquiry into the system of district administration	418-419
Interpreters and translators at meetings of Council	1007-1008
Madras City special works (mover)	108
Measures for improving the quality, etc., of livestock	434
Measures to be adopted to alleviate the situation due to high prices	397-398
Publication of vernacular scientific primers (mover)	139-140,
	143
Removal of inter-district restrictions on transport of foodstuffs	849-851,
	852
Re-settlement of the Vizagapatam district	1099-1100
Stock of food-grains in the Northern Circars	180
Sub-registrars and the civil judicial test	1116
Suspension and remission of assessment (mover)	1062-1063
The Government Soap Works, Calicut, to be handed over to a limited liability company	440
University and secondary education	219-220
Amended Draft Financial Statement—	
Resolutions regarding—	
Additional provision under 3-C. Land Records for payment of war allowances for karnams, vettis and ugranis	459-460
Grant of scholarships to indigent pupils in secondary schools	487
Grant to Tanjore district board for improvement of roads	561
Grants to the district boards of Godavari, Kistna and Guntur for the acquisition of house-sites for depressed classes	526
Grants-in-aid to district boards for the construction and improvement of village roads	554
Grants-in-aid to the Vaniyambadi Muhammadan Educational society for the Islamia College	480
Increased allotment for improving handloom weaving in the Presidency	548

Ranga Achariyar Avargal, the Hon'ble Rao Bahadur T.—cont.

Amended Draft Financial Statement—cont.

Resolutions regarding—cont.

Increased allotment for scholarships to mufassal students	492,
	493-494
Increased provision for additional technical scholarships	497, 498
Omission of provision for taking over the Royapetta hospital	509
Provision for a uniform retaining fee for mufassal Government pleaders	468
Provision for investigation of paddy pests in the Godavari and Kistna deltas ..	536
Provision for the Kodaikanal municipality for scavengers' huts and for improvements of the markets and roads	565
Provision of funds for informal panchayats	527
Reduction of provision for soap-making experiments	543
Special meeting to consider report on Indian Constitutional Reforms	146-147
Termination of the war	378-379
A Bill to amend the Madras Port Trust Act, 1905	71
A Bill to provide for the voluntary registration of Mussalman marriages and divorces	46-47
The Doddappanayakkanur and Vuyyuru Impartible Estates Bill, 1918	66
The Koodalamanickam Devaswom Bill, 1918	339
The Madras Agricultural Pests and Diseases Bill, 1918	77,
	577-578, 579, 580, 584, 589, 594, 595, 734, 736,
	739-740, 741, 742, 746
The Madras City Municipal Bill, 1918	86, 87,
	88, 91-93, 98, 599, 600, 604, 607, 609, 611, 612,
	613-614, 615, 617, 618, 619, 621, 622, 623-624,
	625-626, 627, 629, 630, 631, 632, 633, 635, 636,
	637, 642, 645-646, 647, 648, 649, 650-651, 652,
	653, 654, 657, 658-659, 661, 662, 663, 665, 670,
	671-673, 675, 676-677, 678, 679, 680, 681, 682,
	683-684, 688-689, 690, 691, 694, 696, 697, 699,
	700-701, 703, 706-707, 708-709, 712, 714, 715,
	716-717, 718, 719-720, 721, 722, 723, 727-728,
	747-748, 749-750, 751, 752, 753, 755-756, 757-758,
	760, 761, 763, 764, 765-766, 767, 769, 770, 771, 772,
	778, 779, 780, 782-783, 786, 787-789, 790, 791-792,
	794, 795-796, 797, 798, 799-800, 801, 802, 876-880,
	881, 896, 901, 906, 907-908, 912, 913, 914, 915, 916, 917
The Madras Prevention of Adulteration Bill, 1918	51-52,
	53, 55-56, 58, 59, 61, 63

Ranga Rao Bahadur, of Bobbili, The Hon'ble Raja Raja Sri Ravu Venkata Kumara Krishna—

Asks questions in Council	813
Termination of the war	376-377

Regulation of discussions—

Discussion to be confined to the subject on hand	163, 192,
	194, 198, 520, 559, 1111, 1137
Irrelevant speeches objected to or ruled out	48, 193,
	436, 548, 646, 660, 697
Speeches in excess of time limit	153, 880,
	1061, 1126, 1135, 1137
Speeches in vernacular languages ruled out	888

Resolutions on matters of general public interest—

Advisory committees—	
Constitution and powers of — for charitable endowments.	
Discussion of the resolution	166-168
Resolution lost	168
Assessment—	
Suspension and remission of—	
Discussion of the resolution	1062-
	1063
Resolution withdrawn	1063
Assistant Secretary—	
Appointment of a civil judicial officer as — in the Home (Judicial) Department ..	965, 1074-1079
Discussion of the resolution	1079
Resolution withdrawn	

Resolutions on matters of general public interest—cont.

Asylums for beggars—	
Discussion of the resolution	1064-1073
Resolution lost	1073
Ayurvedic and unani systems of medicine—	
Encouragement of—	
Discussion of the resolution	110-123
Resolution lost	123
Board of Agriculture—	
Establishment of a—	
Discussion of the resolution	1101-1104
Resolution withdrawn	1104
Board's Standing Order—	
Omission of — regarding representation of different classes in the service.	
Resolution not moved	129
Borrowing—	
— on the sole credit of Provincial revenues.	
Discussion of the resolution	209-215
Resolution accepted	215
Buckingham canal—	
Improvements to a section of the—	
Resolution not moved	181, 444
Business concerns—	
Questions relating to — to be a transferred subject.	
Discussion of the resolution	242-245
Resolution accepted	245
Cattle—	
Drinking water for — in reserved forests.	
Discussion of the resolution	361-362
Resolution withdrawn	362
Civil justice—	
— to be a transferred subject.	
Discussion of the resolution	236-241
Resolution lost	241
Cloth—	
Control of the price of—	
Resolution not moved	374, 445
Removal of railway restrictions on the despatch of parcels of Indian hand-made cloths.	
Resolution not moved	374, 446
Commercial museum—	
To establish a — in Madras.	
Discussion of the resolution	984, 1118-1120
Resolution withdrawn	1120
Co-operative agricultural societies —	
Government loans to —	
Discussion of the resolution	950-955
Resolution lost	955
Co-operative house building—	
Encouragement of — societies.	
Discussion of the resolution	443
Resolution amended	443
Resolution as amended accepted	443
Co-operative housing societies—	
Provision for financing—	
Discussion of the resolution	950-955
Resolution lost	955
Co-operative institutions—	
Free advertisement for—	
Discussion of the resolution	1114-1115
Resolution withdrawn	1115
Co-operative societies—	
Promotion of new—	
Resolution accepted	1113

Resolutions on matters of general public interest—cont.

Cotton—	
Measures to be adopted for increasing the area under — cultivation.	
Resolution not moved	431
Council proceedings—	
More facilities for vernacular dailies to report—	
Resolution not moved	964
District boards—	
Co-optation of members on—	
Discussion of the resolution	972-975
Resolution withdrawn	975
District board railways—	
Development of—	
Discussion of the resolution	1033-1041
Resolution amended	1041
Resolution as amended accepted	1041
Drainage—	
Committee to inquire and report on the — conditions of the delta districts.	
Resolution not moved	964
Improvement of — conditions in Godavari and Kistna deltas.	
Discussion of the resolution	1082-1087
Resolution accepted	1087
Dramatic performance—	
— and cinematographs to be a transferred subject.	
Discussion of the resolution	252-253
Resolution withdrawn	253
Economics—	
To open a university institute of —	
Discussion of the resolution	955-958
Resolution lost	958
Education—	
Development of — in Ceded districts.	
Discussion of the resolution	924-926
Resolution withdrawn	926
University and secondary—	
Discussion of the resolution	215-223
Resolution accepted	223
Educational conference—	
To give effect to the recommendations of the —	
Resolution not moved	948
Emigration—	
Inter-provincial immigration and — to be transferred subjects.	
Discussion of the resolution	251-252
Resolution accepted	252
Food-grains—	
Formation of a grain—storing department.	
Discussion of the resolution	1053-1061
Resolution lost	1061
Stock of — in Northern Circars.	
Discussion of the resolution	179-181
Resolution withdrawn	181
Foodstuffs—	
Committee to inquire regarding the distribution of necessaries of life.	
Discussion of the resolution	836-840
Resolution withdrawn	867
Measures for the relief of distress caused by high prices of —.	
Discussion of the resolution	841-843
Resolution withdrawn	868
Measures to be adopted to alleviate the situation due to high prices.	
Discussion of the resolution	385-408
Resolution lost	408
Removal of inter-district restrictions on transport of —	
Discussion of the resolution	843-868
Resolution withdrawn	868

Resolutions on matters of general public interest—cont.

Forests—	
—and forest produce to be a transferred subject without limitation.	
Discussion of the resolution	233-235
Resolution accepted	235
Grants—	
—for the hostel of Mrs. A.V.N. College, Vizagapatam.	
Resolution not moved	936
Grants-in-aid—	
—to schools and colleges for physical training.	
Resolution not moved	964
Grazing fees—	
Scale of — in reserves not to be increased.	
Discussion of the resolution	363-367
Resolution lost	367
Gymnastic teachers—	
Appointment of jiu-jitsu teachers.	
Discussion of the resolution	1087-1092
Resolution withdrawn	1092
House-sites—	
A committee to advise on the provision of — for panchamas in Tanjore.	
Discussion of the resolution	98-107
Resolution amended	107
Original resolution withdrawn	107
Modification of the order regarding — for panchamas.	
Resolution not moved	108
Indian Civil Service—	
Members of the — and the Reform scheme.	
Resolution not moved	928
Indian Income-tax Act—	
Extension of time-limit for submission of return of income.	
Discussion of the resolution	163
Resolution accepted	163
Extension of the period for which composition of income-tax may be permitted.	
Discussion of the resolution	164-165
Resolution withdrawn	165
Industries—	
Imperial grant for the development of the — in this Presidency.	
Discussion of the resolution	936-943
Resolution withdrawn	943
Industrial development to be a transferred subject.	
Discussion of the resolution	201-209
Resolution accepted	209
Organizing an industrial and economical survey particularly of mining and other —	
Resolution not moved	431
Industrial school—	
To establish an — in the Telugu districts.	
Discussion of the resolution	981-988
Resolution withdrawn	988
Infectious diseases—	
Steps to prevent importation of — from Ceylon.	
Discussion of the resolution	127-129
Resolution withdrawn	129
Influenza—	
A committee to investigate the nature, etc., in regard to the — epidemic.	
Discussion of the resolution	367-37
Resolution lost	37
Committee to inquire into the causes of the — epidemic	
Discussion of the resolution	368-37
Resolution lost	37
Intermediate classes—	
Increased accommodation in — of Government colleges	
Discussion of the resolution	169-17
Resolution lost	17
Irrigation—	
— of lands liable to submersion in and around the Kolair lake	
Resolution not moved	18

Resolutions on matters of general public interest—cont.

Irrigation schemes—	
Steps to promote — in the Ceded districts	
Discussion of the resolution	965-971
Resolution amended	970
Resolution withdrawn	971
Itinerating sub-assistant surgeons—	
Appointment of—	
Discussion of the resolution	975-977
Resolution withdrawn	977
Juvenile smoking—	
Legislation to check—	
Discussion of the resolution	919-924
Resolution withdrawn	924
Kistna Eastern delta—	
Closure of canals in the —	
Resolution not moved	1113
Land acquisition—	
— to be a transferred subject	
Discussion of the resolution	245
Resolution accepted	245
Land revenue—	
Suspension of — collections owing to the prevalent distress	
Discussion of the resolution	426-428
Resolution withdrawn	428
Land revenue administration—	
— to be a transferred subject	
Discussion of the resolution	189-200
Resolution amended	199
Resolution as amended accepted	200
Legislation—	
— to enable the tenant in South Kanara to set off payments towards assessment against rent	
Resolution not moved	1079, 1101
Legislative Council—	
Improvement of the acoustic properties of the Council Chamber and facilities for the attendance of representatives of vernacular dailies.	
Discussion of the resolution	1021-1025
Resolution amended	1025
Resolution as amended accepted	1025
Legislative Council meetings—	
Interpreters and translators at meetings of Council	
Discussion of the resolution	1002-1011
Resolution lost	1011
Legislative Council proceedings—	
Proceedings of the Legislative Council to be published within a fortnight.	
Discussion of the resolution	1011-1013
Resolution withdrawn	1013
Translation of the proceedings of the Legislative Council.	
Discussion of the resolution	1013-1020
Resolution amended	1016
Resolution as amended lost	1020
Livestock—	
Measures for improving the quality, etc., of —	
Discussion of the resolution	431-434
Resolution withdrawn	434
Local bodies—	
Power of suspending defaulting — to be transferred	
Discussion of the resolution	252
Resolution accepted	252

Resolutions on matters of general public interest—cont.

Local self-government—	
Committee to report on principles contained in recent resolution on —	
Discussion of the resolution	148-161
Resolution amended	159
Resolution withdrawn	161
Effect to be given to certain recommendations in the resolution on —	
Discussion of the resolution	374, 382, 928-935
Resolution withdrawn	935
Madras Administration Report—	
Deletion of paragraphs 1 and 2 of the —	
Resolution not moved	1002
Deletion of paragraph on political situation from the —	
Resolution not moved	928
To expunge a paragraph from the introduction to the —	
Resolution not moved	965
Next — to be presented to a committee before publication	
Resolution not moved	965, 1002
Madras City Civil Court Act, 1892—	
Amendment of the —	
Discussion of the resolution	124-127
Resolution withdrawn	127
Major irrigation—	
— to be a transferred subject	
Discussion of the resolution	250-251
Resolution accepted	251
Medical institutions—	
Financial assistance to local bodies for maintenance of the —	
Resolution not moved	445
Medicinal plants—	
Opening of model gardens of indigenous —	
Resolution not moved	374, 409
Minor ports—	
Opening up of — in the Presidency	
Discussion of the resolution	181, 444-445
Resolution amended	444
Resolution as amended accepted	445
Minor sanitary grants—	
— for local bodies for town extension	
Resolution not moved	1101, 1104
Monsoons—	
Inquiry into the situation caused by the failure of the —	
Discussion of the resolution	385-408
Resolution lost	408
Moderation of marks—	
Inquiry into the system of — for the school final certificate scheme	
Discussion of the resolution	161-163
Resolution amended	162
Resolution as amended accepted	163
Mulgeni Rent Enhancement Bill—	
Introduction of the —	
Discussion of the resolution	984
Resolution withdrawn	984
Municipal councillors—	
Chairmen of municipal councils to be consulted before appointment of — by	
Governor in Council	
Resolution not moved	975
Navigation—	
Schools for teaching —	
Discussion of the resolution	409-412
Resolution withdrawn	412
Non-official chairmen—	
Extension of the system of — and presidents in certain districts	
Discussion of the resolution	135-139
Resolution withdrawn	139
Non-official presidents—	
All — of taluk boards to be elected	
Discussion of the resolution	979-981
Resolution withdrawn	981

Resolutions on matters of general public interest—cont.

Non-official presidents—cont.	
To appoint — to the district boards of Vizagapatam and Ganjam	
Discussion of the resolution	977-979
Resolution withdrawn	979
Oil-seeds—	
Control of the export trade in —	
Discussion of the resolution	1044-1053
Resolution lost	1053
Passports—	
Authorizing district magistrates to issue — to persons going to Straits	
Settlements, etc.	
Resolution not moved	374, 445
Piece-goods—	
Railway facilities for the transport of —	
Resolution not moved	1025
Stock of — and yarn in the Presidency	
Resolution not moved	181
Police department—	
Committee to inquire into the expenditure on the —	
Discussion of the resolution	943-948
Resolution lost	948
Posting of police officers to their native districts	
Discussion of the resolution	133-135
Resolution withdrawn	135
Prices—	
Organizing relief measures in places where distress is prevalent	
Discussion of the resolution	385-408
Resolution lost	408
Taluk committees to co-operate with district committees in controlling —	
Resolution not moved	166
Prisons—	
— and administration of Press, etc., Acts to be transferred subjects	
in addition to those in List II—	
Discussion of the resolution	231-233
Resolution amended	233
Resolution fell through for want of a seconder	233
Proprietary Estates Village Service Act, 1894—	
Committee to consider amendment of the Acts relating to village service	
Discussion of the resolution	428-431
Resolution withdrawn	431
Public Works Department—	
Appointment of Indians as Deputy and Under Secretaries to Government, —	
Discussion of the resolution	971-972
Resolution withdrawn	972
Railways—	
Control and administration of —	
Discussion of the resolution	247-249
Resolution amended	248, 249
Original resolution accepted	249
Double track between the Beach and Pallavaram stations	
Resolution postponed	176
Double track of railway between the Beach station and Chingleput	
Discussion of the resolution	443-444
Resolution withdrawn	444
Opening of the Tiruturaipundi-Vedāranniyam line	
Discussion of the resolution	867-868
Resolution withdrawn	868
The Salem-Suramangalam railway line	
Discussion of the resolution	1030-1032
Resolution withdrawn	1032
Religious endowments—	
— to be a transferred subject	
Discussion of the resolution	253-254
Resolution withdrawn	254
Remission—	
— of dry assessment in areas in which there has been failure of crop	
Discussion of the resolution	426-428
Resolution withdrawn	428

Resolutions on matters of general public interest—cont.

Remission—cont.	
— of revenue in South Kanara	
Discussion of the resolution	.. 425-428
Resolution withdrawn	.. 428
Resettlement—	
Petitions about — of the Wynad	
Resolution not moved	.. 374, 445
Public inquiry into the economic condition of the Bellary district as a preliminary to —	
Discussion of the resolution	.. 926-928
Resolution amended	.. 927
Original resolution lost	.. 928
— of the Vizagapatam district	
Discussion of the resolution	.. 984-985, 1092-1101
Resolution withdrawn	.. 1101
School final examination —	
Admission of students of — to the Intermediate course	
Discussion of the resolution	.. 129-133
Resolution lost	.. 133
Scientific primers —	
Publication of vernacular —	
Discussion of the resolution	.. 139-144
Resolution amended	.. 140
Resolution as amended lost	.. 144
Secretariat —	
A separate — exclusively for the Legislative Council	
Resolution not moved	.. 124
Seeds —	
Supply of — to agriculturists at cost price	
Discussion of the resolution	.. 434-435
Resolution withdrawn	.. 435
Services —	
Control of — of transferred departments to be a transferred subject	
Discussion of the resolution	.. 226-231
Resolution amended	.. 230, 231
Resolution as first amended accepted	.. 231
Shooting —	
Committee to inquire into recent incidents at Madura.	
Resolution not moved	.. 425
Inquiry into recent incidents at Madura—	
Discussion of the resolution	.. 343-361
Resolutions lost	.. 361
Soap factory —	
Transfer of the Malabar — to a private company	
Resolution not moved	.. 176
Soap manufacture —	
The Government Soap Works, Calicut, to be handed over to a limited liability company.	
Discussion of the resolution	.. 435-442
Resolution withdrawn	.. 442
Special Works department—	
The Madras City special works	
Discussion of the resolution	.. 108
Resolution withdrawn	.. 108
Stationery —	
— and printing stores and supplies to be transferred subjects	
Discussion of the resolution	.. 254
Resolution accepted	.. 254
Sub-registrars —	
— and the civil judicial test	
Discussion of the resolution	.. 1116-1118
Resolution withdrawn	.. 1118
Teachers —	
Salaries of — in elementary and secondary schools	
Discussion of the resolution	.. 382-384
Resolution withdrawn	.. 384

Resolutions on matters of general public interest—cont.

Text-book committees—	
Constitution of —	
Discussion of the resolution	.. 1032-1036
Resolution withdrawn	.. 1036
Town improvement—	
Committee to consider Mr. Lanchester's report on the Madras City	
Discussion of the resolution	.. 176-179
Resolution withdrawn	.. 179
Travelling allowance—	
— to village officers	
Resolution not moved	.. 374, 409, 1030
Tuberculosis—	
Training of medical officers in the diagnosis of —	
Discussion of the resolution	.. 1104-1107
Resolution withdrawn	.. 1107
Village panchayats—	
Legislation to organize administrative —	
Discussion of the resolution	.. 1026-1030
Resolution accepted	.. 1030
Water applications—	
— in the Kistna and Godavari deltas	
Resolution not moved	.. 181
Water-rates —	
Scale of —	
Discussion of the resolution	.. 173-176
Resolution withdrawn	.. 176
Resolutions regarding the Amended Draft Financial Statement—	
Assistant Director of Fisheries—	
Proposal to abolish the appointment of Director of Fisheries and to increase the salary of the —	
Discussion of the resolution	.. 537-540
Resolution lost	.. 540
Building grants—	
Increased provision under — for the Government Muhammadan secondary school, Georgetown	
Discussion of the resolution	.. 490-491
Resolution withdrawn	.. 491
Deficit balance—	
Provision for making up the — of the Usilampatti taluk board	
Discussion of the resolution	.. 570-571
Resolution lost	.. 571
Director of Civil Supplies—	
Reduction of provision for salary for the —	
Discussion of the resolution	.. 549-552
Resolution lost	.. 552
Director of Industries—	
Increased provision for the salary of the —	
Discussion of the resolution	.. 543-544
Resolution withdrawn	.. 544
Education—	
Provision for four additional circle inspectors for —	
Discussion of the resolution	.. 473-474
Resolution withdrawn	.. 474
Famine relief—	
Provision for the relief of distress in the Godavari district	
Discussion of the resolution	.. 571-572
Resolution withdrawn	.. 572
Fees—	
Reduction of school and college —	
Discussion of the resolution	.. 484-485
Resolution withdrawn	.. 485
Forests—	
Reduction of expenditure under 11. Forest.	
Resolution not moved	.. 465
Forest school—	
Provision for opening a — in the Agency tracts	
Discussion of the resolution	.. 465-466
Resolution withdrawn	.. 466

Resolutions regarding the Amended Draft Financial Statement—cont.

PAGE

Free-boarding houses—

Provision for — for scholars of depressed classes

Discussion of the resolution	.. .. .	499-504
Resolution lost	.. .. .	504

Government pleaders—

Provision for a uniform retaining fee for the mufassal —

Discussion of the resolution	.. .. .	468-469
Resolution withdrawn	.. .. .	469

Grants—

— to the Dindigul municipal council for opening and widening of lanes

Discussion of the resolution	.. .. .	524
Resolution withdrawn	.. .. .	524

— to the Dindigul taluk board for the construction of a bridge over the Kodavari—

Discussion of the resolution	.. .. .	563-564
Resolution withdrawn	.. .. .	564

— to district boards for the construction of bridges and culverts in deltaic tracts

Discussion of the resolution	.. .. .	565-567
Resolution withdrawn	.. .. .	567

— to the district boards of Gōdāvari, Kistna and Guntūr for the acquisition of house-sites for depressed classes

Discussion of the resolution	.. .. .	525-526
Resolution amended	.. .. .	526
Resolution as amended accepted	.. .. .	526

— to the Madura municipality for providing sites and buildings for municipal schools—

Discussion of the resolution	.. .. .	481
Resolution withdrawn	.. .. .	481

— for the Ramnad district board for carrying out the recommendations of the pilgrim committee with regard to Rāmēsvaram

Discussion of the resolution	.. .. .	528-530
Resolution withdrawn	.. .. .	530

— to the South Kanara district board for foot-bridges

Resolution not moved		570
----------------------	---------	-----

— to the South Kanara district board for the construction of bridges over the Gurpur and the Pavangi

Discussion of the resolution	.. .. .	569-570
Resolution withdrawn	.. .. .	570

— to the Tanjore district board for improvement of roads

Discussion of the resolution	.. .. .	560-562
Resolution lost	.. .. .	562

Increased — to district boards for the improvement of important roads

Discussion of the resolution	.. .. .	562-563
Resolution withdrawn	.. .. .	563

Grants-in-aid—

— to district boards for the construction and improvement of village roads

Discussion of the resolution	.. .. .	552-560
Resolution withdrawn	.. .. .	560

— to district boards to maintain rural sanitary parties

Discussion of the resolution	.. .. .	513-517
Resolution lost	.. .. .	517

— to the Vāniyambādi Muhammadan Educational Society for the Islama College—

Discussion of the resolution	.. .. .	474-480
Resolution lost	.. .. .	480

Hand-loom weaving—

Increased allotment for improving the — in the Presidency

Discussion of the resolution	.. .. .	544-549
Resolution lost	.. .. .	549

Headquarter hospital—

Additional allotment for the improvement of the Ramnad —

Discussion of the resolution	.. .. .	571
Resolution withdrawn	.. .. .	571

Informal panchayats—

Provision of funds for —

Discussion of the resolution	.. .. .	526-528
Resolution withdrawn	.. .. .	528

PAGE

*Resolutions regarding the Amended Draft Financial Statement—cont.***Informal panchayats—cont.**

Provision of funds for —cont.

Provision of funds to — for village improvements

Discussion of the resolution	.. .. .	527-528
Resolution withdrawn	.. .. .	528

Kodaikanal municipality—

Provision for the — for scavengers' huts and for the improvement of markets and roads—

Discussion of the resolution	.. .. .	564-565
Resolution withdrawn	.. .. .	565

Land Revenue—

Deduction from provision for temporary establishment under —, Survey and Settlement—

Discussion of the resolution	.. .. .	456-458
Resolution withdrawn	.. .. .	458

Leave reserve—

— for the revenue establishments in the North Arcot district

Discussion of the resolution	.. .. .	454-456
Resolution withdrawn	.. .. .	456

Medical school—

Lump provision for opening a — at Bellary

Discussion of the resolution	.. .. .	505-508
Resolution lost	.. .. .	508

Medical school, Vizagapatam—

Provision for raising the — into a college

Discussion of the resolution	.. .. .	510-511
Resolution withdrawn	.. .. .	511

Minor sanitary grants—

Increased provision under — to local boards

Discussion of the resolution	.. .. .	521-524
Resolution lost	.. .. .	524

Increased provision under — to the Tuticorin municipality for drains and a slaughter-house—

Discussion of the resolution	.. .. .	518-521
Resolution withdrawn	.. .. .	521

Paddy pests—

Provision for investigation of — in the Gōdāvari and Kistna deltas

Discussion of the resolution	.. .. .	534-536
Resolution withdrawn	.. .. .	536

Plague expenditure—

Increased provision to municipalities for —

Discussion of the resolution	.. .. .	511-513
Resolution withdrawn	.. .. .	513

Grants to the Vizagapatam municipality for —

Discussion of the resolution	.. .. .	512-513
Resolution withdrawn	.. .. .	513

Police—

Reduction of expenditure under —

Discussion of the resolution	.. .. .	469-471
Resolution withdrawn	.. .. .	471

Provincial Educational service—

Provision for the appointment of additional assistant inspectors of schools in the —

Discussion of the resolution	.. .. .	471-473
Resolution withdrawn	.. .. .	473

Roads—

Contribution to the Ramnad district board for completion of new — under construction

Discussion of the resolution	.. .. .	562-563
Resolution withdrawn	.. .. .	563

Grants to municipalities for the improvement of —

Discussion of the resolution	.. .. .	567-569
Resolution lost	.. .. .	569

Royapetta hospital—

Omission of the provision for taking over the —

Discussion of the resolution	.. .. .	508-510
Resolution lost	.. .. .	510

	PAGE
<i>Resolutions regarding the Amended Draft Financial Statement—cont.</i>	
Sanitation—	
Improvement of the sanitary condition of pilgrim centres	
Discussion of the resolution	528-530
Resolution amended	530
Resolution as amended accepted	530
Scholarships—	
Grant of — to indigent pupils in secondary schools	
Discussion of the resolution	486-488
Resolution withdrawn	488
Increased allotment for — to students pursuing scientific and technical educa- tion—	
Discussion of the resolution	494-495
Resolution lost	495
Increased allotment for — to mufassal students	
Discussion of the resolution	491-494
Resolution lost	494
School buildings—	
Additional provision for board secondary —	
Discussion of the resolution	485-486
Resolution withdrawn	486
Secondary school for girls—	
Provision for establishment of a — at Nellore	
Discussion of the resolution	481-482
Resolution withdrawn	482
Provision for opening a — in the Ceded districts	
Discussion of the resolution	482
Resolution withdrawn	482
Secondary schools—	
Increase of pay to the teachers in the — in the Presidency	
Discussion of the resolution	482-484
Resolution withdrawn	484
Soap-making—	
Reduction of provision for — experiments	
Discussion of the resolution	541-543
Resolution withdrawn	543
Sub-registrars—	
Additional provision for the revision of pay of the —	
Discussion of the resolution	466
Resolution withdrawn	466
Technical scholarships—	
Increased provision for additional —	
Discussion of the resolution	496-499
Resolution amended	496
Resolution as amended lost	499
Travelling sub-assistant surgeons—	
Appointment of — in mufassal hospitals	
Discussion of the resolution	504-505
Resolution amended	505
Resolution as amended accepted	505
Village communications—	
Grants to the Vizagapatam district board for —	
Discussion of the resolution	555-560
Resolution withdrawn	560
War allowance—	
Additional provision under 3-C. Land Records for payment of — to karnams, vettis and ugranis—	
Discussion of the resolution	458-463
Resolution withdrawn	463
Water-supply—	
Provision for improving the — in reserved forests	
Discussion of the resolution	464-465
Resolution withdrawn	465
Provision for the improvement of — and drainage of Guntur town	
Discussion of the resolution	532-534
Resolution withdrawn	534

Resolutions regarding the Amended Draft Financial Statement—cont.

Water-supply scheme—

Provision for a — for the Tinnevely and Palamcottah municipalities	524-525
Discussion of the resolution	525
Resolution withdrawn	

Richmond, the Hon'ble Mr. T.—

Asks questions in Council	264-265
Termination of the war	379-380
The Doddappanayakkanur and Vuyyuru Impartible Estates Bill, 1918	69
The Madras Agricultural Pests and Diseases Bill, 1918	589
The Madras City Municipal Bill, 1918	97, 669,
	703, 707, 713-714.
The Madras Prevention of Adulteration Bill, 1918	56

S

Sadasiva Bhat, the Hon'ble Mr. K.—

Asks questions in Council	281-282,
	831-832
Makes remarks in connexion with the budget on remissions in South Kanara, railway extension in Malabar and South Kanara, Hassan-Mangalore railway project and development of the natural resources of South Kanara	1144-
	1145
Resolutions on matters of general public interest—	
All non-official presidents of taluk boards to be elected	980
Introduction of the Mulgeni Rent Enhancement Bill (mover)	984
Posting of police officers to their native districts	135
Remission of revenue in South Kanara (mover)	425-426,
	428

Amended Draft Financial Statement—

Resolutions regarding —	
Additional provision for board secondary school buildings (mover)	485-486
Additional provision under 3-C. Land Records for payment of war allowances to karnams, vettis and ugranis (mover)	458-459,
	463
Grant to the South Kanara district board for constructing bridges over the Gurpur and Pavangi (mover)	569-570
Grant to the South Kanara district board for foot-bridges (mover)	570
Provision of funds to informal panchayats for village improvements (mover)	527-528
The Madras Agricultural Pests and Diseases Bill, 1918	582-583

Siva Rao, the Hon'ble Mr. P.—

Asks questions in Council	27-32,
	273-274, 814-815
Makes remarks in connexion with the budget on the relief to the servants to the local boards, high prices, remission and suspension of revenue, famine relief, principles for preparation of budget estimates, primary education, industries, development of forests, coal situation, minor sanitary grants, reorganization of the Provincial Judicial service, village services, improvement of district headquarter hospitals, local finance and contribution to the Government of India	1130-
	1132, 1156

Resolutions on matters of general public interest—

A committee to investigate the nature, etc., in regard to the influenza epidemic (mover)	367-368,
	372-373, 374
Appointment of jiu-jitsu teachers	1091
Borrowing on the sole credit of provincial revenues	213, 215
Civil justice to be a transferred subject	240
Committee to report on principles contained in recent resolution on local self- Government	151-153
Control of services of transferred departments to be a transferred subject	227-228,
	231
Co-optation of members on district boards	974
Deletion of paragraph on political situation from the presidency administration report (mover)	928
Development of education in the Ceded districts (mover)	924-925,
	926

*Siva Rao, The Hon'ble Mr. P.—cont.*Resolutions on matters of general public interest—*cont.*

Effect to be given to certain recommendations in the resolution on local self-Government (mover)	928-932,
	935
Encouragement of ayurvedic and unani systems of medicine	115-116
Industrial development to be a transferred subject	202-203
Inquiry into recent incidents in Madura	347-348
Inquiry into the system of district administration	421-422
Interpreters and translators at meetings of Council	1008-
	1009
Land acquisition to be a transferred subject	246
Land revenue administration to be a transferred subject	194-195
Legislation to organize administrative village panchayats (mover)	1026,
	1028, 1030
Measures to be adopted to alleviate the situation due to high prices (mover)	385-387,
	388-389, 405-
	406
Members of the Indian Civil Service and the Reform Scheme (mover)	928
Opening of model gardens of indigenous medicinal plants (mover)	409
Posting of police officers to their native districts	134
Power of suspending local bodies to be transferred	252
Publication of vernacular scientific primers	142
Public inquiry into the economic condition of the Bellary district as a preliminary to resettlement (mover)	926, 927,
	928
Removal of inter-district restrictions on transport of foodstuffs	858
Salaries of teachers in elementary and secondary schools (mover)	382-384
Stationery and printing stores and supplies to be a transferred subject	254
Steps to promote irrigation schemes in the Ceded districts (mover)	965-967,
	970
Translation of the proceedings of the Legislative Council	1016-
	1017
Travelling allowances to the village officers (mover)	374, 409,
	1030
University and secondary education	221-222
Amended Draft Financial Statement—	
Resolutions regarding —	
Additional provision under 3-C. Land Records for payment of war allowances to karnams, vettis and ugranis	40-461
Grant of scholarships to indigent pupils in secondary schools (mover)	486-487,
	488
Grants to municipalities for the improvement of roads	567-568
Grants-in-aid for district boards for the construction and improvement of village roads	556
Improvement of the sanitary condition of pilgrim centres (mover)	528,
	529-530
Increased allotment for scholarships to mufassal students	493
Increase of pay to the teachers in the secondary schools in the Presidency (mover)	482-483,
	484
Lump provision for opening a medical school at Bellary	507
Omission of the provision for taking over the Royapetta hospital (mover)	508-509
Provision for opening a secondary school for girls in the Ceded districts (mover)	482
Reduction of provision for soap-making experiments	542
Special meeting to consider report on Indian Constitutional Reforms	146
The Doddappanayakkanur and Vuyyuru Impartible Estates Bill, 1918	68
The Madras Agricultural Pests and Diseases Bill, 1918	78, 574-
	575, 576, 581, 582, 588, 591,
	593, 595-596, 732, 733, 737,
	742, 745-746
The Madras City Municipal Bill, 1918	89, 617,
	626-627, 633, 636-637, 651-652, 658,
	666, 683, 712-713, 723-724, 893-895
The Madras Prevention of Adulteration Bill, 1918	51, 54,
	56, 62.

Spring, K.C.I.E., the Hon'ble Sir Francis—

Resolutions on matters of general public interest—

Control and administration of railways	248-249
Control of the export trade in oil-seeds	1050-
	1051
Establishment of an industrial school in the Telugu districts	983
Improvement of the acoustic properties of the Council Chamber and facilities for the attendance of representatives of vernacular dailies	1025
Amended Draft Financial Statement—	
Resolutions regarding —	
Grants to the South Kanara district board for constructing bridges over the Ghurpur and the Pavangi	570
A Bill to amend the Madras Port Trust Act, 1905	342
The Madras Agricultural Pests and Diseases Bill, 1918	738
The Madras City Municipal Bill, 1918	617, 648,
	661, 681, 706, 708, 724-725, 728, 762

Sobha Chandra Singh Deo, the Hon'ble Sri (Zamindar of Serugada)—

Asks questions in Council	20-21,
	815-818

Srinivasa Ayyangar, the Hon'ble Mr. S.—

The Doddappanayakkanur and Vuyyuru Impartible Estates Bill, 1918	70-71
The Koodalmanickam Devaswom Bill, 1918	339-340
The Madras Agricultural Pests and Diseases Bill, 1918	574, 580,
	581, 583-584, 586-587, 588-589,
	592-593, 596, 732, 733, 734, 739,
	740, 741, 742, 744
The Madras City Municipal Bill, 1918	87, 88,
	89, 619, 620, 621, 623, 624, 625,
	627, 631, 632, 633, 644-645, 650,
	677, 678-679, 718, 720-721, 727,
	750, 751, 752, 753, 754, 756, 757,
	764, 765, 770, 776, 777, 779, 780,
	781, 783-785, 786, 790-791, 792,
	793, 794-795, 796, 797, 802, 870-
	871, 872, 874-876
The Madras Prevention of Adulteration Bill, 1918	53, 57-59,
	60, 61, 63

Stokes, C.I.E., the Hon'ble Mr. H. G.—

Takes his seat as an Additional Member of Council	448
---	-----

Stone, C.I.E., the Hon'ble Sir Joseph Henry—

Replies to supplementary questions	23
Resolutions on matters of general public interest—	
Admission of students to the Intermediate course	132-133
Increased accommodation in Intermediate classes of Government colleges	171-172
Inquiry into the system of moderation of marks for the School Final Certificate scheme	162-163
Publication of vernacular scientific primers	140, 141,
	142, 143

Subbarayulu Reddiyar Avargal, the Hon'ble Diwan Bahadur, A.—

Asks questions in Council	14
Resolutions on matters of general public interest—	
Appointment of non-official presidents to the district boards of Vizagapatam and Ganjam	979
Control of the export trade in oil-seeds	1051
Inquiry into recent incidents in Madura	354
Interpreters and translators at meetings of Council	1009
Removal of inter-district restrictions on transport of foodstuffs	851
Special meeting to consider report on Indian Constitutional Reforms	147
The Madras Agricultural Pests and Diseases Bill, 1918	78

Suryanarayanamurti Nayudu Garu, the Hon'ble Diwan Bahadur, K. R.—

Asks questions in Council	27, 821-
	822, 993-996

Suryanarayana Murthi Nayudu Garu, the Hon'ble Diwan Bahadur, K.R.—cont.

Makes remarks in connexion with the budget on the economic distress due to war, elementary education, industrial development, mechanical school at Cocanada, agricultural development, improvement of communications both by land and water, the Cocanada Port Conservancy Board, hospital at Cocanada and Local Government's contribution to the Imperial revenue 1129-1130

Resolutions on matters of general public interest—

Control of the export trade in oil-seeds 1050
Imperial grant for the development of industries in this Presidency 939
Improvement of drainage conditions in the Godavari and Kistna deltas 1084
Stock of food-grains in the Northern Circars (mover) 179-180, 181

Suryanarayana Rao, the Hon'ble Mr. A.—

Asks questions in Council 285-286, 827-828

Makes remarks in connexion with the budget on the amendment of the Financial rules, scarcity of foodstuffs, war allowance to employees in municipalities, grants to local bodies for repairs to trunk roads, excise and income-tax, compulsory primary education, medical inspection of schools, industrial education, weaving school in the Vizagapatam district, sanitation, training of Ayurvedic practitioners, Ayurvedic system of medicine, medical schools and colleges and the Local Government's contribution to the Imperial funds 1138-1142

Resolutions on matters of general public interest—

A committee to investigate the nature, etc., in regard to the influenza epidemic. . . 363-369
All non-official presidents of taluk boards to be elected (mover) 979, 980, 981

Appointment of non-official presidents to the district boards of Vizagapatam and Ganjam (mover) 977-979
Asylums for beggars 1070-

Civil justice to be a transferred subject (mover) 1071
Committee to inquire regarding the distribution of necessities of life 236, 241
Control of services of transferred departments to be a transferred subject 840
Development of district board railways 229-230
Establishment of an industrial school in the Telugu districts (mover) 1038, 981-982,

Imperial grant for the development of the industries in this Presidency 983
Industrial development to be a transferred subject 938-939
Inquiry into recent incidents in Madura 205-206
Land revenue administration to be a transferred subject 357
Measures to be adopted for increasing the area under cotton cultivation (mover). . . 196-197
Organizing an industrial and economic survey particularly of mining industry (mover) 431
Resettlement of the Vizagapatam district 431

Schools for teaching navigation 1097-1098
Stock of piece-goods and yarn (mover) 412
Sub-registrars and the civil judicial test (mover) 181

Translation of the proceedings of the Legislative Council 1116, 1117-1118

Amended Draft Financial Statement—
Resolutions regarding —

Grants to the Vizagapatam district board for village communications (mover). 555, 560
Grants to the Vizagapatam municipality for plague-preventive measures (mover) 512
Provision for four additional circle inspectors for education (mover) 473, 474
Provision for opening a forest school in the Agency tracts (mover) 465, 466
The Madras Agricultural Pests and Diseases Bill, 1918 583, 590-591, 747
The Madras City Municipal Bill, 1918 627-628, 632, 666, 777, 787, 788, 890-891

Surya Rao Bahadur, the Hon'ble Sri Raja Rao Venkata Kumara Mahipati, Raja of Pithapuram—

Makes remarks in connexion with the budget on medical relief, lady doctors, new general hospital in Cocanada, indigenous drugs, primary education, schools for girls, a high school for girls at Cocanada, medical inspection of schools, textbook committees, industries, liquor shops, Madras Municipal Bill, woman franchise, high prices, orphanages and asylums, depressed classes, amendment of the Estates Land Act, control of village officers, Vuyyuru and Doddappanayakkanur estates and Rajkumar College 1122-1124

Resolutions on matters of general public interest—

All non-official presidents of taluk boards to be elected 980
Asylums for beggars 1064
Takes his seat as an Additional Member of Council 448

T

Thonger, the Hon'ble Mr. J. H.—

Resolutions on matters of general public interest—
Formation of grain-storing department 1058-1059

Measures to be adopted to alleviate the situation due to high prices 398-399
Amended Draft Financial Statement—

Resolutions regarding —
Increased provision for additional technical scholarships. . . 497
Special meeting to consider report on Indian Constitutional Reforms 147
A Bill to amend the Madras Port Trust Act, 1905 71, 342-343

The Madras Agricultural Pests and Diseases Bill, 1918 591, 738, 739

The Madras City Municipal Bill, 1918. . . 87, 89, 93-94, 609, 642, 643, 644, 646, 649, 650, 652, 653, 710, 725, 756, 763, 777, 780, 801, 885-886

Todhunter, the Hon'ble Mr. C. G.—

Presents the Budget 1001
Replies to remarks in connexion with the budget on the criticisms of the additional members on various items in the budget, and compliments the staff of the Financial Department on their labour in the production of the budget 1162-1165

Replies to supplementary questions 990, 992, 997

Resolutions on matters of general public interest—

Improvement of the acoustic properties of the Council Chamber and facilities for the attendance of representatives of vernacular dailies 1023-1024

Proceedings of the Legislative Council to be published within a fortnight 1012-1013

Translation of the proceedings of the Legislative Council 1014-1015, 1016, 1019-1020

Amended Draft Financial Statement—

Introduces certain heads 552

V

Venkatapati Raju, the Hon'ble Mr. B.—

Asks questions in Council 18-20, 278-280, 829-831

Makes remarks in connexion with the budget on the contribution from the Local Government to the Imperial revenues, land revenue, resettlement, stamp revenue, excise, forests, education, technical education, elementary education, police expenditure, water-rates, sanitation, agriculture, co-operation and industrial expansion and the situation due to high prices 1124-1127

Resolutions on matters of general public interest—

Appointment of an itinerant rural sanitary board (mover) 958-959, 961, 963, 964
Appointment of jiu-jitsu teachers (mover) 1087-1088, 1091-1092
Civil justice to be a transferred subject 240-241

Venkatapati Raju, the Hon'ble Mr. B.—cont.**Resolutions on matters of general public interest—cont.**

Committee to consider amendment of the Acts relating to village service ..	129
Committee to inquire and report on the drainage conditions of the deltaic districts (mover) ..	964
Committee to inquire into the expenditure on the Police department ..	946
Control and administration of railways ..	248
Control of the export trade in oil-seeds ..	1046
Control of the price of cloth (mover) ..	445
Control of services of transferred departments to be a transferred subject ..	228
Development of education in the Ceded districts ..	925-926
Encouragement of ayurvedic and unani systems of medicine ..	116
Forests and forest produce to be transferred subjects without limitation ..	235
Formation of a grain-storing department ..	1055
Government loans to co-operative agricultural societies (mover) ..	950-953, 954-955
Grants-in-aid to schools and colleges for physical training (mover) ..	964
Imperial grant for the development of the industries in this Presidency ..	940, 941
Improvement of drainage conditions in the Godavari and Kistna deltas (mover) ..	1082-1084, 1087
Industrial development to be a transferred subject ..	206
Inquiry into recent incidents in Madura ..	357
Inquiry into the system of district administration ..	422
Inquiry into the system of moderation of marks for the School Final Certificate scheme ..	162
Interpreters and translators at meetings of Council ..	1005-1006
Irrigation in the Vizagapatam district (mover) ..	985
Land revenue administration to be a transferred subject ..	199-200
Measures for improving the quality, etc., of livestock (mover) ..	431-432, 434
Measures to be adopted to alleviate the situation due to high prices ..	399-400
Opening of a University institute of economics (mover) ..	955-958
Provision for financing co-operative housing societies (mover) ..	950
Removal of inter-district restrictions on transport of food stuffs (mover) ..	843-845
Resettlement of the Vizagapatam district (mover) ..	985, 1092-1093, 1094, 1095-1096, 1097, 1101
Salaries of teachers in elementary and secondary schools ..	384
Sub-registrars and the civil judicial test ..	1116
Supply of seeds to agriculturists at cost price (mover) ..	434-435
Translation of the proceedings of the Legislative Council ..	1015
University and secondary education ..	222

Amended Draft Financial Statement—**Resolutions regarding—**

Deduction from provision for temporary establishment under Land Revenue, Survey and Settlement (mover) ..	456-458
Increased allotment for improving handloom weaving in the Presidency ..	547
Increased provision for additional technical scholarships (mover) ..	496
Increased provision to municipalities for plague expenditure (mover) ..	512, 513
Provision for a uniform retaining fee for mufassal Government pleaders (mover) ..	468-469
Provision for free boarding houses for scholars of depressed classes ..	503

Resolutions regarding—

Provision for raising the medical school at Vizagapatam into a college (mover) ..	510-511
Reduction of expenditure under Police (mover) ..	469-471
Reduction of school and college fees (mover) ..	484-485
The Doddappanayakanur and Vuyyuru Impartible Estates Bill, 1918 ..	65-66
The Madras Agricultural Pests and Diseases Bill, 1918 ..	585-586, 733, 736, 740
The Madras City Municipal Bill, 1918 ..	95, 600, 660, 676, 717, 719, 881-885

W**Wood, the Hon'ble Mr. R. B.—**

Replies to remarks in connexion with the budget on the total prohibition of liquor and toddy shops ..	1157-1158
---	-----------

Wood, the Hon'ble Mr. R. B.—cont.**Resolutions on matters of general public interest—**

Control of the export trade in oil-seeds ..	1046-1048
Removal of inter-district restrictions on transport of foodstuffs ..	849
Takes his seat as an Additional Member of Council ..	448

Y**Yaqub Hasan Sahib Bahadur, the Hon'ble—**

Asks questions in Council ..	22-24, 266-267, 828-829
------------------------------	-------------------------

Makes remarks in connexion with the budget on income-tax, deficit in the budget, excise revenue, Muhammadan Education, Muhammadan secondary school at Trichinopoly, Government college for Muhammadans, training school for Muhammadan women at Trichinopoly, buildings for the Georgetown secondary school and elementary schools for Muhammadans, medical school for women, travelling sub-assistant surgeons, reorganization of Medical services, agricultural department, cotton and silk industry, salary of the Director of Industries, recruitment of Directors and Assistant Directors from the Indian commercial community, technological institute and commercial museum and stocks of hides and skins ..

1145-1146

Resolutions on matters of general public interest—

Civil justice to be a transferred subject ..	238-239
Committee to consider Mr. Lanchester's report on the Madras City (mover) ..	176-178, 179
Control of services of transferred departments to be a transferred subject ..	228
Control of the export trade in oil-seeds ..	1048
Double track between the Beach and Pallavaram stations (mover) ..	176
Double track of railway between the Beach station and Chingleput (mover) ..	444
Encouragement of ayurvedic and unani systems of medicine ..	111-112
Forests and forest produce to be a transferred subject without limitation ..	235
Formation of a grain-storing department ..	1059
Increased accommodation in Intermediate classes of Government colleges (mover) ..	169-171, 172-173
Industrial development to be a transferred subject (mover) ..	201-202, 208
Questions relating to business concerns to be transferred (mover) ..	242-243, 244-245
Removal of inter-district restrictions on transport of foodstuffs ..	861-863
Schools for teaching navigation ..	411-412
The Government Soap Works, Calicut, to be handed over to a limited liability company (mover) ..	435, 436-439, 442
The establishment of a commercial museum at Madras (mover) ..	984, 1118-1119
Transfer of the Malabar soap factory to a private company (mover) ..	176
University and secondary education ..	216-217, 218, 219

Amended Draft Financial Statement—**Resolutions regarding—**

Grants-in-aid to the Vaniyambadi Muhammadan Educational Society for the Islamia College (mover) ..	474-477, 478-480
Increased provision for the salary of the Director of Industries (mover) ..	543-544
Increased provision under building grants for the Government Muhammadan secondary school, Georgetown (mover) ..	490-491
Lump provision for opening a medical school at Bellary (mover) ..	505-506, 507-508
Omission of the provision for taking over the Royapetta hospital ..	510
Proposal to abolish the appointment of Director of Fisheries and to increase the salary of the Assistant Director (mover) ..	537-539, 540
Reduction of provision for salary for the Director of Civil Supplies (mover) ..	549-550, 551-552
Reduction of provision for soap-making experiments (mover) ..	541, 542, 548

	PAGE
<i>Yaqub Hasan Sahib Bahadur, the Hon'ble—cont.</i>	
A Bill to amend the Madras Port Trust Act, 1905	341, 342
A Bill to provide for the voluntary registration of Mussalman marriages and divorces	43-46, 49-50
The Madras City Municipal Bill, 1918	84-85, 89, 90, 95-96, 601-603, 604-605, 606, 607, 608, 611, 612, 614, 631, 632, 649, 650, 652, 653, 661, 673, 674, 675, 676, 680-681, 689, 694, 697-698, 709-710, 726-727, 729, 751, 764, 771, 777-778, 780, 793, 800, 802, 886-888
The Madras Prevention of Adulteration Bill, 1918	57
<i>Young, the Hon'ble Mr. M.—</i>	
Takes his seat as an Additional Member of Council	184

Proceedings of a Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council assembled at the Council Chamber, Fort St. George, at 11 a.m. on Tuesday, the 13th day of August 1918.

PRESENT:

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

(Mr. Ahmad Tambi Marakkayar.)

[13TH AUGUST 1918.]

The Hon'ble Mr. K. SADASIVA BHAT.
 The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR AVARGAL.
 The Hon'ble Mr. K. RAMA AYYANGAR.
 The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU.
 The Hon'ble B. RAJA RAJESWARA SETUPATI *alias* MUTTURAMALINGA SETUPATI AVARGAL, Raja of Ramnad.
 The Hon'ble Mr. B. VENKATAPATI RAJU.
 The Hon'ble Mr. K. KUMARAN RAMAN KAVALLAPPARA MUPPIL NAYAR.
 The Hon'ble YAQUB HASAN SAHIB Bahadur.
 The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR SAHIB Bahadur.
 The Hon'ble Sir GORDON FRASER, Kt.
 The Hon'ble Mr. J. H. THONGER.
 The Hon'ble Sir FAIRLESS BARBER, Kt.
 The Hon'ble Sir GHULAM MUHAMMAD ALI SAHIB Bahadur, Khan Bahadur, G.C.I.E., Amir-i-Arcot or Prince of Arcot.
 The Hon'ble the Most Rev. JOHN AELEN, D.D.
 The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR AVARGAL.
 The Hon'ble Mr. T. RICHMOND.
 The Hon'ble Sir FRANCIS SPRING, K.C.I.E.
 The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU GARU.
 The Hon'ble Sri SOBHA CHANDRA SINGH DEO, Zamindar of Serugada.

NEW MEMBER.

The Honourable Mr. JAMES HERBERT THONGER took the prescribed oath of allegiance to the Crown and then took his seat.

QUESTIONS AND ANSWERS.

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

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

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

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

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

1 Q.—(a) In view of the fact that registering officers should attend at private residences out of office hours, will the Government be pleased to state whether the registering officers are eligible for compensation leave for the period they spend at private residences?

(b) If not, will the Government be pleased to consider the desirability of granting leave to them with a view to compensate for the overtime work which they are required to perform?

1 A.—(a) Registering officers are not granted compensation leave for the period they spend at private residences.

(b) The proposal does not commend itself to the Government.

2 Q.—(a) Will the Government be pleased to lay on the table a brief account of the death of lightkeeper C. Francis that happened at the Manapad lighthouse, Tinnevely district, on 26th February 1918?

(b) Is it a fact that the lightkeeper when he fell ill requested to be relieved at once with a view to his seeking admission in the General Hospital at Madras for treatment; that it took more than a fortnight for a relief to be ordered; that before the reliever came, Francis expired; that the deceased wished a tombstone to be erected out of his security money which the Presidency Port Officer is not pleased to sanction?

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

(d) Will the Government be further pleased to issue orders for avoiding delays in such matters?

2 A.—(a) & (b) Lightkeeper Francis was apparently in good health in November 1917 when the Inspector of Lighthouses visited Manapad. On the 5th of February 1918 he wrote to the Presidency Port Officer stating that he was ill and asking to be transferred to Madras where he could get better medical aid. He did

Compensation leave to registering officers attending at private residences.

Death of a lightkeeper, Tinnevely district.

13TH AUGUST 1918.]

(Mr. Ahmad Tambi Marakkayar.)

not ask to be relieved of work, but merely for a change of appointment and there was nothing in his application to suggest that immediate relief was necessary on medical grounds. In accordance with his request a transfer was arranged and an order to that effect was issued on the 21st February. Meanwhile, however, Francis sent another application, which reached the Presidency Port Officer on the 21st February in which he stated that his illness was increasing and he asked for relief so as to enable him to proceed to Madras and be admitted into the General Hospital as an in-patient. Orders were issued by telegram on the following day directing his relief, but in the meanwhile the head lightkeeper had himself relieved Francis on the 19th of February on the report of the local medical officer.

As regards the erection of a tombstone, the property of the late lighthouse keeper, including his security money, is at the disposal of his heirs. It is in no way under the control of the Presidency Port Officer and that officer's sanction to the erection of a tombstone is unnecessary.

(c) & (d) The Government having examined all the facts do not find that there was any undue delay in dealing with the lighthouse keeper's application.

3 Q.—(a) Has the attention of the Government been drawn to an article in the *Justice* of the 18th June 1918 regarding the sale of sovereigns at increased prices? Issue of sovereigns

(b) Are the Government aware that sovereigns are sold by sowcars at Rs. 19 each and even more sometimes?

(c) Are the Government also aware that the Currency office issued a large number of sovereigns to sowcars at Rs. 15 each in exchange for silver, sometime in April?

(d) Will the Government be pleased to take necessary steps to put a stop to sovereigns being sold at more than Rs. 15?

(e) Will the Government also be pleased to arrange to issue necessary instructions not to issue sovereigns to sowcars who are doing regular business on sovereigns, but to issue sovereigns to banks who can issue them to their customers at not more than 20 sovereigns at a time for bona-fide purposes at Rs. 15?

3 A.—(a) The Government have perused the article in question.

(b) The Government are aware that sovereigns are being sold at a premium.

(c) Sovereigns were issued from the Currency office in exchange for notes in April 1918, but no discrimination was made as to the identity or occupation of the persons presenting notes for encashment.

(d) & (e) These are not matters which are within the province of the local Government.

4 Q.—(a) Has the attention of the Government been drawn to an article headed "Education in Trichinopoly" in the *Hindu*, dated 26th June 1918, publishing the resolution passed by the Moslem Literary Society of Trichinopoly? A high school for Muhammadans at Trichinopoly

(b) Will the Government be pleased to make necessary arrangements to open a high school for Muhammadans at Trichinopoly out of the eighteen high schools recently sanctioned for the Presidency?

4 A.—(a) Yes.

(b) The new schools to which the Honourable Member refers are intended to provide instruction for all classes. At Trichinopoly there is already an incomplete secondary school for Muhammadans under private management and the Government have approved a proposal to take over the institution under departmental control and develop it suitably. Arrangements for its transfer to Government are in progress.

5 Q.—(a) Has the attention of the Government been drawn to an article in the *Hindu*, dated 26th June 1918, headed "Karaikal Land Customs"? Land customs on the Karaikal frontier.

(b) For reasons explained in the article, will the Government be pleased to arrange to abolish the land customs and bring sea customs into force in the interests of all concerned?

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

(b) The question of improving the Customs arrangements on the frontiers of the French Settlements in the Madras Presidency is engaging the attention of Government.

6 Q.—Will the Government be pleased to state

(a) whether the experiment of water-works for Tuticorin at Morappanad is successful;

(b) if so, whether protected water-supply can be given under present conditions within a reasonable period of, say, five years;

(c) if not, will it not be feasible to give Tuticorin a supply similar to the one that is now under execution for Ramésavaram as such supply should be possible to get from the fresh water area near Alangarathattu?

6 A.—The tests conducted show that an adequate supply will be available at Morappanad: but it is not possible to say when the works will be completed. According to expert opinion the scheme of supply from wells sunk in the sandy area near Tuticorin is not practicable.

Tuticorin water-supply scheme.

QUESTIONS AND ANSWERS.

(Mr. Ahmad Tambi Marakkayar.)

[13TH AUGUST 1918.]

Closure of a public pathway in Trichinopoly.

7 Q.—(a) Is it a fact that Mr. T. C. Thangavelu Pillai, B.A., Bar-at-Law, has submitted to Government a copy of the resolution passed by the citizens of Trichinopoly in a public meeting held on the 16th June 1918 protesting against the action of the headmaster, Aryan secondary school, in closing the public pathway leading to the western side of the Bathway Godown lane, Trichinopoly?

(b) Will the Government be pleased to inquire into the matter and take the necessary action?

7 A.—(a) Yes.

(b) A report has been called for.

The Vellore Taluk Board and Muhammadan elementary schools.

8 Q.—(a) With reference to a resolution passed at the North Arcot Moslem Educational Conference held at Vellore in February last, are the Government aware that the taluk board of Vellore amalgamated some of the Moslem elementary schools under the control of the board with those of the Hindus against the wishes of the Moslems of the locality?

(b) Will the Government be pleased to order the said taluk board not to do so in future?

8 A.—(a) The Government understand that the Muhammadan school at Pallikonda has been combined with the Hindu school there, a special Muhammadan teacher being provided to teach Urdu as second language to Muhammadan children. The Government have no further information.

(b) The Government do not propose to interfere with the discretion of the local body.

Board Sessional school, North Arcot.

9 Q.—In view of the limited number of qualified elementary school teachers in the North Arcot district, will the Government be pleased to retain the Board Sessional school, started as a temporary measure, as a permanent institution?

9 A.—The matter is for the consideration and decision of the Vellore taluk board. The Government do not propose to interfere.

A Muhammadan officer as Personal Assistant to the Director of Public Instruction.

10 Q.—Will the Government be pleased to appoint a Muhammadan as a Personal Assistant to the Director of Public Instruction to help and advise the Director on all matters affecting Moslem education?

10 A.—The Government are not, as at present advised, prepared to accept the Honourable Member's suggestion.

Encouragement of Muhammadan education.

11 Q.—With reference to the recommendations made to the Government by the Muhammadan Educational Conference held at Vellore, will the Government be pleased to consider the desirability of

(a) reserving a certain number of seats in Government and other aided colleges for Moslem students specially as is done in Bengal;

(b) increasing the number and scale of Government scholarships awarded to Moslem students in colleges;

(c) affording special facilities to Moslem students studying in law, medical, engineering and agricultural colleges by instituting scholarships on a liberal scale; and

(d) establishing hostels in schools and colleges where a sufficient number of Moslem students attend?

11 A.—(a) The question of reserving seats has already been considered and the Government are of opinion that it is unnecessary, particularly in view of the recent establishment of a Muhammadan College.

(b) & (c) The Government consider that the provision of scholarships for Muhammadans in Arts Colleges and in the Law, Medical and Engineering Colleges is sufficient. They will, however, watch the development of the Muhammadan College and take such action in regard to scholarships as may prove necessary.

No scholarships are at present awarded at the Agricultural College and the Government do not consider that any need be created specially for Muhammadans.

(d) The Government are prepared to consider any specific proposals for the establishment of hostels whether for Muhammadans or others.

Water-tax in the Chingleput municipality.

12 Q.—(a) Is it a fact that the Government have consented to postpone the collection of water-tax in the Chingleput municipality until supply of water is commenced?

(b) Will the Government be pleased to approve the proposal made by the Municipal Council, Tuticorin, some time last year to suspend collection of water-tax until the supply of water is actually made?

12 A.—(a) Yes.

(b) The Government are unable to approve the suggestion. There is no similarity between the conditions existing at Tuticorin and those of Chingleput. The scheme for the supply of water to Tuticorin is very much larger and more costly than that for Chingleput, and, unless the Council builds up a reserve fund towards the capital cost, it will be unable to carry the project through.

QUESTIONS AND ANSWERS.

5

13TH AUGUST 1918.]

(Mr. Ahmad Tambi Marakkayar.)

13 Q.—(a) Are the Government aware

(i) that the Municipal hospital of Tuticorin is situated in the most congested part of the town and in the busiest thoroughfare called Great Cotton Road;

(ii) that the hospital building is in a dilapidated condition and old-fashioned; and

(iii) that the whole ground of the hospital is damp and water-logged?

(b) Will the Government be pleased to make immediate arrangements to acquire land in the Victoria Extension road for the construction of a new hospital?

(c) If the Government find it difficult to provide funds for the construction of a hospital at present, will the Government be pleased to provide a sufficient sum to acquire the site?

13 A.—(a) The Government understand the facts to be approximately as alleged.

(b) & (c) The Government have received no proposals from the municipal council with regard to the construction of a new hospital near the Victoria Extension road and are unable to consider the question of financial assistance in the absence of a definite scheme.

14 Q.—(a) Will the Government be pleased to state whether the report of the committee for the inspection of Indian refreshments at the railway platforms has been received? If so, will the Government be pleased to place it on the table?

(b) If not, will the Government be pleased to state when they are likely to receive the same?

14 A.—(a) The report by the Senior Government Inspector of Railways and M.R.Ry. Rao Bahadur K. S. Venkatarama Ayyar of Negapatam on the subject has not yet been received.

(b) The Government understand that the inspection is almost completed and that the report may be expected shortly.

15 Q.—Is it a fact that a large number of Sub-Judges and District Munsifs sent a memorial to the Government regarding the reorganization of the Judicial Department, and, if so, how many Sub-Judges and Munsifs, and will the Government be pleased to state what action they have taken in the matter?

15 A.—Memorials from 21 Sub-Judges and 72 District Munsifs regarding the recommendations of the Public Services Commission for the reorganization of the Provincial Judicial Service have been received by Government and will be considered in connexion with the recommendations of the Public Services Commission.

16 Q.—In view of the fact that the Government has increased the pay of the process-service establishment, will the Government be pleased also to increase the pay of the court peons and court keepers attached to the munsif and sub-courts?

16 A.—The matter is engaging the attention of Government.

17 Q.—With reference to the Hon'ble Mr. Gillman's speech at the meeting of the Legislative Council held on 6th April 1918 saying that the proposals in regard to the reorganization of the Judicial Department were complete and would be sent to the Government of India and the Secretary of State in the next month, will the Government be pleased to state whether the proposals have since been sent up and, if so, when?

17 A.—The Government of India were addressed on the subject on the 5th August 1918.

18 Q.—(a) Is there a proposal now before Government for revising the scale of pay of Port officers in this Presidency?

(b) In refixing the scale, will the Government be pleased to take into consideration the scale recently sanctioned for the Madras Pilot Service, who also draw an overtime allowance?

(c) In view of the exceptional local circumstances prevailing in some of the ports such as Tuticorin, Cochin, Calicut and Negapatam, will the Government be pleased to attach a local allowance payable to the Port officers serving at these ports?

18 A.—(a) & (b) Yes.

(c) The Government do not consider it necessary to make such a distinction as is suggested by the Honourable Member.

19 Q.—In view of G.O. No. 200, Public (Marine), dated 12th June 1918, will the Government be pleased to authorize the Port officers in this Presidency to survey sea-damaged cargo also and grant certificates, cancelling paragraph 28 of the Madras Port Manual?

19 A.—The Government will consider the suggestion.

20 Q.—With reference to my question at the meeting of the Council held on 12th February 1918 regarding "Insult to a Moslem Leader" and the Government's reply thereto that the matter had been referred to the High Court, will the Government be pleased to state how the matter has been disposed of?

20 A.—The High Court after due inquiry saw no need to take any action.

Tuticorin Municipal hospital.

Report of committee for inspection of food arrangements at railway stations.

Reorganization of the Provincial Judicial Service.

Pay of peons in District Munsifs' and Sub-Judges' offices.

Reorganization of the Provincial Judicial Service.

Revision of pay of Port officers.

Authorizing Port officers to survey sea-damaged cargo, etc.

A Moslem leader and the Tirupattur Munsif.

(Mr. Ahmad Tambi Marakkayar ; Mr. M. Ramachandra Rao ; [13TH AUGUST 1918
Sir Alexander Cardew.)

Inspection of
coast light
stations by
Port officers.

21 Q.—(a) Will the Government be pleased to say if paragraph 12 of G.O. No. 245, Marine, dated 8th April 1896, holding Port officers responsible for inspecting coast light stations is still in force?

(b) Are the Government aware that the Presidency Port Officer by a departmental order has prohibited such inspection by Port officers?

(c) Is it within the power of the Presidency Port Officer to pass such an order?

21 A.—(a) The orders in question are in force.

(b) & (c) The Government will inquire.

The Hon'ble Rao Bahadur M. Ramachandra Rao.

Splitting up of
taluk boards,
Godavari and
Kistna districts.

22 Q.—(a) Will the Government be pleased to state whether a request has been made by the Taluk Board of Cocanada for the separate constitution of a taluk board for the Cocanada taluk, Godavari district, and whether a similar request has been made for the separate constitution of a taluk board for the Ramachandrapuram taluk, Godavari district?

(b) Will the Government be pleased to consider the questions favourably?

(c) Will the Government be pleased to state when the taluk board for the Bhimavaram division, Kistna district, is likely to be constituted?

22 A.—(a) No such request has been received from the Cocanada taluk board.

(b) The President of the Godavari district board has been asked, along with other presidents, whether there are any taluk boards in his district which in his opinion are unwieldy and could with advantage be made into smaller units.

(c) The question of the bifurcation of the Kistna district and the formation of new revenue divisions and taluks therein is still under consideration. After this question is settled, the question of the reconstitution of all the taluk boards including Bhimavaram will be considered.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"With reference to the constitution of a separate taluk board for the Bhimavaram division, the Government say that it depends upon the question of the bifurcation of the Kistna district. May I know when this question is likely to be settled?"

The Hon'ble Sir ALEXANDER CARDEW:—"The matter is under reference to the Board of Revenue and as soon as the Board make their report we are ready to carry it out, if funds permit. I cannot give a definite date, but I trust it will be before long."

Ele torate to
taluk boards.

23 Q.—Will the Government be pleased to place on the table a statement showing the number of voters in each taluk board area in the Presidency on the 1st April 1917 and also on the 1st April 1918 and the voting qualifications for each area?

23 A.—The property qualification for voters prior to 1918 is shown in the schedule to G.O. No. 1668 L., dated 10th November 1915, which has been placed on the Editors' Table. The qualification was reduced to the possession of property of an annual rental value of Rs. 30 for all taluk board areas in notification No. 75 published at page 33 of Part I-A of the Fort St. George Gazette, dated 2nd January 1918. Information in regard to the number of voters in each taluk board area on 1st April 1917 and on 1st April 1918 is not available. It has been called for and will be laid on the Editors' Table as soon as it is received.

Water applica-
tions in delta
taluks of
Godavari,
Kistna and
Guntur.

24 Q.—Will the Government be pleased to state the total extent of land in each of the delta taluks of the Public Works divisions in the Godavari, Kistna and Guntur districts and in regard to which applications for water for the first crop were rejected in the official years 1916-17, 1917-18 and in 1918-19?

24 A.—The information asked for has been called for from the local officers and will be furnished when received.

Prices of food-
grains.

25 Q.—Will the Government be pleased to state in how many districts in this Presidency normal, warning and scarcity rates prevailed on the 1st August 1918 in regard to principal food-grains?

25 A.—The following statement will be laid on the table:—

Principal food-grains.	Number of districts in which normal rates prevailed on 27th July 1918.	Number of districts in which the rates ranged between normal and warning.	Number of districts in which warning rates prevailed on 27th July 1918.	Number of districts in which the rates ranged between warning and scarcity.	Number of districts in which scarcity rates prevailed on 27th July 1918.
Rice ..	1	21	1	2	..
Ragi ..	5	13	..	2	..
Cholam ..	..	4	..	8	2
Cumbu ..	..	10	..	5	..

Adequacy of
stock of food-
grains and
their export.

26 Q.—(a) Will the Government be pleased to state the stocks available in each district on the 1st August 1918 of the principal food-grains, namely, rice, ragi, cholam and cumbu?

13TH AUGUST 1918.]

(Mr. M. Ramachandra Rao.)

(b) Will the Government be pleased to state how much of the stocks available are required for local consumption in each district till the next harvest or till December 1918 and how much may be made available for export outside the district?

(c) Will the Government be pleased to state whether the export of the food-grains from this Presidency to stations outside the Presidency has been prohibited? If so, when and of what articles?

26 A.—(a) & (b) The Government are not in possession of this information which could only be obtained by taking a grain census.

(c) The export of all food-grains from this Presidency to the Bombay Presidency, Hyderabad State and the north of India was prohibited on 27th May 1918 with the exception of rice from Cocanada to Bombay. The question how far this prohibition may be further relaxed is now under consideration.

27 Q.—(a) Will the Government be pleased to state whether any request has been made by the Collectors of districts for controlling the prices of food-grains or acquiring the stocks? If so, in what districts such request been made? Control of prices of food-grain.

(b) Will the Government be pleased to make a statement on the situation that has arisen on account of high prices now prevailing in the Presidency and what action the Government propose taking in the matter besides what has been done already?

27 A.—(a) The Collector of South Kanara has asked that he should be vested with power to acquire stocks of food-grains and thereby control the local prices. No similar request has been received from any other Collector.

(b) The Honourable Member is referred to the press communiqué issued on the 27th July 1918 which furnishes the information required.

28 Q.—(a) Will the Government be pleased to state whether any estimate of the stocks of yarn and articles of clothing available in this Presidency has been made? If so, will the Government be pleased to lay on the table a statement of the available stocks on the 1st August 1918 and also to state how long they are likely to last? Stocks of articles of clothing and control of their prices.

(b) Will the Government be pleased to state whether, in view of the great scarcity and of high prices of all articles of clothing, Government contemplate taking any action, and, if so, the steps proposed to be taken?

28 A.—(a) A rough estimate of the stocks of piece-goods was taken on 6th July 1918 and shows the following results:—

Grey, unbleached—20,834,000 yards.
White, bleached—16,497,000 yards.
Coloured, printed or dyed—22,951,000 yards.
Fents—421,000 yards.

The Government have not sufficient data on which to state how long these stocks will last. They have no information as to stocks of yarn.

(b) The question is under the consideration of the Government of India.

29 Q.—(a) Will the Government be pleased to state the number of applications received in 1918 for admission and the number actually admitted into Admissions to the Medical and Engineering Colleges and Schools.

(1) the Medical College and the Medical schools in this Presidency;

(2) the Engineering College, Madras, and the Engineering Schools, Vizagapatam; and

(3) the Arts colleges in this Presidency?

(b) Has a Medical school in Bellary been started? If not, when is it likely to be started?

29 A.—(a) (1) & (2) The following statement gives the information desired:—

	Number of applications for admission.	Number admitted.
The Medical College and Medical Schools ..	2,090	375
The Engineering College and the Engineering School at Vizagapatam.	702	164

(3) The Government regret that they are not in a position to furnish reliable statistics.

(b) The Medical School at Bellary has not been started, as the Surgeon-General advised that until the hospital there is enlarged and improved there would not be sufficient clinical material for a medical school. It cannot at present be said when it will be started. In lieu of this medical school, classes for third and fourth-year students have been opened at Madura and special stipends tenable at Vizagapatam Medical School have been sanctioned for Telugu and Kanarese students belonging to the Ceded districts.

30 Q.—Will the Government be pleased to state whether a decision has been come to in regard to the allotment of the Imperial grant of 5½ lakhs of rupees for elementary education? Allotment of the imperial grant for elementary education.

30 A.—The answer is in the negative.

(Mr. M. Ramachandra Rao ; Sir Alexander Cardew ; [13TH AUGUST 1918.
Mr. Ranga Achariyar.]

Formation of
a Telugu
regiment.

31 Q.—Will the Government be pleased to consider the advisability of the recruits from the Telugu districts being formed into a Telugu regiment or regiments? Are there any proposals now in the matter under consideration?

31 A.—The proposal to form a regiment from the Northern Circars is under discussion with the military authorities.

Proposed scale
of water-rates.

32 Q.—Will the Government be pleased to state

(a) how much of land in the Godavari, Kistna and Guntur districts coming under sections B, C and D of the Appendix I to the Board's Standing Order No. 4 falls under groups I, II and III as suggested in notification No. 345, dated 18th July 1918, published at page 757 of the *Fort St. George Gazette*, dated 23rd July 1918;

(b) how much land coming under sections G and H of Appendix I to the Board's Standing Order No. 4 falls under groups I, II and III as suggested in notification No. 345, dated 18th July 1918, published at page 757 of the *Fort St. George Gazette*, dated 23rd July 1918;

(c) what is the probable amount of revenue derived by the adoption of the new water-rates proposed in the above notification?

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

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"Regarding the proposed scale of new water-rates, the answer of the Government is 'the Government are not in possession of the information asked for.' May I ask the Government whether they will call for this information?"

The Hon'ble Sir ALEXANDER CARDEW:—"I am afraid that to obtain the information which the Honourable Member asks for will mean an elaborate inquiry and will take a very long time. It is only on that ground that it is not possible for us to call for that information. When the Honourable Member's resolution is debated we shall be able to give him further details why it is so."

The Hon'ble Mr. T. Ranga Achariyar.

Development
of sandalwood
oil industry.

33 Q.—With reference to the remarks of the Hon'ble Mr. Gillman on the budget for 1918-19, made at the meeting of the Council on the 6th April 1918 about sandalwood oil (published on page 701 of the Proceedings), will the Government be pleased to state the policy they intend to pursue towards developing that industry?

33 A.—A special officer has been deputed to collect information regarding the trade in sandalwood. The Government await his report before coming to a final decision.

Development
of industries
and technical
and industrial
education.

34 Q.—Will the Government be pleased to state what practical steps they have taken since the outbreak of the war to take advantage of the opportunity afforded by it

- (a) for starting new industries,
(b) for improving existing industries, and
(c) for imparting technical and industrial education?

34 A.—The Honourable Member is referred to the annual reports of the Department of Industries published since 1914.

Reorganiza-
tion of the
Provincial
Judicial
Service.

35 Q.—With reference to statement of the Hon'ble Mr. Gillman in the course of his reply to my resolution regarding reorganization of the Judicial Branch of the Provincial Service moved at the meeting of the Council on the 22nd November 1916 (published on pages 221 and 222 of the Proceedings) and with reference to my question No. 58 at the meeting of the 22nd May 1917 and question No. 8 of the Hon'ble Mr. V. K. Ramanuja Achariyar at the meeting of the 12th February 1918 and the answers thereto will the Government be pleased to state what steps they have taken in the matter of reorganization of the Provincial Service (Judicial Branch) the revision of salary of its members, and the making of temporary courts permanent?

35 A.—The Honourable Member is referred to the reply given to question No. 17. As regards the revision of salary, the Government propose to consider the matter along with the recommendations of the Public Services Commission.

Sub-Judges
and District
Munsifs
and their
establishments.

36 Q.—With reference to my resolution No. XIX moved at the meeting of the Council on the 14th February 1918, will the Government be pleased to state what steps they have taken in the matter of giving effect to that portion of the resolution accepted by Government for giving additional powers to Subordinate Judges and District Munsif over their establishments?

36 A.—The matter is still under the consideration of the Government.

Opening of a
fourth form
in a school,
Tiruvallur.

37 Q.—With reference to the Proceedings of the Director of Public Instruction referred to in the correspondence published at page 7 of the *Indian Patriot* of the 5th July 1918, headed "The C.C.C.H. School, Tiruvallur", will the Government be pleased to state

13TH AUGUST 1918.]

(Mr. Ranga Achariyar.)

(a) what were "the present circumstances which do not justify the opening in that school of forms higher than in the third" referred to in the said Proceedings of the Director,

(b) whether the circumstances included the probable withdrawal of students from the mission school in that place,

(c) whether, in view of the matters stated in the correspondence, the Government will be pleased to instruct the Director of Public Instruction to cancel his former order and sanction the opening of the fourth form in that school, and

(d) whether the Hindu and Muhammadan students in the Christian Mission High School will be given the option of not attending the classes for religious instruction?

37 A.—(a) The smallness of the town suggests that there is no need for two high schools in it. The higher classes of the mission high school are by no means full. Very few, if any, boys are going from Tiruvallur to Madras or elsewhere for high school education, while a considerable number are coming to Tiruvallur from the surrounding villages.

(b) Yes, it was anticipated that some pupils would be withdrawn from the mission school with the result that there would be two sets of small high school classes in the town involving ultimately an unnecessary additional charge on public funds and increased difficulty in staffing high school classes which, in view of the opening of the new board secondary schools, is at this time particularly to be avoided.

(c) The Government are not prepared to instruct the Director of Public Instruction as requested. No request for a reconsideration of the Director of Public Instruction's order has been received from the manager of the school.

(d) The policy of the mission is, it is understood, to accord sympathetic consideration to any application for exemption from religious instruction, based upon conscientious grounds: but as a matter of fact no parent or bona fide guardian of any boy in the school has applied for such exemption.

38 Q.—With reference to the resolution moved by the Hon'ble Diwan Bahadur A. Subbarayalu Reddiyar at the meeting of the Legislative Council on the 22nd November 1916 and the promise of the Government thereat to make a further inquiry into the economic condition of the South Arcot district, with special reference to the indebtedness of the ryots, and with reference to G.O. No. 476, Revenue, dated the 4th February 1918, will the Government be pleased to lay the report of the further inquiry on the table?

Inquiry into
economic
condition of
ryots in South
Arcot.

38 A.—The report is contained in G.O. No. 601, Revenue, dated 12th February 1918, which has been placed on the Editors' Table.

39 Q.—Will the Government be pleased to state

- (a) how many settlement parties are at present working in the Presidency;
(b) how they are distributed over the Presidency, giving the headquarter station of each settlement officer; and
(c) what their programme of work, if any, during the current year and the next five years is?

Settlement
parties and
their pro-
gramme.

39 A.—(a) & (b)—

Number of party.	Districts in which the parties are working.	Headquarters of each party.
I	Tanjore.	Tanjore.
II	South Arcot and North Arcot.	Ouddalore.
III	Bellary	Bellary.
IV	Tinnevely, Ramnad and Madura.	Madura.
V	Ganjam and Vizagapatam.	Vizagapatam.

In addition a special settlement officer is making a preliminary investigation in the Nilgiri and Malabar-Wynads with headquarters at Ootacamund.

(c) A provisional programme of work is laid on the table.*

40 Q.—Will the Government be pleased to state

- (a) what the number of backyards exceeding 25 cents in the Tanjore district is;
(b) when the practice began of assessing backyards;
(c) for what crops the assessment is levied;
(d) what the total amount collected as assessment on backyards for fasli 1327 is;
(e) whether it was included in the budget items of the budget for 1917-18;
(f) whether it is included in the budget items of the budget for 1918-19 and, if so, under what head?

Assessment of
backyards
in Tanjore.

40 A.—The information is not available.

41 Q.—(a) With reference to G.O. No. 2466, Revenue, dated the 29th June 1918, will the Government be pleased to state

Creation of
the new
Secretariat.

(1) what is the total annual additional cost incurred by the Government on account of the new branch of the Secretariat constituted thereby;

(Mr. Ranga Achariyar.)

[13TH AUGUST 1918.]

- (2) whether it is intended to make it a permanent arrangement ;
 (3) from what items in the budget estimate the Government propose to meet the extra expenditure ;
 (4) when the proposal to constitute a new Secretariat was made ;
 (5) whether the sanction of the Secretary of State and the Government of India has been obtained for the same ; and
 (6) why the matter was not placed either before the Finance Committee or at the Budget meeting of the Legislative Council ?

(b) Will the Government be pleased to lay the correspondence on the table ?

41 A.—As was stated in the press communiqué, dated the 29th June 1918, the new branch of the Secretariat has been created to deal with work connected with the War and is mainly a consequence of the resolutions of the Conference which was held at Delhi at the end of April last. The matter could not, therefore, be placed either before the Finance Committee or at the Budget meeting of the Legislative Council, as the proposal had not then arisen. The additional annual cost of the department, which is on a temporary basis, has not yet been fully ascertained, but it is estimated at about Rs. 60,000 a year, against which will be set the saving of part of the cost of the temporary Deputy Secretary, Revenue Department, for whom Rs. 31,600 was provided in the budget estimates for 1918-19. Any excess cost will be met by reappropriation. As the scheme was within the financial competence of this Government, the sanction of the Government of India or the Secretary of State was not necessary and consequently there is no correspondence to be laid on the table.

Cultivation of a variety of paddy in Tanjore.

42 Q.—Will the Government be pleased to state

(a) whether they are aware that in the last harvest season in the Tanjore district the yield from lands cultivated with the newly imported variety of paddy known as "Kurangusemba" was very far below the average and quite contrary to all expectations based on (pulli) estimates formed with the crops standing on the land and much of the grain turned out to be chaff and in most of the cases the outturn falling much lower than 2 to 4 annas ; and

(b) whether they will be pleased to have the matter investigated by their experts in the Agricultural Department ?

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

(b) A report will be called for from the Director of Agriculture.

Appointment of instructors in physical training.

43 Q.—With reference to the discussion on my resolution regarding appointment of instructors in physical training moved at the meeting of the Legislative Council on the 13th March 1917, and the assurance given by His Excellency the Governor as published at page 555, will the Government be pleased to state whether any and what steps have been taken to secure the services of competent instructors in physical training in schools and colleges and generally to give effect to the policy of extending physical education ?

43 A.—A post of Assistant Physical Director has been created for a period of two years and arrangements have been made under which Mr. Noehren gives, instead of one-third, at least half his time to the service of Government.

Mr. Noehren has been actively engaged in giving lectures and demonstrations to teachers, in training gymnastic instructors and in touring, and proposals for further measures for the improvement of gymnastic instructors are now under consideration.

Exchange value of the rupee.

44 Q.—Will the Government be pleased to give the exchange value of the rupee as it prevailed in Madras during each quarter of the years 1914, 1915, 1916, 1917 and the first two quarters of 1918 ?

44 A.—The only information officially available relates to the rates at which Bills and Telegraphic transfers on Madras were drawn by the Secretary of State in London, and the statement placed on the table shows for each month from January 1914 to June 1918 the highest rate, the lowest rate, and the average of these two rates.

Exchange compensation allowances.

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

(1) whether they have considered the question of the desirability and necessity of continuing the payment of exchange compensation allowance to the European and Anglo-Indian servants of the Government ;

(2) whether they have made any recommendations to the Government of India and the Secretary of State on the subject and, if so, whether they will be pleased to lay the papers on the table ?

(b) Will the Government be pleased to consider and examine the question ?

* Vide Appendix II on page 36 infra.

13TH AUGUST 1918.] (Mr. Ranga Achariyar ; Mr. Ramanuja Achariyar.)

45 A.—The Honourable Member's attention is invited to rule VII in Government of India Resolution No. 2422-Ex., Finance and Commerce, dated 31st May 1897, and to Government of India Resolution, Finance Department, No. 1175-F.E., dated 30th October 1917. The compensation for exchange allowance depends on the amount by which the average demand rate of exchange for each quarter falls short of the privileged rate of exchange, viz., 1s. 6d. per rupee. Owing to the rise in the average demand rate of exchange, the rate of compensation for exchange allowance paid to Government servants has already much diminished, and if that average rate amounts to 1s. 6d. the rupee for the rest of the current quarter the compensation for exchange allowance will automatically cease. In these circumstances the Government see no reason to take the action suggested.

46 Q.—With reference to my questions No. 155 at the meeting of the Council on the 21st November 1916 and No. 162 at the meeting of the Council on the 20th November 1917 and the answers thereto, will the Government be pleased to state what steps they have taken in the matter of the amendment of rule 99 of the Madras Educational Rules on the recommendations of the Conference appointed by the Government to discuss educational questions, especially with regard to the imposition of penalty on primary school pupils seeking admission into secondary schools and the abolition thereof ?

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

46 A.—The matter is still under the consideration of Government.

47 Q.—Will the Government be pleased to order the publication, in all the vernaculars of the Presidency, of the Report on Indian Constitutional Reforms by the Right Hon'ble the Secretary of State and His Excellency the Viceroy ?

Publication of Report on Indian Constitutional reforms in vernaculars.

47 A.—Vernacular translations of a summary of the report are under preparation. The Government do not at present propose to arrange for the publication of the report in extenso in the vernaculars.

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

48 Q.—Will the Government be pleased to state

(i) whether they have received a memorial from the landholders of the Tanjore district objecting to the acquisition of the house-sites now occupied by their Paraiya farm-servants ; and
 (ii) whether they have passed orders on the same ?

Provision of house-sites for Panchamaes in Tanjore.

48 A.—More than one memorial has been received. The Government have informed the memorialists that their representations will receive due consideration.

49 Q.—Will the Government be pleased to state, with reference to the reply to question No. 14 put at the meeting of the Council on the 3rd April 1918,

Licensing steamer companies to touch at Tirumullavasal.

(i) whether they are aware of the great difficulty in procuring railway wagons for the transport of rice from Shiyali to Colombo ; and
 (ii) whether they will therefore issue licences to steamer companies, other than the B.I.S.N. whose steamers touch at Negapatam, to enable them to call at Tirumullavasal ?

49 A.—(i) The Government are not aware that there is any special difficulty in procuring wagons at Shiyali. The Director of Civil Supplies has been invested with the power to grant priority certificates in order to give precedence to essential traffic and, in case of difficulty, application should be made to him.

(ii) No licence is necessary to enable the steamships of any company to call at the port of Thirumullavasal.

50 Q.—Will the Government be pleased to lay on the table a statement showing the name, age and designation of the officers of the Judicial Department on Rs. 200 and above and of Deputy Collectors in the Land Revenue Department who were retired or were given extensions during the last three years ending 31st July ?

Extensions of service to officers on Rs. 200 and above.

50 A.—A statement of officers on Rs. 200 per mensem and above in the Judicial Department and of deputy collectors in the Land Revenue Department who were retired or were granted extensions of service during the three years ending 31st July 1918 is laid on the table.*

51 Q.—Will the Government be pleased to state the grounds on which they refused the usual Government teaching grant to the Saraswati Patasala Girls' School at Kumbakonam for the year ending 31st March 1918 ?

Refusal of grant to a girls' school, Kumbakonam.

51 A.—The Government saw no reason to treat the Sri Saraswati Patasala for girls at Kumbakonam differently from the other institutions under the management of the Theosophical Educational Trust.

* Vide Appendix III on page 37 infra.

(Mr. I amanuja Achariyar.)

13TH AUGUST 1918.

Reorganization of the Provincial Judicial Service.

52 Q.—With reference to the answer to question No. 8 put at the meeting of the Council on the 12th February 1918, will the Government be pleased to state what further action has been taken in the reorganization of the Provincial Judicial Service?

52 A.—The Honourable Member is referred to the reply given to question No. 17.

War allowances to clerks in Government service.

53 Q.—Will the Government be pleased to state

(i) whether at present an extra allowance is given in any department either by the Local Government or the Government of India to the poorer clerks in Government service in consideration of high war prices; and

(ii) whether any such proposal is under consideration by this Government for any department?

53 A.—The Honourable Member is referred to G.O. No. 535, Financial, dated the 26th June 1918, which has been placed on the Editors' Table.

The conduct of a police officer in Madras City.

54 Q.—Will the Government be pleased to state

(i) whether their attention has been drawn to the correspondence published on page 6 of the *Hindu* newspaper of the 3rd May 1918 under the heading "The Police and Women";

(ii) whether there is any legislative provision authorizing police officers to compel the occupants of a carriage to come out and put them to inconvenience out of consideration for the animal drawing the carriage;

(iii) whether Government will take steps to prevent a recurrence of the complaint made?

54 A.—(i) The Government have seen the correspondence.

(ii) The Honourable Member is referred to sections 22 and 53 of the Madras City Police Act, 1888.

(iii) The Government consider that no action is required.

Introduction of the forest village system in certain areas, Coimbatore.

55 Q.—Will the Government be pleased to state

(i) whether they have received a memorial from the villagers of Sinnathadagam, Nanjundapuram, Virapandi and Anaikatti, Coimbatore taluk, objecting to the introduction of the forest village system into their village forests;

(ii) whether orders have been passed thereon; and

(iii) whether pending the passing of orders the introduction of the forest village system will be held in abeyance?

55 A.—(i) Yes.

(ii) & (iii) Orders were passed on the memorial on 25th June 1918.

Terms of working of the Tanjore District Board Railway line.

56 Q.—Will the Government be pleased to state

(i) whether the District Board of Tanjore has made a representation on the subject of the proportion of the gross receipts claimed by the South Indian Railway Company for working the railway line of the board;

(ii) what is the proportion fixed by the model agreement;

(iii) whether orders have been passed on the representation; and

(iv) whether the Nidamangalam-Mannargudi line is worked on the same system as the Mayavaram-Arantangi line or in accordance with the model agreement?

56 A.—(i) Yes.

(ii) The model agreement is still under consideration and final orders have not yet been passed thereon.

(iii) Not yet. The matter is under the consideration of the Railway Board.

(iv) The Nidamangalam-Mannargudi line is being worked on the same terms as the Mayavaram-Mutupet section.

Persons convicted of offences and enlistment.

57 Q.—Will the Government be pleased to state

(i) whether any orders have been issued directing magistrates to offer pardon to persons convicted of offences on condition of their enlisting themselves as soldiers; and

(ii) whether the orders will be laid on the table?

57 A.—No such orders have been issued.

Government grant to the Nilgiri Library, Ootacamund.

58 Q.—Will the Government be pleased to state

(a) whether the Committee of the Nilgiri Library at Ootacamund receive an annual grant of Rs. 600 from Government;

(b) whether the Government are aware that the committee refuse to permit Indians to become subscribing members so long as they wear the *dhoti*, and that they insist on their wearing trousers and European dress to be eligible for membership; and

(c) whether they will consider the advisability of withdrawing the grant?

58 A.—(a) The Nilgiri Library is in receipt of a temporary annual grant of Rs. 600.

(b) & (c) The answer is in the negative.

13TH AUGUST 1918.]

(The Raja of Ramnad.)

The Hon'ble the Raja of Ramnad.

59 Q.—Will the Government kindly state

(a) why a retired Indian Medical Service officer is appointed as Inspector-General of Prisons;

(b) whether an Indian Medical Service officer in regular service cannot be appointed for the office, his place being given to one in Provincial Service; and

(c) whether the retired officer is now permitted to draw the full pay of the office in addition to the pension he draws?

59 A.—(a) & (b) No Indian Medical Service officer suitable for the post of Inspector-General of Prisons could be spared without detriment to the public service. The officer who has been appointed was selected as the most suitable officer available. Although he is on the retired list, he volunteered to return to active duty at the commencement of the war and has been in service ever since.

(c) Yes.

60 Q.—(a) Have the Government received instructions either from the Secretary of State for India or from the Governor-General in Council that extensions of service should not be granted to officers when they are about to retire except on indisputable public grounds?

(b) Will the Government kindly give the names of persons to whom they have given extensions since the receipt of the order, with such public grounds in the case of each?

60 A.—(a) The Honourable Member will be furnished with a copy * of the latest instructions on the subject which are embodied in article 459 of the Civil Service Regulations.

(b) The Government are not prepared to give the information desired.

61 Q.—Will the Government kindly consider the desirability of the restoration of the Coroner's appointment for the City of Madras?

61 A.—The Government do not consider the restoration of the Coroner's office to be necessary.

62 Q.—(a) Did the Government peruse the article headed "Policeman stabs himself (suicide case)" appearing in page 5 of the *Madras Mail*, dated 10th June 1918?

(b) Are the statements given there, regarding recognition of his good services, correct?

(c) Was his promotion ever overlooked?

(d) If the answer to clause (c) is in the affirmative, will the Government kindly state the cause for overlooking his claims for promotion?

62 A.—(a) Yes.

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

63 Q.—With reference to the list containing the names of persons who have done valuable service in connexion with the war till August 1917, appearing in page 5 of the *Madras Mail*, dated 8th June 1918, will the Government kindly state whether it contains all the names brought to the notice of the Government of India by the Madras Government, or only a few names?

63 A.—As correspondence on the subject of such recommendations is confidential, the information sought cannot be supplied.

64 Q.—Will the Government kindly lay on the table a proposition statement giving a list of persons to be employed for the management of the Sivaganga zamindari with their pay, which to my question No. 3, dated 3rd April 1918, they answered was not then complete?

64 A.—A statement of the establishment which the Court of Wards propose to employ in the Sivaganga estate is laid on the table.†

65 Q.—(a) Will the Government kindly publish the medical certificate produced by Doctor Nayar for getting passport to go to England for treatment?

(b) Will the Government kindly state which medical officer gave the certificate?

65 A.—The Government are in possession of a certificate signed by an Indian Medical Service officer as to the condition of Doctor Nayar's health, but must decline to publish it as it is a confidential document.

66 Q.—(a) Have the Government perused the notifications inviting applicants for appointments, made by the Registrar of Madura and the Revenue Divisional Officer of Peddapur in pages 1040 and 1041, respectively, of the *Fort St. George Gazette*, dated 2nd July 1918, and by the Collector of Anantapur in the *Madras Mail*, dated 5th July 1918?

(b) Will the Government kindly state whether such notifications, inviting candidates only from particular castes, are authorized by the Government?

* Vide Appendix IV on page 38 infra.

† Vide Appendix V on page 39 infra.

(The Raja of Ramnad; Mr. Subbarayalu Reddiyar; Mr. K. R. V. Krishna Rao.) [13TH AUGUST 1918.]

(c) Will the Government kindly issue orders that officers inviting applicants for appointments, should not state in future that any one particular community alone should respond to the notification?

66 A.—(a) The Government have now perused the notifications in question.
(b) & (c) The Honourable Member's attention is drawn to Board's Standing Order No. 12* (2) under which it is a standing instruction of the Government that the appointments in any district should be distributed among the several castes. The Government presume that the object of the officers who issued these advertisements was to enable them to comply with this direction and they see no reason to take the action which is suggested.

The Hon'ble Diwan Bahadur A. Subbarayalu Reddiyar.

67 Q.—(a) Is it a fact that the student T. D. Krishnaswami Mudali, L. 346, 1917, of the Lower Subordinate class of the College of Engineering, Madras, was, after he has duly completed his three years' course, struck off the list in his class?

(b) Were charges duly framed against him and was opportunity given as required to explain why his name should not be struck off the list before his name was so struck off?

(c) Is it true that the student applied more than once to be given such an opportunity?

67 A.—(a) The student in question was struck off the list in his class for malpractices in a college examination.

(b) The Government are not aware of any rule governing inquiry into cases of this kind. They are, however, satisfied that sufficient and impartial inquiry was made and that the student was given every opportunity of proving his innocence.

(c) Yes: his petitions were disposed of by the Director of Public Instruction.

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

68 Q.—Will the Government be pleased to lay on the table copy of G.O. No. 541 I., dated 11th September 1918, which is quoted by the Public Works Department officers in the Godavari delta as authority for refusing water for lands classified as irrigable dry in the last resettlement as it does not appear to have been published in the Fort St. George or the district gazettes or issued as a press communiqué?

68 A.—The Government are not prepared to place on the table the Government Order because it is largely out of date. The localization of the irrigable ayacut of the Godavari Western Delta is at present under inquiry by a special staff.

69 Q.—With reference to Government answer to question No. 28 asked by me at the meeting of the Legislative Council held on the 3rd April 1918, has the attention of the Government been drawn to resolution No. 16-A passed at the Twelfth Godavari District Conference held at Razole from which it would appear that a relaxation of the rule was made in the Godavari district in favour of a certain lanka lease-holder and, if so, the circumstances under which that relaxation has been permitted may be stated?

69 A.—The Government have received a copy of the resolution. They have no information as to the alleged relaxation of the rule referred to, but will call for a report.

70 Q.—Will the Government be pleased to state why the publication of the statement of water-readings in the several channels of the Godavari delta published in June 1916 has not been continued thereafter and whether they will be pleased to order its regular publication at least during first crop cultivation season hereafter on account of its usefulness as a permanent record for reference?

70 A.—Considerable expenditure and increase in press staffs would be necessary to permit of the statements referred to being published regularly. The Government do not consider that the advantages obtainable from the publication of these statistics would be commensurate with the cost.

71 Q.—Is it a fact that the Tahsildars are not now empowered to directly dispose of applications for water for the first crop when a wet crop is raised in a field classified at the last joint inspection as irrigable dry and shown as commandable by a certain pipe of certain channel in the Godavari delta and whether it has been brought to the notice of the Government that this restriction is felt as a hardship both by the taluk officers and the agriculturists alike and whether Government will be pleased to empower Tahsildars to deal with such applications hereafter without the intervention of the Public Works Department as prayed for in the last Godavari District Conference?

71 A.—The Government have no information that the transfer of the disposal of water applications from Tahsildars to Executive Engineers has caused any hardship. The subject will, however, be further considered when the permanent localization of the irrigable area in the Godavari Western and Kistna Eastern deltas, now in progress, has been completed.

Removal of a student from the Engineering College.

Lands classified as irrigable dry in the Godavari delta.

Place at which kist should be paid.

Water-readings in the channels of Godavari delta.

Tahsildar's powers to dispose of water applications in certain cases.

13TH AUGUST 1918.] (Mr. K. R. V. Krishna Rao; Mr. Annamalai Chettiyar.)

72 Q.—Will the Government be pleased to state whether the estimates for the extension of irrigation to Coringa and Polavaram islands of the Godavari which would appear to have been submitted to the Chief Engineer for Irrigation towards the end of 1915-16 were sanctioned and, if so, when the works may be expected to be undertaken?

Extension of irrigation to Coringa and Polavaram islands.

72 A.—The estimates for the Polavaram island project have been returned to the Superintending Engineer for revision. Those for the Coringa island project will be taken up after the Polavaram island project is disposed of.

73 Q.—Will the Government be pleased to state the names of the channels which have been remodelled in the three deltas of the Godavari district in 1916-17 and 1917-18 and the approximate outlay incurred during the said period?

Remodelling of channels in Godavari deltas.

73 A.—The Government have not got the information asked for, but will call for it.

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

74 Q.—(a) Has the Government perused a letter published in the correspondence columns of the *Hindu*, dated 24th June 1918, under the headline "A Suggestion" and signed by Mr. Sundara Rao, pensioner, bringing to the notice of the authorities and of the public that, while pensioners in Presidency towns are not assessed to profession-tax on their pensions, pensioners in the mufassal are assessed to profession-tax on their pensions, and giving his reasons for amending the law in such a manner as to place the pensioners in the mufassal on a footing of equality with the pensioners in the Presidency towns?

Levy of profession-tax on pensions.

(b) Will the Government be pleased to so amend the District Municipalities Act as to relieve the pensioners in the mufassal of the burden of such municipal taxation on their pensions unless it is found that the pensioners actually pursue some trade or calling in their places of residence?

74 A.—(a) Yes.

(b) The suggestion will be examined.

75 Q.—(a) Has the attention of the Government been drawn to an "editorial note" appearing in the *Hindu* of the 28th June 1918, in which the fact of the Government accepting the programme of arrangements submitted by the Salem Municipal Council for the control of the sale of arrack and toddy in that town has been announced and urging on the other municipalities the importance of submitting similar programmes to Government and achieving similar results in this important direction?

Control of sale of arrack and toddy in municipal areas.

(b) Will the Government be pleased to state how many other municipalities have submitted so far to Government programmes for controlling sale of arrack and toddy to the public in their respective municipal limits and how many of them have been approved by Government?

(c) Will the Government be pleased to call for such proposals from municipalities which have not submitted them till now and accept them in the same manner in which they have dealt with the programme of the Salem Municipal Council?

(d) Will the Government be pleased to issue a general circular to all executive officers of the Abkari Department to co-operate with municipal councils and other local bodies for achieving substantial results in effecting this reform?

75 A.—(a) Yes.

(b) No other municipal council has submitted similar proposals.

(c) The Government are not prepared to make any suggestions to municipal councils in the matter.

(d) No such general circular is called for.

76 Q.—(a) Has the Government perused a summary of the memorial submitted by the South Indian tanners to His Excellency the Viceroy, communicated to and published in the *Hindu* of the 28th June 1918, submitting their grievances and praying for permission being granted to them for exporting their present stocks of tanned skins on private account, placing their prayer on the ground that such a step will not in any way affect the output of tanned hides?

Grievances of tanners in South India.

(b) Will the Government be pleased to make such recommendations as lie in their power to the Government of India for redressing the grievances of South Indian tanners in this direction?

76 A.—(a) The Government have perused the communication referred to.

(b) The Government of India are in possession of full information on the subject and the Government do not consider it necessary to move in the matter.

77 Q.—Considering the difficulty that is being experienced by the public for some time in the past in obtaining, either in the treasuries or banks or post offices or the bazaar, rupees, smaller silver and other coins in exchange for currency notes, will the Government be pleased to issue the necessary instructions to the departments concerned to take the necessary steps in the matter at an early date?

Difficulty in obtaining coins.

(Mr. Annamalai Chettiyar; Sir Alexander Cardew.) [13TH AUGUST 1918.]

77 A.—The regulation of currency is vested in the Controller of Currency who is an officer of the Government of India and the Local Government are therefore not able to issue the instructions desired. The Honourable Member's attention is drawn however to the press communiqué, dated 14th June 1918, issued by the Government of India which shows that large consignments of silver have been received from America and that the mints are turning out rupees and other coins as far as possible. These supplies will gradually relieve the existing stringency. The Honourable Member's attention is also drawn to the leaflet, dated the 15th June 1918, issued by the Central Publicity Board and entitled "How hoarding rupees helps the Germans." This shows that the scarcity of metallic currency referred to in the question has occurred in spite of the issue by the Government of India of immense quantities of metallic coinage and is largely due to rupees and other coins being hoarded by people in India.

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR:—"Will the Government be pleased to state whether they will at least order the issue of small coins, 4 annas, 2 annas and 1 anna?"

The Hon'ble Sir ALEXANDER CARDEW:—"So far as the coins are available they will be issued. The mints are turning them out fast. Until the mints are able to overtake the demand it is impossible for the Government to ask the Collectors to issue the coins."

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR:—"Will the Government ask the Collectors?"

The Hon'ble Sir ALEXANDER CARDEW:—"It is not proposed to make a reference to the Collectors; each Collector will have a discretion to come up if necessary."

Control of prices.

78 Q.—(a) Referring to G.O. No. 2078 of 29th May 1918 (Revenue Department), will the Government be pleased to give a list of articles with reference to the high prices of which the Government have decided so far to exercise control?

(b) Will the Government be pleased to state the results obtained so far by the Director of Civil Supplies and his Advisory Committee in controlling the high prices of commodities of general use in this Presidency?

(c) Referring to a paragraph under "News in Brief" column of the *Hindu* of the 29th June 1918, stating that the Government of Bombay are collecting information regarding some lines of cotton piece-goods with a view to consider the desirability of controlling the prices of such goods under War Emergency Acts, will the Government be pleased to state whether they have already taken similar steps for controlling the prices of similar goods in this Presidency and with what result?

(d) Will the Government be pleased to order such steps be taken without further delay for controlling the high prices of piece-goods for popular consumption in this Presidency?

78 A.—(a) & (b) The Honourable Member is referred to a press communiqué issued on the 27th July 1918, which furnishes the information he desires.

(c) & (d) The Honourable Member is referred to the answer given to question No. 28.

Converting the elementary school, Devakottai, into a middle school.

79 Q.—(a) Referring to G.O. No. 757, dated 11th June 1918, Home (Education) Department, sanctioning the proposals of the Director of Public Instruction for the opening of new high and middle schools under the management of the local bodies, will the Government be pleased to state the reasons for omitting the Ramnad district from the list of schools brought under such management?

(b) Will the Government be pleased to arrange for raising to the status of a middle school the elementary school in Devakottai in view of the population and youth of school-going age resident in that Nattukottai Chetti centre?

79 A.—The absence of any substantial demand for increased facilities for secondary education in Ramnad is indicated by the facts that it already has twelve secondary schools and that no elementary school under board management was found to be in such a stage of development as would justify its being raised in grade. The elementary school at Devakottai is one of the schools that has not yet sufficiently developed to be raised in grade.

Handing over the Government Soap Works Calicut, to private enterprise.

80 Q.—(a) Referring to paragraph 30 appearing on page 10 of the annual report for 1916-17, submitted to Government by the Honorary Director of Fisheries, embodied in G.O. No. 285, dated 21st January 1918, will the Government be pleased to state whether arrangements have since been made for admitting students for training to the Government Soap Works Calicut?

(b) If no arrangements have been made till now to admit students to the Soap Works, will the Government be pleased to issue the necessary instructions to the Honorary Director of Fisheries to admit students for training in the said industry for the purpose of aiding and encouraging private Indian capitalists to invest largely in this line of enterprise and develop it for the benefit of the country?

13TH AUGUST 1918.] (Mr. Annamalai Chettiyar; Sir Alexander Cardew; Mr. Rajagopala Achariyar.)

(c) Will the Government be pleased to state whether, with a view to encourage the flow of the indigenous capital in this very desirable direction, they will hand over the industry to any respectable Indian capitalist for working the factory and developing it on a commercial scale?

80 A.—(a) & (b) Arrangements for admissions will be made as soon as practicable.
(c) Not at present.

81 Q.—Referring to G.O. No. 2258, dated 13th June 1918, regarding the constitution of emergency committees, will the Government be pleased to take steps to organize taluk committees also for co-operating with the district committees for attaining the object desired? Taluk committees to assist in controlling prices.

81 A.—The Government consider it desirable to leave to Collectors and their emergency committees a free hand to introduce any organization that may be most suitable to the conditions of the district. While having no objection to the formation of taluk or local committees where that step seems desirable, the Government do not consider it necessary to issue any precise instructions in the matter.

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR:—"With reference to question No. 81, I should like to know if the Government would consult Collectors on the subject."

The Hon'ble Sir ALEXANDER CARDEW:—"It is not proposed to make a reference to Collectors. Each Collector will have discretion in the matter, and will appoint committees, if necessary."

82 Q.—(a) Referring to G.O. No. 1535, dated 6th July 1916, referred to in the resolution moved by the Hon'ble Mr. M. Ramachandra Rao at the meeting of this Council held on the 21st November 1916 (vide page 168 of the report of proceedings) and the observations of the Hon'ble Mr. R. B. Clegg and the Hon'ble Sir Alexander Cardew during the debate on this resolution appearing on page 183 of the same report, and also of the resolution of the Hon'ble Mr. K. Rama Ayyangar as finally accepted by the Government (vide page 184) on the above subject, will the Government be pleased to state whether they have received from the Board of Revenue the lists of charities and charitable endowments and other particulars concerning them for all the districts of this Presidency? Lists of charitable endowments.

(b) Will the Government be pleased to place those lists on the table of this House?

82 A.—The Honourable Member's attention is invited to paragraph 2 of the Board's Reference printed in G.O. No. 2505, dated 2nd July 1918, which has been placed on the Editors' Table.

83 Q.—Referring to paragraphs 2 and 3 of G.O. No. 723, dated 6th June 1918, Home (Education) Department, will the Government be pleased to make a complete statement of the proposals approved by Government for the reorganization of the Madura Technical Institute? Reorganization of the Madura Technical Institute.

83 A.—The proposals on the subject are under consideration.

84 Q.—(a) Will the Government be pleased to state whether it has received from the non-official members of the Devakottai Taluk Board, Ramnad district, a memorial objecting to the appointment as president of M.R.Ry. Rao Bahadur M. R. Govinda Rao Avargal, a retired Deputy Collector, now holding the office of Receiver of Kunnakudi Devasthanam under the Ramnad Temporary Sub-Court at Madura, who has been recommended for the office of president of the said taluk board by the Revenue Divisional Officer of Devakottai? Non-official president for Devakottai Taluk Board.

(b) Is it a fact that, before making the recommendation, the Divisional Officer did not consult the wishes of the non-official members of the said taluk board but brought this question to their notice, when the Divisional Officer's proposal for the removal of the headquarters of the taluk board from Devakottai to Kunnakudi, which is Mr. Govinda Rao's present official residence, came for consideration before the board at their meeting of the 6th July 1918?

(c) Was this proposal of the Revenue Divisional Officer for the change of headquarters of the taluk board from Devakottai to Kunnakudi referred to the taluk board by Government and was it vetoed by a resolution of the taluk board?

(d) Will the Government be pleased to grant the Devakottai Taluk Board the privilege of electing its president from among the non-official members of that board?

84 A.—(a) Four non-official members of the Devakottai Taluk Board have submitted a memorial objecting to the appointment of M.R.Ry. Rao Bahadur M. R. Govinda Rao Avargal as president of the board.

(b) The Government have no information.

(c) Yes.

(d) The Government do not propose to make any change just now in regard to the office of president of the Devakottai Taluk Board.

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR:—"Will the Government be pleased to state whether they will consult the wishes of the non-official members of the board when they propose to make a change in the office of president?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I cannot commit the Government now to any promise in the matter."

(Mr. Venkatapati Raju.)

[13TH AUGUST 1918.]

The Hon'ble Mr. B. Venkatapati Raju.Agricultural
farm for
Ganjam.

85 Q.—Will the Government be pleased to state when they propose to establish an agricultural farm in the Ganjam district in view of the statement of the Government in 1916 that one would be opened as the requisite funds and staff became available?

85 A.—It is not possible at present to specify a date.

Condition of
Kuntikutta
channel,
Ganjam.

86 Q.—Will the Government be pleased to state whether the Government received a report on the condition of Kuntikutta channel, Ganjam district, and what measures, if any, have been taken by the Government to remedy the defects complained of?

86 A.—Yes. The supply to the Kuntikutta inalla has been improved by means of a diversion channel and an estimate for further improving the supply is under consideration by the local officers.

Results of the
Intermediate
examination.

87 Q.—Will the Government be pleased to state whether the Government propose to take any and, if so, what action regarding the low percentage of successes in the Intermediate examination in recent years?

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

Appointment
of lady
Fellows.

88 Q.—Has the attention of the Government been drawn to the appointment of ladies of educational distinction as Fellows of the Bombay University? Will the Government be pleased to state whether they would adopt it in this Presidency?

88 A.—Yes. Nominations are made by the Chancellor of the University and not by the Government.

Compulsory
elementary
education.

89 Q.—Will the Government be pleased to state, with regard to the observation of His Excellency the President in the matter of withdrawing the resolution regarding a Bill for compulsory elementary education on the 4th April 1918 that the Government are engaged in framing a scheme for the reorganization of elementary education which will include a provision for compulsion, whether compulsion refers to the compulsion of parents for sending their boys where schools are available or whether it merely refers to the compulsion of boards and municipalities to provide schools to accommodate the boys that are willing to study?

89 A.—The former was intended.

Muhammadans
in Provincial
Educational
Service.

90 Q.—(1) Will the Government be pleased to state
(a) whether any Muhammadan is serving in the Provincial Educational Service; and
(b) whether Mr. Abdur Rahim, Sub-Assistant, Madras Muhammadan Range, lent to His Exalted Highness the Nizam's Government, has rejoined the appointment in the Provincial Educational Service?

(2) If he has not joined, will the Government be pleased to appoint a Muhammadan in his stead temporarily or permanently?

90 A.—(1) (a) The only Muhammadan member of the Provincial Educational Service is Mr. Abdur Rahim.

(b) He has not yet rejoined his appointment in the Provincial Service.

(2) The matter will be considered.

Lecturers, etc.,
in Government
colleges in
Telugu
districts.

91 Q.—Will the Government be pleased to state
(a) whether it is not possible to secure qualified Andhras to be lecturers and assistant lecturers in Government colleges in Telugu districts by preference; and
(b) whether there have been sufficient applications from qualified Andhras?

91 A.—Other things being equal, Telugu men are appointed by preference to Telugu districts.

The Gosha
Hospital,
Vizagapatam.

92 Q.—(a) Has the attention of the Government been drawn to the communication, dated 17th June 1918, of the central committee of the Countess of Dufferin's Fund to the President of the Thirteenth Vizagapatam District Conference about the necessity of having a well-equipped women's hospital under a competent lady doctor of the Women's Medical Service at Vizagapatam and stating

(1) that the present Victoria Gosha Hospital in Vizagapatam is deficient in suitable staff and equipment;

(2) that a nurse-matron should be appointed in the hospital for having nurses and midwives trained; and

(3) that there is need for an operation room?

(b) Will the Government be pleased to state whether they propose to take any and, if so, what action in the matter?

(c) Will the Government be pleased to direct the endowment of Rs. 20,000 of the late Maharaja of Vizianagram given to the local civil hospital, which is now vested in the Government, to the Gosha Hospital for working the same efficiently?

[13TH AUGUST 1918.]

(Mr. Venkatapati Raju; Mr. Rajagopala Achariyar;
the President.)

92 A.—(a) Yes.

(b) The letter has been transferred for disposal to the district board to whom the institution belongs.

(c) The answer is in the negative.

93 Q.—Will the Government be pleased to issue instructions to their subordinates not to levy and credit to Government penalty from tappers for over-tapping and killing palmyra trees of private owners or in the alternative direct the payment of the penalty to the owners either in whole or in part?

93 A.—No penalty is levied from tappers for over-tapping and killing palmyra trees of private owners.

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Am I to understand that no amount is levied?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The answer is there is no penalty."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I want to know whether in any shape any amount has been levied from palmyra trees."

His Excellency the PRESIDENT:—"The Honourable Member wants to know whether there is any penalty in any shape."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I regret I am not able to amplify the answer. The Honourable Member must give notice if he wants further information."

94 Q.—Has the attention of the Government been drawn to the resolution XVII, Land and Land Registers, and XIX and XX, Irrigation, passed by the Twelfth Godavari District Conference in May 1918 and will the Government be pleased to state whether they propose to take any action in the matter?

94 A.—A copy of the resolutions has been received; but in the absence of any statement of the reasons for the numerous proposals brought forward, the Government are not in a position to take any action in the matter.

95 Q.—Will the Government be pleased to consider the advisability of adopting "trial borings" at Government expense in places where there is water scarcity so that their success might induce the people to have borings in their own fields at their own expense?

95 A.—The rules allow for the remission of the fees when the resources of applicants are slender. It does not seem to be necessary to make any further concession. The Honourable Member's suggestion does not commend itself to the Government.

96 Q.—Will the Government be pleased to state whether the "water-finder" is used at all by the Agricultural Engineering Department and, if so, at what places and with what results?

96 A.—The attention of the Honourable Member is invited to the concluding portion of paragraph 58 of the report on the administration of the Agricultural Department for 1916-17, which has been placed on the Editors' Table. No further information is available at present.

97 Q.—Will the Government be pleased to state whether they made any arrangements for having necessary supply of pipes to the Boring Department as they are priced high and moreover scarce in the market owing to war?

97 A.—The pipes required are either obtained on indent from the Director-General of Stores or are purchased locally if available.

98 Q.—Has the attention of the Government been drawn to the abnormal prices fixed by the firms and scarcity in some instances of text-books prescribed by the Educational authorities in schools and colleges? Will the Government be pleased to state whether they propose to take any action in the matter?

98 A.—Yes. The matter has been examined by the Director of Public Instruction and it does not appear that any action is called for. The rise of prices of books seems inevitable under existing conditions.

99 Q.—Will the Government be pleased to state whether they would consider the desirability of paying the full salary of the appointment of persons appointed as acting District Munsifs without a substantive appointment?

99 A.—Orders have already issued fixing Rs. 200 as the minimum salary of District Munsifs in this Presidency whether holding a substantive appointment under Government or only temporarily employed as such.

Penalty for
over-tapping
palmyra trees.Certain resolu-
tions of the
Godavari
District
Conference.Demonstration
in boring for
water.Use of the
"water
finder".Supply of pipes
to the Boring
Department.Scarcity of
text-books
prescribed in
schools, etc.Salary of
acting District
Munsifs.

(Mr. Venkatapati Raju ; Sir Gordon Fraser ;
Sir Alexander Cardew ; Sri Sobha Chandra Singh Deo.) [13TH AUGUST 1918.]

Monthly grants
to aided
elementary
schools.

100 Q.—Will the Government be pleased to state whether they would consider the advisability of extending the system of paying grants by monthly instalments to aided elementary schools instead of by annual grants to all districts in the Presidency?

100 A.—The method adopted in four selected districts for paying elementary school grants monthly having been found unsatisfactory, such payment has, pending the consideration of alternative methods of payment, been discontinued.

Raising of
second-grade
colleges to the
first-grade.

101 Q.—Will the Government be pleased to state whether they would encourage the raising of second-grade colleges to first-grade colleges in places where there are no first-grade colleges at present, by offering such terms as are contemplated for the Kollikōta College, Berhampur?

101 A.—The Government are not prepared to make any such general statement as that asked for by the Honourable Member.

The Hon'ble Sir Gordon Fraser, Kt.

Changes in
the personnel
of Collector
of Madras.

102 Q.—Will the Government be pleased to lay on the table a detailed statement showing the names, in chronological order, of officers who have acted as Collectors of Madras during the five years ending 30th June 1918 with the period of each appointment?

102 A.—The statement asked for is laid on the table.*

The Hon'ble Sir GORDON FRASER:—"In view of the numerous changes shown in this statement, fifteen officers in a short period of five years, and the inconvenience caused thereby to the public, will your Excellency's Government endeavour to make the appointments more permanent?"

The Hon'ble Sir ALEXANDER CARDEW:—"The Government will certainly endeavour to carry out the suggestion of the Honourable Member."

The Hon'ble Sri Sobha Chandra Singh Deo.

Separate taluk
board for
Parlakimedi.

103 Q.—Regarding the Government Memorandum No. 145-1 L., dated 1st June 1918, requesting the district boards to report on the advisability of dividing unwieldy taluk boards into smaller ones, will the Government be pleased to give a separate taluk board for Parlakimedi by splitting up the jurisdiction of the present Chicacole Taluk Board?

103 A.—The matter will be considered after the reply of the Ganjam District Board to the Government memorandum referred to is received.

Uriya as the
court language
of Chatrapur
division.

104 Q.—(i) Will the Government be pleased to state
(a) whether the Collector of Ganjam has reported on the advisability of adopting Uriya as the sole court language of the Chatrapur division of Ganjam; and
(b) whether the Government has passed orders declining to accept the proposal?
(ii) Will the Government be pleased to place on the table the Collector's report and a statement of the reasons for the orders passed?

104 A.—(i) (a) & (b) Yes.

(ii) The Government did not approve of the proposal, as a strong body of public opinion was against the change and as there was an appreciable Telugu element in the Chatrapur division. The Government do not consider it desirable to publish the Collector's report.

Uriyas on
local bodies.

105 Q.—(a) Considering the population and the importance of the Uriya community, are the Government aware that the representation of the community in the various local bodies is extremely inadequate?

(b) If so, will the Government be pleased to grant special electorates to the community, especially in the Berhampur municipality, with reference to my question No. 85 in the last meeting of this Council?

105 A.—(a) The Government have no information on the point.

(b) The Government do not propose to take action in the manner suggested.

Constitution of
the Jeypore
Agency into a
separate
district.

106 Q.—With regard to my question No. 77 put at the last meeting of this Council, regarding the grant of an independent status of a district to the Jeypore Agency in Vizagapatam, will the Government be pleased to state whether they have arrived at any definite conclusion on the subject?

106 A.—The question is still under consideration.

Scholarships
for Uriyas in
the engineering
school,
Vizagapatam.

107 Q.—Considering the answer to my question No. 79 in the last meeting of the Council, regarding the Engineering school at Vizagapatam, will the Government be pleased to lighten the disadvantages of the Uriyas joining the school away from their homes, as compared with the Telugus, by the creation of a few special scholarships?

107 A.—The matter will receive the consideration of Government.

* Vide Appendix VI on page 40 infra.

13TH AUGUST 1918.] (Sri Sobha Chandra Singh Deo ; Mr. Narasimha Ayyar.)

108 Q.—In view of the inadequacy of the provision for the medical education of the Uriyas and the paucity of Uriya medical men, will the Government be pleased to make increased provision to meet the wants of the community?

Provision for
medical
education
of Uriyas.

108 A.—The Honourable Member's attention is drawn to G.O. No. 81, Medical, dated the 28th September 1916, a copy of which is placed on the table.* The rate of the stipends has since been increased to Rs. 15 a month.

109 Q.—(i) Will the Government be pleased to state whether the Forest officers require the ryots along reserved forests to pay grazing fees for the whole year though, in extraordinary cases, the ryots utilize the privileges, if at all, only in paddy season, i.e., from September to January?

System of levy
of grazing fee.

(ii) Will the Government be pleased to remedy this state of things

(a) by limiting the levy of fees to the number of months during which grazing is resorted to; and

(b) by requiring that applications for pasture rights should be made as a condition precedent for the grant of permits, such applications specifying the months for which grazing is required?

(iii) Will the Government be pleased to state whether it is a fact that the panchayat system regarding the Ballipodro forest was unacceptable, because the terms offered by the Forest Department were not considered favourable enough?

(iv) Will the Government be pleased to show some concession regarding the collection of fees, so as to facilitate the working of the panchayat system in these backward areas?

109 A.—(i) & (ii) Grazing fees are usually levied for the year as a whole and the Government see no reason to modify these rates.

(iii) & (iv) The Government have no information, but the Honourable Member's suggestion will be remitted to the Forest Commissioner for consideration.

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

110 Q.—Will the Government be pleased to state

(a) whether a number of respectable gentlemen of Namakkal apprehending internal disorder joined together as one body and applied to the Collector of Salem for assistance in the shape of officers and arms to drill, train and equip that body;

Training
and supply
of arms to
certain
gentlemen
in Namakkal.

(b) what action, if any, was taken on that by the said Collector; and
(c) whether the Government would be pleased to issue directions to the said Collector and others to render such assistance whenever the same is practicable?

110 A.—(a) & (b) The Government have no information regarding any such joint representation to the Collector of Salem. They have received through the Collector a scheme devised by an Indian resident of the district for the periodical training of the Salem members of the Indian Defence Force.

(c) The Government are not in a position to issue any instructions to the Collector. A scheme for the periodical training of the 1st Madras Infantry, Indian Defence Force, will be prescribed by the Government of India in due course.

111 Q.—Will the Government be pleased to state whether they have received a proposal from the Erode Municipal Council to increase its elective proportion, and whether they will increase it to the maximum permitted by the law or at least the proportion asked for by the council?

Increase of
elective
strength of the
Erode Municipal
Council.

111 A.—A proposal on the subject was received from the Erode Municipal Council on the 9th instant. The question will be considered.

112 Q.—Will the Government be pleased to state when their Elementary Education Bill will be placed before the Legislative Council?

The Elementary
Education
Bill.

112 A.—The Bill is under preparation and will be placed before the Legislative Council as soon as possible.

113 Q.—Will the Government be pleased to state

(a) whether any cases have occurred in which the Government exercised their power under section 93 (2) of the Government of India Act, 1915, or the previously existing provision corresponding thereto;

Exercise of
the power
conferred
by section
93 (2) of the
Government
of India Act.

(b) whether during the last ten years any nominated or elected members of this Council were "for a period of two consecutive months" "absent from India" or "unable to attend to the duties of his office" during the last ten years;

(c) whether any of these applied for permission to be absent or intimated such absence or inability, and what proceedings were taken by His Excellency in each of these cases; and

* Vide Appendix VII on page 41 infra.

(Mr. Narasimha Ayyar ; the President ;
Mr. Yaqub Hasan ; Mr. Gillman.) [13TH AUGUST 1918.

(d) whether the Government will place on the table all such intimations, or applications and proceedings including the application by the Hon'ble Mr. B. V. Narasimha Ayyar and the reply thereto?

- 113 A.—(a) One, which was in the case of an official member. The powers referred to are vested not in the Government but in His Excellency the Governor.
(b) Yes ; so far as the records in the Government office show, seven nominated and six elected non-official additional members were absent from India for a period of two consecutive months, during the last ten years.
(c) No permission to be absent from the meetings of Legislative Council is required by the Act. Nine of the non-official members referred to above tendered resignation of their seats ; and in eight instances the resignation was accepted : while in the remaining instance and also in the four additional cases which make up the total of thirteen, that is to say in five cases, no action was taken under section 93 (2) of the Act.
(d) The answer is in the negative.

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—“ The answer to clause (c) is ‘ nine of the non-official members referred to above tendered resignation of their seats ’. May I know how many of them were elected non-official members and for what period they were absent ? ”

His Excellency the PRESIDENT :—“ Will the honourable gentleman put a fresh question ? ”

Opening of
Government
High schools.

114 Q.—Will the Government be pleased to state if, in pursuance of their recent decision to open more high schools, such institutions have been started in any place in which a high school run by private agency was already in existence ; and, if so, in what places ?

114 A.—No such school has been started in a place where a recognized school of the same grade is already working.

Exodus to the
Hills.

115 Q.—Will the Government be pleased to state
(a) if they received the proceedings of a public meeting held at Madras protesting against the Government's summer exodus to Ootacamund even during the present war conditions and if they will place the same on the table ;

(b) what action they have taken thereon ; and

(c) what extra expenditure has already been incurred by reason of the exodus ?

115 A.—(a) Yes. As the proceedings have been already published in the newspapers, the Government see no object in placing them on the table.

(b) No action was considered necessary.

(c) The extra expenditure incurred from 1st April to the 30th June 1918, the period for which alone accounts are now complete, is Rs. 28,320.

Opening of
fourth form in
a school,
Tiruvallur.

116 Q.—Will the Government be pleased to state if their attention has been drawn to an article in *Hindu* of 6th July 1918 at page 6 headed “ The C.C.C.H. School, Tiruvallur ”, and to the reasons given by Diwan Bahadur T. T. Ranga Achariyar for a reconsideration of the Director's refusal to recognize Rao Bahadur Cunnah Chettiyar's school and will the Government be pleased to order the matter to be reconsidered for the above reasons ?

116 A.—The Honourable Member is referred to the answer to question No. 37.

List of persons
granted
passports to
England.

117 Q.—Will the Government be pleased to place on the table a list of the persons who have been given passports for a voyage to England since 1st March 1918, mentioning their names, addresses, and purpose of their voyage ?

117 A.—The Government see no reason to publish this information.

The Hon'ble Yaqub Hasan Sahib Bahadur.

List of Kazis,
etc.

118 Q.—Will the Government be pleased to lay on the table a list of (1) Kazis appointed by the Government in accordance with the Government of India Act XII of 1880, (2) of other Kazis whose appointment is reported to the Government and also of the (3) Naibkazis appointed by the Kazis as their assistants ?

118 A.—(1) A list of Kazis appointed under Act XII of 1880 in each district is under compilation and will, when ready, be furnished to the Honourable Member if he will repeat his question.

(2) & (3) The Government have no information as no reports are made to Government of such appointments.

The Hon'ble YAQUB HASAN SAHIB Bahadur :—“ As regards clause (3), will the Government be pleased to get information from parties concerned ? ”

The Hon'ble Mr. H. F. W. GILLMAN :—“ I do not think it is necessary for the Government to interfere in a matter like this, because the appointment of Kazis is a matter with which they have nothing to do.”

13TH AUGUST 1918.] (Mr. Yaqub Hasan ; Sir Alexander Cardew ; Mr. Stone ;
the President.)

119 Q.—Will the Government be pleased to lay on the table a statement giving the number, nature, origin and description of the jaghirs and other endowments for the maintenance of Kazis in this Presidency ?

Endowments
for maintenance
of Kazis.

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

The Hon'ble YAQUB HASAN SAHIB Bahadur :—“ Will the Government be pleased to get that information for me ? They are in a better position to get the information than I am.”

The Hon'ble Sir ALEXANDER CARDEW :—“ I am not quite sure that any useful purpose will be served by getting the information. What does the Honourable Member want the information for ? If he will communicate with me as to what he wants it for, I will consider whether it is possible or whether it is worth while to call for it.”

120 Q.—Will the Government be pleased to lay on the table a descriptive list of Muhammadan charitable endowments under the management and control of the Government, local boards and municipalities ?

Muhammadan
charitable
endowments.

120 A.—The Honourable Member's attention is drawn to G.O. No. 2505, Revenue, dated 2nd July 1918, which has been placed on the Editors' table.
No further information is at present available.

121 Q.—Will the Government be pleased to state if they have recently received a memorial from the Muhammadans of Nellore praying for the conversion of the first-grade municipal elementary school for Muhammadans into an incomplete secondary school ? Will the Government be pleased to direct the Municipality of Nellore to accede to this request and, if necessary, to subsidize the said municipality for this purpose as a part of the scheme lately inaugurated for raising some of the municipal and local board elementary schools to the status of secondary schools ?

Converting the
Municipal
Elementary
School,
Nellore, into a
secondary
school.

121 A.—The memorial has been received and is under reference to the Director of Public Instruction.

122 Q.—Will the Government be pleased to state the number of Muslim and non-Muslim students who were declared “ eligible ” as the result of the last S.S.L.C. examination and the number of Muslim and non-Muslim students admitted this year in the Junior Intermediate class of each of the Arts colleges in Madras Presidency including the Madrasa-i-Azam ?

Muhammadan
candidates
admitted into
colleges.

122 A.—The Government are not in possession of the information asked for. A list of Muslim and non-Muslim students who are declared eligible will duly appear in the *Fort St. George Gazette*.

The Hon'ble YAQUB HASAN SAHIB Bahadur :—“ Will the Government be pleased to get the information applied for in question No. 122 from the various colleges ? ”

The Hon'ble Mr. J. H. STONE :—“ I would suggest that the Honourable Member should ask the University for the information. The University has a machinery for replying to questions on University matters. It is not a matter with which I am particularly concerned. The information can be got from the University.”

The Hon'ble YAQUB HASAN SAHIB Bahadur :—“ It refers to the number of students admitted into the various colleges.”

The Hon'ble Mr. J. H. STONE :—“ The colleges are under the University. The University assumes responsibility over the colleges. The University will have in its office a record of the admissions into the colleges. I have not got any such record.”

The Hon'ble YAQUB HASAN SAHIB Bahadur :—“ Will the Government be pleased to call for the information from the University ? I am not a member of the Senate and cannot therefore negotiate with the University direct.”

His Excellency the PRESIDENT :—“ If the Honourable Member wishes to have any further information, he may put a further question later on.”

123 Q.—(a) Will the Government be pleased to state the number of Mussalmans in the Judicial service holding (1) the acting and (2) permanent appointments of District Munsifs, (3) the acting and (4) permanent appointments of Sub-Judges, the total number of each of these appointments and the proportion the number of Mussalman incumbents bears to the total number in each ?

Muham-
madans in the
Judicial
service.

(b) Will the Government be pleased to draw the attention of the High Court to the necessity of increasing the number of Mussalman Munsifs ?

123 A.—(a)

	Number of Muhammadans.		Total number of appointments.	Proportion.
	Acting.	Permanent.		
District Munsifs	3	1	158	4 : 158 or 2.5 per cent.
Sub-Judges	1	Nil.	39	1 : 39 or 2.5 per cent.

(b) The matter is already before the High Court.

(Mr. Yaqub Hasan; Mr. Kavalappara Muppil Nayar.) [13TH AUGUST 1918.]

The Malabar
Soap Factory.

- 124 Q.—Will the Government be pleased to state
(1) the amount of money put into the Soap Factory attached to the Department of Fisheries in Malabar;
(2) value of the turnover every year since it was started;
(3) cost of establishment and working expenditure (exclusive of the cost of raw materials) each year;
(4) number of persons trained up to date in the factory in the art of soap-making; and
(5) the number of the trained persons that have gone out of the factory and the number of those employed in the factory?

- 124 A.—(1), (2) & (3) The particulars required are not available.
(4) & (5) The Honourable Member is referred to the answer given to clauses (a) and (b) of question No. 80.

Grievances of
tanners in the
Presidency.

- 125 Q.—Have the Government perused the communication in the *Hindu*, *New India*, *Indian Patriot* and *Swadesha Mitran* of the 28th June 1918 headed "Tanners' Memorial"? Will the Government be pleased to recommend to the Government of India the favourable consideration of the memorial in view of the importance of the industry to this Presidency and to allow the export of the present stock of tanned skins?

- 125 A.—The Honourable Member is referred to the answer to question No. 76.

The New Beach
station and its
location, etc.

- 126 Q.—(a) Is it a fact that the piece of land lying between Springhaven Road and North Beach Road to the east of the High Court as well as the land to its north with buildings, etc., thereon formerly belonging to the General Post office and the Harbour Trust have been sold to the South Indian Railway Company for constructing large station premises thereon?

- (b) Will the Government be pleased to state if the station will be a joint property of the South Indian Railway and Madras and Southern Mahratta Railway Companies?

- (c) Will the station be only a sub-station for local train service or the principal station of both the lines for the town?

- (d) Will the Government be pleased to lay on the table a map showing the location and dimensions of the station premises, goods shed and other buildings that are proposed to be constructed on the above land?

- (e) Will the Government be pleased to direct that the lines are so laid out and building and platforms so located as to facilitate double tracks of both the companies being laid in future for local train service?

- (f) Will the Government be pleased to direct that the Beach Railway Station buildings and other connected buildings are put up as near the present station building as possible in any case to the north of the point at which there was formerly a crossing road from the Harbour to the China Bazaar Road, so that the land to the south of this point may remain an open maidan with nothing on it but the railway, and telegraph lines and fencing?

- 126 A.—(a) Yes.

- (b) Yes.

- (c) The station will not be the principal station for the town. It will serve
(1) existing metre gauge local traffic, South Indian Railway,
(2) existing broad gauge traffic, Madras and Southern Mahratta Railway,
(3) the harbour traffic from the existing metre gauge, South Indian Railway, and the proposed Madras and Southern Mahratta Railway metre gauge line from Renigunta when constructed.

- (d) No such map is available. The proposals are at present being framed by the South Indian Railway.

- (e) The suggestion will be remitted to the Railway Companies for consideration.

- (f) As the Government are not aware of the details of the scheme, they are not prepared to make any recommendations at present.

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

Opening of a
high school at
Manjeri,
Malabar.

- 127 Q.—(a) With reference to the recent Government Order sanctioning 18 new high schools for the Presidency, will the Government be pleased to state whether the allocation of the schools has been settled and whether any new high schools have been allowed for Malabar and South Kanara, and in what places in these districts?

- (b) Will the Government be pleased to order one of these high schools to be located at Manjeri, the headquarter of the Ernad taluk?

- 127 A.—(a) The Honourable Member is referred to G.O. No. 757, Home (Education), dated the 11th June 1918, which has been placed on the Editors' Table.

- (b) As the location of the new high schools already sanctioned has been settled, it is not possible to adopt the suggestion of the Honourable Member. The Board school at Angadipuram was recently made a high school with a special view to the development of Mappilla education.

13TH AUGUST 1918.] (Mr. Kavalappara Muppil Nayar.)

- 128 Q.—(a) Is it a fact that under the present rules persons aspiring only to posts of ministerial officers of civil courts, such as sarishtadars, head clerks, central nazars, etc., have to pass the Civil Judicial test for which the Indian Evidence Act, Contract Act, Negotiable Instruments Act, Transfer of Property Act and Provincial Insolvency Act are among other subjects for examination?

- (b) In view of the practical inutility of these subjects for persons holding low ministerial offices, will Government be pleased to consider the feasibility of eliminating these subjects from the curriculum and retaining only the rest?

- 128 A.—The question of simplifying the Civil Judicial test is under consideration.

- 129 Q.—(a) Will the Government be pleased to state whether the preliminary survey of the railway line from Shoranur to Manantoddy has been completed?

- (b) Will the Government be pleased to consider the desirability of the proposed line passing through the headquarters of Ernad and Walluvanad taluks and the Mappilla outbreak zone of Pandikad and Melattur and also touching the important markets and trading centres in those taluks, which lie more or less on the way?

- 129 A.—(a) A reconnaissance survey of the line is being made by the South Indian Railway Company and has not yet been completed.

- (b) The suggestions will be considered.

- 130 Q.—(a) With reference to G.O. No. 1870, Revenue, dated 13th May 1918, regarding the resettlement of the Wynad, will the Government be pleased to state whether any inquiry was made by the Special Settlement Officer regarding the economic condition of the people and the effects of the last settlement?

- (b) Have the Government been pleased to consider the representations of the janmis of the Nilgiri and Malabar Wynads in their petition of 28th January 1918 in passing orders regarding the resettlement?

- (c) Have the janmis submitted their observations in reply to Government reference? Will the Government be pleased to consider the matter sympathetically?

- 130 A.—(a) The report of the Special Settlement Officer, Nilgiri and Malabar Wynads, which is recorded in G.O. No. 1870, Revenue, dated 13th May 1918, is, as the Government Order shows, merely a preliminary one and is directed mainly to the question of the staff required for the work. The Government cannot say to what extent the Special Settlement Officer has yet inquired into the economic condition of the tract. That subject will be dealt with in the scheme report which has not yet been received.

- (b) Yes.

- (c) The observations have not yet been received.

- 131 Q.—(a) Will the Government be pleased to inquire if all the Malayalis who have enlisted from Malabar during the last three or more years are given the option of joining the new West Coast Regiment?

- (b) Will the Government, in view of the essential principle which led to the formation of the fresh regiment and in justice to the early recruits, be placed to recommend to the Army authorities the desirability of adopting the course?

- 131 A.—The constitution of the new regiment referred to by the Honourable Member is under discussion with the military authorities and the Government are unable to make any statement on the subject. The suggestion contained in the Honourable Member's question will, however, be borne in mind.

- 132 Q.—(a) Is it a fact that, in view to encourage recruitment for the Indian Army, the Bombay Government have ordered exemption from payment of fees in primary schools to children of those enlisted in the combatant branches of the Army?

- (b) Has any similar concession been allowed in this Presidency to children of those serving in combatant forces? If so, have arrangements been made with managers of private schools for exemption of such children from fees in their schools also?

- (c) In view of the Marumakkattayam system in Malabar and South Kanara, will the Government be pleased to recommend that, so far as those districts are concerned, the recruit may be given the choice of those to be benefited by the above concession limiting the number for each recruit?

- 132 A.—(a) The Government have seen a report to this effect in the newspapers.

- (b) Yes. G.Os. No. 402, Home (Education), dated 23rd March 1918, and No. 973, Home (Education), dated 24th July 1918, will be placed on the Editors' Table.

- (c) The matter is under consideration.

(Mr. Rama Ayyangar; Mr. Gillman.)

[13TH AUGUST 1918.]

The Hon'ble Mr. K. Rama Ayyangar.Government
Technical
Institute,
Madura.

133 Q.—(a) Is it a fact that the Government Technical Institute at Madura was proposed to be extended by putting up a series of buildings for use to educate boys in various technical subjects such as carpentry, weaving and smithy, etc.?

(b) Will the Government be pleased to lay on the table the various estimates for buildings, the dates on which they were prepared and the progress that has been made year after year in the construction of these buildings?

(c) Is it a fact that there has been delay in the construction of the several portions of these buildings and their delivery for commencing the various branches of works proposed to be started? Will the Government be pleased to issue orders to see that the buildings are completed at once and delivered?

133 A.—(a) Yes.

(b) The Honourable Member will be furnished with copies of G.Os. No. 1519 W., dated 30th July 1913, No. 2380 W., dated 7th December 1914, and No. 957 W., dated 26th June 1916, sanctioning the estimates (original and revised) for the buildings in connexion with the Technical Institute. During 1916-17 and 1917-18 an expenditure of Rs. 1.41 and '63 lakhs respectively was incurred on the work, and there is a provision of 5 lakh in the current year's budget.

(c) The Government are not aware of any avoidable delay in the execution of this work which is expected to be completed by the end of the current official year.

The Hon'ble Mr. K. RAMA AYYANGAR:—"As regards clause (c), will the Government be pleased to call for a report as to the delay that occurred?"

The Hon'ble Mr. H. F. W. GILLMAN:—"We have already inquired into the matter, and, as stated in the answer, there was no avoidable delay in the execution of the work."

Improvement
of an irrigation
source in
Ramnad
district.

134 Q.—With respect to question No. 31 put by me in the meeting of the Legislative Council, dated 3rd April 1918, regarding the Eluntharaikondan tank, will the Government be pleased to state whether any decision has been come to and whether the Government will take up the improvement of the tank on hand immediately?

134 A.—The question is still under consideration by the local officers. The Collector reported in June last that the Revenue Divisional Officer who had been asked to examine the proposals for improving the supply to the tank could not do so as the supply was very scanty last year and that the matter would be examined in the current year.

Reservation of
Arugupulli
tope, Ramnad,
for grazing
purposes.

135 Q.—With respect to question No. 33 in the same meeting regarding the Arugupulli tope, will the Government be pleased to state whether the same has been set apart for grazing purposes or if any other orders have been passed?

135 A.—Proposals for the disafforestation of the Arugupulli tope are under the consideration of the local officers and the Board of Revenue. No orders have yet been passed on the subject.

Publication of
certain
statements in
Local Fund
administration
reports.

136 Q.—With respect to question No. 35 in the said meeting regarding the publication of certain statements in Local Fund administration reports, will the Government be pleased to state what inquiry has been made and what orders passed?

136 A.—All the statements which are compiled and furnished to district boards will be made available to Honourable Members.

Water-supply
to the
Palayakayal
tank.

137 Q.—With respect to question No. 38 in the said meeting regarding the water-supply to the Palayakayal tank, will the Government be pleased to state whether the investigation has been completed and if any final scheme has been adopted?

137 A.—The investigation has not yet been completed.

Central nazarat
and copyist
establishments.

138 Q.—(a) With respect to the discussions in the meeting of the Legislative Council at its meeting, dated 21st November 1917, regarding the splitting up, wherever possible, of the central nazarat and the central copyist establishments, will the Government be pleased to state what action has been taken since then?

(b) Will the Government be pleased to lay on the table the correspondence on the subject and the final decision, if any, arrived at?

138 A.—The High Court has been addressed on the subject.

The Police and
the District
Conference at
Thottiyam.

139 Q.—Is it a fact that, during the sittings of the District Conference held recently at Thottiyam in the Trichinopoly district, armed reserved police was taken to that place? Will the Government be pleased to explain the circumstances under which this action was taken?

13TH AUGUST 1918.] (Mr. Rama Ayyangar; Mr. Suryanarayanamurti Nayudu;
Mr. Siva Rao.)

139 A.—A detachment of reserve police was sent for because the proceedings on the second day of the conference indicated the possibility of a disturbance with which the local police might not have been competent to deal.

140 Q.—(a) Is it a fact that the Government are selling salt of the Ennore licensees at Madras depot by a system of auction sales from 18th July 1917 to date? Sale of salt at Madras depot.

(b) Is it a fact that the average price of these sales work out to Re. 1 per maund *ex duty* as contrasted with 3 annas during pre-war years?

(c) Will the Government be pleased to quote the prices at these various sales per maund *ex duty* from the said 17th July 1917 to date?

140 A.—(a) Ennore being a monopoly factory, the licensees manufacture salt for sale to Government. The salt is the property of the Government, not of the licensees. The Ennore salt has been sold at the Madras depot by auction from the 24th July 1917.

(b) & (c) The Government have no accurate information but will call for the same.

141 Q.—Are the Government aware that the licensees of salt under excise system have been selling their salt for the last two years and more at nearly the rate fetched at the abovesaid auction sales? Sale of salt by licensees.

141 A.—The Government have no accurate information but will call for the same.

142 Q.—(a) Are the Government aware that unseasonable rains in the best part of the season having been proving disastrous to salt manufacture in this year also in the said circle and the said licensees are very badly hit? Fall in quantity of salt manufactured.

(b) Will the Government be pleased to quote the estimated quantity of salt scraped up to the present time in the current season in the said circle and also the average for the preceding five years?

142 A.—(a) It is true that the weather has been unfavourable for the manufacture of salt in the Ennore Circle in the current year.

(b) The Government have no accurate information but will call for the same.

143 Q.—(a) Is it a fact that Ennore licensees petitioned to the Board for an increase of kudivaram and that only a very slight excess of about 10 pies per maund has been promised to them for salt scraped after July 1918 only? Application by Ennore salt licensees for increase in kudivaram.

(b) Will the Government be pleased in view of two adverse seasons to order a higher rate of kudivaram for all salt of season 1918, securing to the said licensees at least 25 per cent of the profits made by the salt in their auction sales as a temporary measure for the current year?

143 A.—(a) The Government have no accurate information but will call for the same.

(b) The Government will inquire if any relief is necessary to the licensees.

The Hon'ble Diwan Bahadur K. R. Suryanarayanamurti Nayudu.

144 Q.—With reference to G.O. No. 326 W., dated 6th March 1918, regarding the construction of a new general hospital at Cocanada, will the Government be pleased to state when the construction is likely to be started? Construction of a new hospital at Cocanada.

144 A.—Detailed plans and estimates for the new hospital buildings are not yet ready and it is not possible to say now when construction is likely to be started.

145 Q.—Will the Government be pleased to state as to how the proposal to construct a bridge between Neelapally and Yanam, a French town in Gōdāvari district, was decided upon? Construction of a bridge between Neelapally and Yanam.

145 A.—The district board has been advised to postpone consideration of the construction of the bridge near Yanam till conditions become normal, as the prices of steel work and cement are prohibitive just now.

The Hon'ble Mr. P. Siva Rao.

146 Q.—Will the Government be pleased to state whether the question of the restoration of the "Kinni Vattan" channel in Kaliyampundi and other villages in the Uttiramerur division, Chingleput district, has been investigated; if so, with what result? Restoration of a channel, Chingleput.

146 A.—The investigation has not yet been completed.

147 Q.—(a) Is it a fact that the Government recently sanctioned a war allowance for one year from the 1st of March last to all Government servants drawing a pay up to Rs. 50? War allowance to employees of local bodies.

(b) Will the Government be pleased to sanction it in the case of employees of the local bodies also?

(Mr. Siva Rao.)

[13TH AUGUST 1918.]

- 147 A.—(a) The Honourable Member is referred to the answer to question No. 53.
 (b) The Government have authorized local bodies to sanction similar allowances where necessary and where they can afford the additional expenditure.

Grain compensation and house-rent allowances to compounders.

148 Q.—(a) Is it a fact that the grain compensation allowance is denied to the class of compounders though their maximum salary falls below Rs. 30? If so, will the Government be pleased to extend it to them?

(b) Is it a fact that there is no provision for payment of "house-rent allowance" to the compounders? Will the Government be pleased to sanction it in their case?

148 A.—(a) An improved scale of salary having been sanctioned for compounders with effect from 1st March 1918, compensation for dearness of grain ceased to be payable from the same date, the higher rates of pay having been fixed with reference to the fact that upon their introduction the special allowance would cease.

(b) Compounders may be provided with free quarters where available, but no house-rent allowance is payable where free quarters cannot be provided. The Government are not prepared to revise the existing rules.

Permission to retired officials to practise as vakils.

149 Q.—Has the attention of the Government been drawn to the articles in the *New India* under date 21st February 1918 and in the *Hindu* under dates 4th March 1918 and 10th April 1918 regarding "Retired Government officials"? If so, will the Government be pleased to grant to those retired officials, who have passed the criminal judicial test, general permission to practise before magistrates?

149 A.—The Government have perused the articles. The Code of Criminal Procedure gives every magistrate a discretion qualified by certain rules to permit persons other than qualified legal practitioners to act in criminal proceedings before him. The Government are not prepared to interfere.

Typists in Revenue Divisional offices.

150 Q.—(a) Will the Government be pleased to state the scale of pay sanctioned in the case of typists employed in the Revenue Divisional offices and the scale allowed in the other Government offices in the districts?

(b) Will the Government be pleased to equalize the scale in the offices of the same grade?

150 A.—No typists have been sanctioned for Revenue Divisional offices. The scale of pay in other Government offices is—

	RS.
(1) For clerks who have passed elementary test in type-writing.	20—1—25
(2) Do. intermediate test in type-writing.	25—1—30
(3) Do. advanced test in type-writing.	30—1—50

Building for Municipal High School, Bellary.

151 Q.—Is it a fact that the Government sanctioned a sum of Rs. 50,000 in the current year's budget for the construction of a building for the Municipal High School at Bellary? Will the Government be pleased to issue instructions forthwith to the Public Works Department to start the work?

151 A.—The Honourable Member is referred to G.O. No. 206, Financial, dated the 19th March 1918, in which a subsidy of Rs. 50,000 was sanctioned for the purpose. Plans and estimates for the work are under preparation.

Reorganization of the Registration department.

152 Q.—Have the Government received a memorial from the district and the sub-registrars regarding the reorganization of their salary, emoluments and prospects? Will the Government be pleased to pass favourable orders thereon?

152 A.—Memorials have been received from both district and sub-registrars and they are under consideration.

Abolition of the plague notification system.

153 Q.—Is it a fact that the recent "Plague Committee" concluded, among other matters that the notification system and the inspection at the frontier stations might be dispensed with? Will the Government be pleased to discontinue the inspection and the issue of notifications at Hindupur in the Anantapur district?

153 A.—Yes. Orders have been issued directing the closure of the notification station at Hindupur.

Revision of the Plague Regulations.

154 Q.—(a) Will the Government be pleased to state whether the "Plague Regulations" have been recast in the light of the recommendations of the said committee? Will the Government be pleased to place them on the table?

(b) Will the Government be pleased to state whether the apportionment of "plague charges" between the Government and the "local bodies" has been settled, and in what manner?

154 A.—(a) Yes; the Honourable Member is referred to the revised Regulations published in notification No. 125 on pages 430-32 of Part I-A of the *Fort St. George Gazette*, dated the 16th July 1918.

13TH AUGUST 1918.]

(Mr. Siva Rao; Mr. Gillman.)

(b) Yes. So far as can be foreseen expenditure will only be needed for the following purposes:—

- (1) observation, including the pay of plague inspectors;
- (2) inoculation;
- (3) the provision of shelter for persons leaving their houses;
- (4) police to guard evacuated houses and approved camps;
- (5) rat destruction, including the cost of traps and poison and the pay of any staff employed;
- (6) hospitals, appliances and staff for the care of patients; and
- (7) measures taken to ensure the breaking of bulk of consignments of grain.

Expenditure on the first four items will be borne from Provincial funds. The cost of the fifth and sixth will be borne by municipal funds in municipal areas and by local funds in rural areas. That of the seventh will fall on Provincial funds if the measures are undertaken by the Collector under Plague Regulation 8 and on the municipal or local authority concerned if they are carried out under Regulation 10.

155 Q.—Will the Government be pleased to state whether the grant of the free studentships up to 10 per cent on the rolls in all the secondary schools has been sanctioned by the Government as recommended by the Educational Conference of 1916 and in the resolutions moved by me in May 1917 and in March 1918? If not, will the Government be pleased to sanction them forthwith?

Free studentships in secondary schools.

155 A.—The matter is still under consideration.

156 Q.—Will the Government be pleased to state whether the question of the opening of agricultural schools has been decided; if so, in what manner?

Agricultural schools.

156 A.—The Government have decided to open two agricultural middle schools in the Presidency, one near the Central Farm at Coimbatore and the second near the Anakapalle Farm in the Vizagapatam district.

157 Q.—Will the Government be pleased to state whether they propose to start any agricultural farms of veterinary institutions during the current year; if so, in which localities? Will the Government be pleased to sanction an agricultural farm and a veterinary hospital at Anantapur?

Agricultural farms and veterinary institutions to be opened in current year.

157 A.—It is expected that the following farms will be started during the current year:—

- (1) a demonstration farm near Gudiyattam in the North Arcot district,
- (2) a cattle-breeding farm in the Kavali taluk of the Nellore district, and
- (3) a Cambodia cotton farm in the Pollachi taluk of the Coimbatore district.

A veterinary institution has already been opened at Devakottai in the Ramnad district in the current year. Sanction has been accorded to the opening of veterinary institutions at (1) Ootacamund, (2) Pollachi, (3) Cuddapah and (4) Bezvada, but the Government have no information when they will start work.

It is hoped that an agricultural farm will eventually be established in the Anantapur district. There is no prospect at present of a veterinary hospital being sanctioned for Anantapur.

158 Q.—Will the Government be pleased to state whether the scheme to open a separate District and Sessions Court at Anantapur has been sent up to the Government of India for sanction? If so, whether the sanction has been received?

A separate District and Sessions Court for Anantapur.

158 A.—The subject is still under consideration.

The Hon'ble Mr. P. SIVA RAO :—"Will the Government be pleased to state whether the scheme to open a separate District and Sessions Court at Anantapur has been sent up to the Government of India for sanction?"

The Hon'ble Mr. H. F. W. GILLMAN :—"It has not yet been sent up."

The Hon'ble Mr. P. SIVA RAO :—"Which is under consideration? Is it the scheme itself? Is it with the Local Government or the Government of India?"

The Hon'ble Mr. H. F. W. GILLMAN :—"The scheme for opening a District and Sessions Court in Anantapur has not yet assumed a final shape."

The Hon'ble Mr. P. SIVA RAO :—"Has it been sanctioned by the Local Government?"

The Hon'ble Mr. H. F. W. GILLMAN :—"It has to be sanctioned not by the Local Government but by the Secretary of State. The proposal of the Local Government has not yet been sent up."

159 Q.—(a) Will the Government be pleased to state whether the location of the four high schools for girls and of the six manual training centres sanctioned in the current year's budget has been decided? If so, at which places?

Girls' high schools and manual training centres.

(Mr. Siva Rao; the President.)

[13TH AUGUST 1918.]

(b) Will the Government be pleased to open a high school for girls and a manual training centre in the Ceded districts?

159 A.—The consideration of these matters has not been completed.

Mortality in jails.

160 Q.—Has the attention of the Government been drawn to the increasing mortality in the jails? Will the Government be pleased to state what steps it proposes to take in the matter?

160 A.—Yes. The Inspector-General of Prisons has been requested to give this matter his special attention while inspecting such jails as have shown unsatisfactory statistics.

Investigation of indigenous systems of medicine.

161 Q.—Will the Government be pleased to state what progress has been made in the investigation undertaken by them of the "indigenous systems" of medicine?

161 A.—M.R.Ry. Rao Sahib M. C. Koman has recently been pleased on special duty to obtain information with regard to the drugs used by Ayurvedic practitioners.

Condition of Indian refreshment rooms on railways.

162 Q.—Will the Government be pleased to state the result of the inquiry recently undertaken by them as to the sufficiency of accommodation of the Indian refreshment rooms on the railways and the quality of food supplied therein: and to place the report, if any, on the table?

162 A.—The Honourable Member is referred to the answer given to question No. 14.

Recommendations of the Pilgrims Committee.

163 Q.—Will the Government be pleased to state what action, if any, has been taken on the recommendations of the Pilgrims Committee?

163 A.—The Honourable Member is referred to G.Os. No. 1658 M., dated 21st September 1916 and No. 955 L., dated 2nd July 1917, which have been placed on the Editors' Table.

The suggestions made in regard to individual places have been examined or are under examination by the local bodies concerned. The Government of India have recently given a grant of rupees one lakh for improving the sanitation of pilgrim centres and it is proposed to distribute this amount to local bodies for urgent sanitary works in important pilgrim centres.

Control of prices.

164 Q.—Will the Government be pleased

(a) to make full statement as to the steps taken in regard to the abnormal rise of prices of foodstuffs and the other necessities of life on account of the war and the result arrived at with a comparative table of the prices prevailing before and after their action;

(b) to lay on the table the reports, if any, received by the Collectors of the districts in the same connexion; and

(c) to consider the desirability of appointing a Controller as in Bombay, with the necessary powers for fixing prices and with the requisite staff working under him and also the desirability of organizing local committees to help him?

164 A.—(a) The Honourable Member is referred to the press communiqué issued on the 27th July 1918 and to the table of prices of the staple food-grains published every week in the *Port St. George Gazette*.

(b) The reports received by the Collectors are not before the Government.

(c) So far as the Government are aware there is no Controller of Prices in Bombay. The officer who at one time was so designated has now become the Director of Civil Supplies. A Director of Civil Supplies has similarly been appointed for this Presidency and has been given the necessary staff. The Directors have no power to fix prices, but exercise their control chiefly through the regulation of railway traffic. Mr. Wood, the Director of Civil Supplies for Madras, is assisted by a Traffic and Priority Committee. In addition Emergency Committees have been constituted in the districts among whose duties is to advise Mr. Wood as to the state of supplies in the various parts of each district and the need for priority over the railways for the replenishment of depleted stocks.

Special Legislative Council meeting for considering Report on Constitutional Reforms.

165 Q.—Will the Government be pleased to convene a special meeting of the Legislative Council to enable the non-official members to express their views on the Report on the Indian Constitutional Reforms?

165 A.—There is no such intention at present.

The Hon'ble Mr. P. SIVA RAO :—"Will the Government be pleased to call a meeting of the Council to discuss the report on the Indian Constitutional Reforms?"

His Excellency the PRESIDENT :—"The answer is on the paper."

The Hon'ble Mr. P. SIVA RAO :—"The answer is that there is no such intention. Is the matter under consideration?"

His Excellency the PRESIDENT :—"I cannot say; consideration is not barred."

[13TH AUGUST 1918.] (Mr. Siva Rao; the President.)

The Hon'ble Mr. P. SIVA RAO :—"Will the Government be pleased to consider it?"

His Excellency the PRESIDENT :—"I cannot answer it."

The Hon'ble Mr. P. SIVA RAO :—"Are the Government aware that the report does contemplate the discussion of these matters in the Imperial and Provincial Legislative Councils?"

His Excellency the PRESIDENT :—"I am not prepared to argue with the Honourable Gentleman. The Honourable Gentleman has put a question on paper, and the answer on behalf of the Government is perfectly plain, there is no such intention at present."

The Hon'ble Mr. P. SIVA RAO :—"I wish to ask a supplemental question whether the Government will consider it hereafter."

His Excellency the PRESIDENT :—"If the honourable gentleman will put this question at the next meeting, an answer will be given."

166 Q.—(a) Has the attention of the Government been drawn to the policy laid down in the Report on the Indian Constitutional Reforms and in the recent resolution of the Government of India "that the reformed and representative district boards of the future could and should be utilized by the district officer for purposes of advice and consultation"?

District boards to be utilized by Collectors for advice and consultation.

(b) Will the Government be pleased to give immediate effect to it?

166 A.—(a) Yes.

(b) The Government do not propose to take any immediate action in the matter.

167 Q.—(a) Has the attention of the Government been drawn to the abnormal rate of mortality now prevailing in the City of Madras?

Mortality in Madras City.

(b) Will the Government be pleased to depute a special officer to investigate into the causes and to propose the requisite preventive and remedial measures?

167 A.—(a) The Honourable Member presumably refers to the high death-rate which has prevailed since the outbreak of an epidemic resembling influenza.

(b) The Surgeon-General has been asked to report on this epidemic and an officer was recently deputed to Bombay to ascertain the results of investigations carried out there.

168 Q.—(a) Will the Government be pleased to state whether any and if so what steps are taken or proposed to be taken to improve the staff, the equipment, the accommodation and the general condition of the district headquarter hospitals recently taken over by the Government?

Improvements to headquarter hospitals.

(b) Will the Government be pleased to appoint hospital committees and non-official visitors in respect of all of them?

168 A.—Steps will be taken to improve the staff and other conditions of the hospitals in question when that course seems to be necessary and so far as funds allow. Each case will be considered on its merits and the Government are unable to make any general statement that would be applicable to all cases. The question of appointing committees or otherwise will likewise be decided in accordance with the circumstances of individual hospitals.

169 Q.—Will the Government be pleased to consider the desirability of appointing non-official visitors to all the war recruiting offices?

Non-official visitors for recruiting offices.

169 A.—The Government do not consider that the appointment of non-official visitors to recruiting offices would serve any useful purpose.

170 Q.—(a) Will the Government be pleased to state whether the following Bills are ready and have received the sanction of the Government of India and when they are likely to be introduced in the Legislative Council:—

Bills relating to local self-government.

- (i) The Madras City Municipality Bill;
- (ii) The Madras District Municipalities Bill;
- (iii) The Madras Local Boards Bill?

(b) Will the Government be pleased to consider the desirability of recasting them in the light of the policy announced in the recent resolution of the Government of India on local self-government?

170 A.—(a) (i) The Madras City Municipal Bill has been approved by the Government of India and is being introduced at this meeting.

(ii) & (iii) The Madras District Municipalities Bill and the Madras Local Boards Bill will be submitted to the Government of India shortly. It cannot be definitely stated when these Bills will be introduced in the Legislative Council.

(b) The two last-named Bills are being re-examined in the light of the recent resolution of the Government of India.

(Mr. Siva Rao ; Mr. A. S. Krishna Rao.) [13TH AUGUST 1918.]

Informal
panchayats and
their working.

- 171 Q.—Will the Government be pleased
(a) to furnish a list of all the “informal panchayats” organized in the Province;
(b) to state whether any reports have been received as to their working; if so, to place them on the table; if not, to call for the reports; and also
(c) to state whether any money has been hitherto sanctioned to “finance” them; if so how the money has been distributed?

- 171 A.—(a) The Honourable Member's attention is invited to the statements laid on the table in reply to questions Nos. 12 and 74 asked at the meetings held on the 2nd April 1917 and on the 3rd April 1918, respectively.
(b) The Government have not yet received any report and do not propose to call for reports before December 1918.
(c) G.O. No. 178, Financial, dated the 13th March 1918, sanctioning a grant of 1.25 lakhs to district boards in 1917-18 for aid to informal panchayats will be placed on the Editors' Table.

Recurring
grant for
improving pay
of teachers.

- 172 Q.—(a) Is it a fact that the Government of India made a “recurring” grant of four lakhs for improving the salary and the emoluments of the teachers?
(b) Will the Government be pleased to state fully as to how the grant has been or is proposed to be utilized with the past and the present scale of pay of the teachers of various grades in the several schools?

- 172 A.—The Honourable Member is referred to paragraph 60 of the Revised Financial Statement for the current year and to G.O. No. 361, Home (Education), dated the 18th March 1918, which has been placed on the Editors' Table.

Additional
Secretary to
Government.

- 173 Q.—Is it a fact that the Government propose to appoint an Additional Secretary in the Government office; if so, will the Government be pleased to bestow it on an Indian?

- 173 A.—The Government do not propose to create any additional post of Secretary beyond that referred to in their press communiqué of the 29th June. As therein stated, the Hon'ble Mr. A. R. Knapp was appointed Secretary in the new branch styled the Revenue (Special) Department with effect from the 1st July and his place in the Revenue Department proper was on the following day taken by Mr. M. Young.

Changes
proposed in the
Board of
Revenue.

- 174 Q.—Will the Government be pleased to state the changes, if any, they propose in the constitution of the Board of Revenue?

- 174 A.—The subject is under consideration.

Mr. Phillips's
report on civil
courts and
Provincial
Judicial
Service.

- 175 Q.—Will the Government be pleased
(a) to publish the report of Mr. Justice Phillips regarding the distribution of the civil courts in the mufassal and the reorganization of the Provincial Judicial Service and the ministerial services;
(b) to state whether any action has so far been taken upon the recommendations contained in it; and also
(c) to state whether his report is under correspondence with the Government of India; if so, in what connexion?

- 175 A.—(a) The papers cannot yet be published.
(b) & (c) The Government of India have been addressed.

Reorganization
of Provincial
Judicial
Service.

- 176 Q.—Will the Government be pleased
(a) to state whether the High Court have sent up recommendations for the recruitment and the reorganization of the Provincial Judicial Service;
(b) if so whether any action has been taken upon it;
(c) to publish the report of the High Court in the same matter; and also
(d) to state what steps, if any, they propose to take for the reorganization of the Provincial Judicial Service?

- 176 A.—Certain recommendations on the subject were received from the High Court in 1912 and 1916 and will be considered along with those made by the Public Services Commission. The Government are not prepared to publish the reports.

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

Control of
prices.

- 177 Q.—Will the Government be pleased to state what steps have been taken to control the rise of prices of foodstuffs in the Presidency?

- 177 A.—The Honourable Member is referred to the press communiqué issued on the 27th July 1918.

13TH AUGUST 1918.]

(Mr. A. S. Krishna Rao.)

- 178 Q.—Will the Government be pleased to state whether any and, if so, what further restrictions on railway traffic are contemplated in the immediate future?

Restrictions
on railway
traffic.

- 178 A.—The possibility that more stringent control may be found necessary has been under consideration, but no such measure has at present been decided upon.

- 179 Q.—Will the Government be pleased to state whether any and, if so, what steps have been taken to improve canal traffic?

Improvement
of canal traffic.

- 179 A.—The only canal for which any improvements were considered necessary was the Buckingham canal; this canal has been put in thorough working order and a suction dredger is under construction to deal with any silting at river crossings that may be caused by floods.

- 180 Q.—(i) Will the Government be pleased to state for how many students of the secondary grade is accommodation provided in the Government Training School, Nellore?

Accommoda-
tion in
Government
Training
School,
Nellore.

- (ii) Will the Government be pleased to state (a) how many applications were received for admission into the Government Training School, Nellore, from persons in the Nellore district, (b) how many of them were allowed and (c) how many of them were rejected?

- (iii) Will the Government be pleased to state how many applications were received for admission into that school from (a) Guntur district, (b) Kistna district of (c) other districts, how many of them were allowed and how many of them were rejected?

- (iv) Is it a fact that some applicants who were previously working as teachers were refused admission into the training school and, if so, how many?

- (v) Is it a fact that some applicants who were not teachers but were clerks in other departments were granted admission and, if so, how many?

- 180 A.—The information is not available.

- 181 Q.—(a) Is it a fact that there has been no revision of pay of clerks of Inspectors of Schools for several years, except in the case of clerks of the lowest grade?

Pay of clerks
of Inspectors
of Schools.

- (b) Have any proposals been made to the Government for raising the pay of those clerks, in view of the present conditions?

- (c) Will the Government be pleased to consider the desirability of revising their scale at an early date?

- 181 A.—(a) No general revision has been made. The pay of the clerks in the office of the Inspector of European and Training Schools was raised in 1914.

- (b) No.

- (c) The Government will give due consideration to any representations that may be made.

- 182 Q.—(a) Is it a fact that the karnams of Madanapalle and Vayalpad taluks in the Chittoor district presented memorials to the Government praying that they might be relieved of land records work?

Memorials
from certain
karnams in
regard to
land records
work.

- (b) Will the Government be pleased to state whether any and, if so, what orders have been passed in the matter?

- 182 A.—No such memorial has been received by the Government.

- 183 Q.—(a) Will the Government be pleased to state whether any steps have been taken to bring into operation the scheme for the reorganization of the male and female inspecting agencies, Education Department?

Reorganisation
of inspecting
staff.

- (b) Will the Government be pleased to publish all the papers relating to those schemes before further action is taken?

- 183 A.—(a) No action has been taken recently in regard to the reorganization of the male inspecting agency. The strengthening of the female inspecting agency is under consideration.

- (b) The Government are unable to entertain the suggestion.

- 184 Q.—(a) Will the Government be pleased to state how many Assistant Inspectors of Schools in the Presidency are in the Provincial Educational Service and how many of them are in the cadre of Sub-Assistant Inspectors?

Assistant
Inspectors and
Provincial
Educational
Service.

- (b) Will the Government be pleased to state how many of the Assistant Inspectors recruited prior to the reorganization of 1909 are in the Provincial Educational Service and how many of those recruited subsequent to it are in the cadre of Sub-Assistant Inspectors?

- (c) Will the Government be pleased to state whether there are any reasons for maintaining such distinctions between Assistant Inspectors when they have to discharge the same duties?

- (d) Will the Government be pleased to take steps to remove such inequalities and include all Assistant Inspectors of Schools in the Provincial Educational Service?

(Mr. A. S. Krishna Rao ; Mr. Chidambaranatha Mudaliyar.) [13TH AUGUST 1918.

184 A.—(a) Including the Assistant Inspector of European and Training Schools and the Assistant Inspector, Coorg, there are 14 Assistant Inspectors in the Provincial Educational Service and 11 Assistant Inspectors in the Subordinate Educational Service.

(b) The Honourable Member is referred to the History of Services of Gazetted Officers and the quarterly list of officers in the Educational Department for the particulars required.

(c) & (d) The matter is under the consideration of Government.

The Hon'ble Mr. K. Chidambaranatha Mudaliyar.

Assessment of
backyard culti-
vation.

185 Q.—Will the Government be pleased to state if reply has been received to the reference regarding the assessment of backyard cultivation from the Board of Revenue and, if so, lay the papers on the table?

185 A.—The Board's report, dated 31st July 1918, has just been received and the Government have not yet been able to consider it. Moreover the returns from the districts are not yet complete. The papers will be laid on the table or published in due course.

Floods in the
Cauvery.

186 Q.—Will the Government be pleased to ascertain whether there are any special causes either avoidable or unavoidable which have led to this abnormal and almost total failure of floods in the Cauvery till now?

186 A.—The low supply in the Cauvery has been due to the rainfall in its catchment being much below the average.

Rainfall in
catchment areas
of the Cauvery.

187 Q.—In view of the hardship and loss landholders are put to for want of timely and reliable intimation regarding rainfall in the catchment areas of the Cauvery and its feeders in this year, will the Government be pleased to see that henceforth such information is published every week at every Tahsildar's and Deputy Tahsildar's office in the areas fed by every river which commands an appreciable extent of irrigation in this Presidency?

187 A.—The Government do not consider that the publication of the weekly statistics of rainfall asked for would serve any useful purpose.

APPENDIX I.

[Vide answer to question No. 39 asked by the Hon'ble Mr. T. Ranga Achariyar at the meeting of the Legislative Council held on the 13th August 1918, page 9 supra.]

Number of party.	Nature of work to be done in					
	1918-19.	1919-20.	1920-21.	1921-22.	1922-23.	1923-24.
I. (Tanjore). A regular party has not been organised as yet.	Supervision of revision of adangals and scrutiny of survey.	Supervision of revision of adangals and scrutiny of survey, collection of materials for the preparation of the scheme report.	Supervision of revision of adangals, preparation of scheme report and field inspection.	Supervision of revision of adangals and field inspection.	Field inspection and supervision of the revision of adangals, if any; preparation of rough pattas and other accounts for six taluks in advance so that resettlement may be introduced conveniently throughout the district in 1923-24.	Introduction of resettlement in the eleven taluks of the district.
II. South Arcot and North Arcot.	Introduction of resettlement in the taluks of Villupuram, Vindivanam and Gingee; supervision of adangal revision in South Arcot and in Tiruvannamalai taluk of the North Arcot district.	Introduction of resettlement in the Tiruvannamalai taluk of the North Arcot district. Supervision of revision of adangals in the South Arcot district.	Introduction of resettlement in the taluks of Kallakurichi and Tirukkóvilur in the South Arcot district and balance of resettlement work in the taluks previously settled in that district.	Introduction of resettlement in the Chidambaram taluk and balance of resettlement work in the taluks previously resettled.	Introduction of resettlement in the Vriddhaachalam taluk and preparation of diglot registers for the taluks previously resettled.	Balance of resettlement work in the district.
III. (Bellary and Anantapur).	Supervision of the revision of adangals in the Bellary district and preparation of scheme report for that district.	Supervision of revision of adangals in the districts of Bellary and Anantapur. Compilation of scheme report for the latter district.	Supervision of revision of adangals in the districts of Bellary and Anantapur; introduction of resettlement in the taluks of Alur and Adoni and a portion of the taluk of Siruguppa in the Bellary district.	Supervision of revision of adangals in the districts of Bellary and Anantapur and introduction of resettlement in the Bellary taluk and a portion of the Siruguppa taluk of the former district and the taluks of Gooty and Tad-patri of the latter district.	Introduction of resettlement in the Hospet and Hadagalli taluks of the Bellary district; supervision of revision of adangals and preparation of diglot registers for the taluks previously resettled in the Anantapur district.	Introduction of resettlement in the taluks of Harpanahalli, Kudligi and Rayadrug of the Bellary district. Supervision of revision of adangals in the Anantapur district.
IV. (Madura, Trichinopoly and Ramnad).	Introduction of resettlement in the taluks of Madura, Melur and Tirumangalam, portion of Nilakkottai taluk and Aruppukottai taluk of the Ramnad district and probably supervision of revision of adangals in the Trichinopoly district.	Balance of resettlement work in the taluks already resettled in the Madura district. Supervision of the revision of adangals in the Trichinopoly district.	Balance of resettlement work in the taluks previously resettled in the Madura district; introduction of resettlement in the Paramakudi taluk of the Ramnad district; supervision of revision of adangals in the Trichinopoly district.	Supervision of revision of adangals in and preparation of scheme report for the Trichinopoly district; preparation of diglot registers for the taluks previously resettled in the Madura district.	Introduction of resettlement in the hill villages of the Kodaikanal taluk of the Madura district and balance of resettlement work in that district. Supervision of revision of adangals in the Trichinopoly district; preparation of a scheme report for and field inspection in that district.	Supervision of the revision of adangals, if any, and field inspection in the Trichinopoly district.
V. Ganjam, Visagapatam, etc.	Supervision of revision of adangals in the Visagapatam district; preparation of scheme report for and field inspection in that district.	Introduction of resettlement in the three taluks of Golconda, Palakond and Sarvasiddhi in the Visagapatam district.	Balance of resettlement work in the Visagapatam district.	The programme of the party has not been decided.		
Special Settlement Officer, The Nilgiri and Malabar Wynade.	Special staff work and preparation of a scheme report for the resettlement of The Nilgiri and Malabar Wynade.	Special staff work and preparation of a scheme report for the resettlement of The Nilgiri and Malabar Wynade.	....	....	....	....

APPENDIX II.

[Vide answer to question No. 44 asked by the Hon'ble Mr. T. Ranga Achariyar at the meeting of the Legislative Council held on the 13th August 1918, page 10 supra.]

Statement showing for each month from January 1914 to June 1918 the highest rate, the lowest rate and the average of these two rates.

(1)	1914.			1915.			1916.		
	Highest. (2)	Lowest. (3)	Average. (4)	Highest. (5)	Lowest. (6)	Average. (7)	Highest. (8)	Lowest. (9)	Average. (10)
January ..	1-4 $\frac{1}{2}$	1-4	1-4 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
February ..	1-4 $\frac{3}{4}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
March ..	1-4 $\frac{3}{4}$	1-4	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
April ..	1-4 $\frac{3}{4}$	1-4	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
May ..	1-4 $\frac{3}{4}$	1-3 $\frac{1}{2}$	1-4	1-4 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
June ..	1-4	1-3 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
July ..	1-4	1-3 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
August ..	1-3 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
September ..	1-3 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
October ..	1-3 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
November ..	1-4	1-3 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
December ..	1-3 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-3 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$

(1)	1917.			1918.		
	Highest. (11)	Lowest. (12)	Average. (13)	Highest. (14)	Lowest. (15)	Average. (16)
January ..	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
February ..	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
March ..	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
April ..	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
May ..	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
June ..	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
July ..	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
August ..	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
September ..	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
October ..	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
November ..	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$
December ..	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$	1-4 $\frac{5}{8}$	1-4 $\frac{1}{2}$	1-4 $\frac{1}{2}$

APPENDIX III.

[Vide answer to question No. 50 asked by the Hon'ble Rao Bahadur V. K. Ramanuja Achariyar at the meeting of the Legislative Council held on the 13th August 1918, page 11 supra.]

A.—JUDICIAL DEPARTMENT.

Section I.

Officers in the Judicial Department retired from service during the last three years.

Name.	Designation.	Age at retirement.
1. V. K. Desika Achariyar ..	Sub-Judge	56 years.
2. Rai Bahadur J. S. Gnaniyar Nadar.	Do.	57 "
3. Rai Bahadur A. Raghunatha Rao Pantulu.	Do.	56 "
4. V. Narayanaswami Ayyar ..	Do.	56 years and 14 days.
5. E. J. S. White	District Munsif and Civil Judge, Secunderabad	57 " 13 "
6. V. Venkatasiva Avadhanulu.	Sub-Judge	56 years.
7. V. C. Mascarenhas	Do.	55 "
8. S. C. Ramaswami Ayyar ..	District Munsif	55 "
9. S. Mahadeva Sastri	Sub-Judge	55 "
10. A. Sambamurti Ayyar ..	Third Judge, Court of Small Causes.	55 "
11. Sir V. C. Desika Achariyar, Kt.	Second Judge, Court of Small Causes.	56 years, 4 months and 8 days.

Section II.

Officers in the Judicial Department not included in section I who have been given extensions of service during the last three years.

Name.	Designation.	Age at last extension.
1. Rao Sahib C. Chandrasekhara Ayyar.	Assistant Registrar, Appellate Side, High Court.	58 years.
2. J. R. Atkinson	Deputy Registrar, High Court.	57 "
3. G. Kodandaramanjulu Nayudu.	Sub-Judge	55 "

B.—LAND REVENUE DEPARTMENT.

Section I.

Deputy Collectors retired from service during the last three years.

Name.	Age at retirement.	Name.	Age at retirement.
1. K. Vijayaraghava Achari ..	57 $\frac{1}{2}$	12. C. Gopalan Nayar ..	57 11
2. Muhammad Raza Sahib Belgami Sahib ..	54 3	13. J. L. Jacques ..	57 11
3. V. Parthasarathi Chetti ..	53 10	14. J. Ramayya Pantulu ..	56 0
4. K. Sitapati Rao Pantulu ..	55 1	15. P. Duraiswami Ayyangar ..	44 2
5. V. S. Sambasiva Ayyar ..	54 1	16. P. Krishna Rao ..	51 9
6. C. Gahan	55 3	17. K. Chantan ..	56 6
7. B. Srinivasa Ayyangar ..	50 8	18. S. V. Kallapiran Pillai ..	55 3
8. C. Thiruvankata Achari ..	56 4	19. T. Balaji Rao Nayudu ..	55 0
9. S. Suryanarayana Prasada Rao	55 0	20. T. Sesha Ayyar ..	58 0
10. D. Krishnayya Pantulu ..	56 0	21. T. N. Ramachandra Rao ..	55 0
11. P. Venkataramanayya Pantulu	56 0	22. J. Williams ..	56 0
		23. E. Sitarama Rao Nayudu ..	56 3
		24. C. Thiruvankata Achariyar.	54 2

Section II.

Deputy Collectors not included in section I who have been granted extensions of service during the last three years.

Name.	Age at last extension.	Name.	Age at last extension.
1. T. N. Sivagnanam Pillai ..	57 0	4. Muhammad Yakub Sahib ..	55 0
2. K. Ragavendra Rao ..	56 0	5. R. Shadagopa Ayyangar ..	55 0
3. T. A. K. Perumal Pillai ..	55 0		

APPENDIX IV.

[Vide answer to question No. 60 asked by the Hon'ble the Raja of Ramnad at the meeting of the Legislative Council held on the 13th August 1918, page 13 supra.]

G.O. No. 798, Financial, dated 10th December 1917.

The Secretary of State has sanctioned the following amendment to article 459, Civil Service Regulations :—

Substitute the following for this article :—

459. (a) Ministerial officers who have attained the age of 55 may be required to retire but should ordinarily be retained in service so long as they remain efficient until they come under the provisions of clause (e).

(b) Officers, other than ministerial, who have attained the age of 55 should ordinarily be required to retire, and should not be retained in service except where unquestionable public grounds for retention exist, and there is no doubt as to the physical fitness of the officer.

(c) Each officer's case should be taken up when he is approaching the age of 55 and before the expiry of each extension of service. Extensions may not be granted for any period exceeding one year at one time.

(d) The powers given by the preceding clauses may be exercised by the authority competent to fill the appointment (if vacant) of the officer who is required to retire or retained in service.

(e) An officer who has attained the age of 60 cannot be retained in the service of Government save in very exceptional circumstances, and with the sanction of the Local Government.

(f) No claim to compensation, from an officer who is required to retire under the provisions of this article, will be entertained.

2. In consequence of the above amendment, article 912, Civil Service Regulations, is cancelled.

(True extract)

L. DAVIDSON,
Acting Chief Secretary.

APPENDIX V.

[Vide answer to question No. 64 asked by the Hon'ble the Raja of Ramnad at the meeting of the Legislative Council held on the 13th August 1918, page 13 supra.]

Statement of the establishment proposed to be employed in the Sivaganga estate.

I.—Head office.

	Pay.		Pay.
	RS. A. P.		RS.
(a) Superior officers—		(d) Account section—cont.	
Estate Collector	1,233 5 4	Three accountants at Rs. 20 each ..	60
Assistant Estate Collector. 800—40—1,000		Two accountants at Rs. 15 each ..	30
Revenue Superintendent. 250		Eight taluk cadjan clerks at Rs. 15 each. 120	
Sarishtadar	200 to 250	(e) Audit and Forest sections—	
(b) Treasury section—		Chief auditor	60
Cash-keeper	80	Audit clerk	20
First assistant	40	Inspector	70
Second assistant	20	Two inspectors at Rs. 50 each ..	100
Shroff	20	Two „ „ 35 „ ..	70
Assistant shroff	15	Surveyor	30
(c) Correspondence section—		Two surveyors at Rs. 25 each..	50
Head clerk	70	Two „ „ 20 „ ..	40
Second clerk	40	(f) Suits section—	
Third clerk	35	Madura suits clerk	30
Fourth clerk	30	Sivaganga suits clerk	25
Six clerks at Rs. 20 each ..	120	Four suits clerks at Rs. 20 each ..	80
Two typists at Rs. 25 each ..	50	(g) Press section—	
Typist	20	Manager	40
Record-keeper	30	Compositor	20
Assistant Record-keeper ..	20	„	15
Store-keeper	20	Muchi	15
(d) Account section—		Assistant muchi	8
Head accountant	100	(h) Inferior servants—	
First assistant	50	Daffadar	12
Second assistant	30	Two head peons at Rs. 9 each..	18
Third assistant	25	Twenty-five peons at Rs. 8 each ..	200
Pay clerk	20	Thirty peons at Rs. 7 each ..	210
		Four tappal runners at Rs. 7 each ..	28

II.—Law section.

Law officer	250	Clerk	25
Law clerk	60	„	20
Clerk	30		

III.—Maramat section.

Two engineers at Rs. 350 each ..	700	Assistant tracer	25
One Assistant Engineer	200	Six lascars at Rs. 7 each ..	42
Two tracers at Rs. 40 each ..	80	Eleven overseers at Rs. 60—70 each ..	737
Two chief clerks at Rs. 40 ..	80	Eleven clerks at Rs. 17½ each ..	192½
Two clerks at Rs. 25 each ..	50	Twenty-two lascars at Rs. 7 each ..	154
Clerk	20		

IV.—Taluk establishment.

For each first-class taluk *—		For each second-class taluk †—	
One Tahsildar, Rs. 150+30 ..	180	One Tahsildar, Rs. 100+30 ..	130
One Inspector, Rs. 35+10 ..	45	One Inspector, Rs. 35+10 ..	45
One Inspector, Rs. 25+10 ..	35	One Inspector, Rs. 25+10 ..	35
One Sarishtadar	35	One Sarishtadar	30
One Head clerk	20	One Head clerk	20
Two clerks at Rs. 17½ each ..	35	Two clerks at Rs. 17½ each ..	35
Three clerks at Rs. 15 each ..	45	Three clerks at Rs. 15 each ..	45
Record clerk	14	Record clerk	14
One shroff	12	One shroff	12
One daffadar	9	One daffadar	9
Four peons at Rs. 8 each ..	32	Four peons at Rs. 8 each ..	32
Eleven peons at Rs. 7 each ..	77	Eleven peons at Rs. 7 each ..	77
Eleven peons at Rs. 6 each ..	66	Eleven peons at Rs. 6 each ..	66
Two runners at Rs. 7 each ..	14	Two runners at Rs. 7 each ..	14

* Six first-class taluks.

† Five second-class taluks.

V.—Division establishment.

	Pay. Rs.		Pay. Rs.
For each division—*			
Peshkar	15	Two peons at Rs. 6 and Rs. 5 ..	11
Two gumastahs at Rs. 10 and Rs. 9 ..	19		

VI.—Granary establishment.

For each granary—†			
Granary-keeper	10	Measurer and kaval	5

VII.—Trust institutions.

Manager	350—10—400	Record-keeper	20
Head clerk	50	Seven peons at Rs. 7 each	49
Three correspondence clerks on Rs. 20, Rs. 20 and Rs. 15.	55	Five taluk paditharam supervisors at Rs. 50 each.	250
Three accountants on Rs. 20, Rs. 20 and Rs. 15.	55	Five paditharam clerks at Rs. 15 each.	75

* 131 divisions.

† 30 granaries.

APPENDIX VI.

[Vide answer to question No. 102 asked by the Hon'ble Sir Gordon Fraser, Kt., at the meeting of the Legislative Council held on the 13th August 1918, page 20 supra.]

Statement showing the names of officers who have acted as Collectors of Madras during the five years ending 30th June 1918, with the period of each appointment.

Name of officer.	Period of appointment.
Mr. R. F. Austin, I.C.S.	11th November 1912 to 1st November 1913.
Mr. A. R. Cumming, I.C.S.	2nd November 1913 to 7th February 1914.
Mr. E. A. Davis, I.C.S.	8th February 1914 to 22nd March 1914.
Mr. D. W. G. Cowie, I.C.S.	23rd March 1914 to 17th June 1915.
Mr. C. G. Todhunter, I.C.S.	18th June 1915 to 13th July 1915.
Mr. P. S. P. Rice, I.C.S.	14th July 1915 to 19th April 1916.
Mr. H. A. B. Vernon, I.C.S.	20th April 1916 to 18th June 1916.
Mr. M. Young, I.C.S.	19th June 1916 to 10th April 1917.
The Hon'ble Muhammad Aziz-ud-din Husain Sahib Bahadur, Khan Bahadur, C.I.E., I.S.O.	11th April 1917 to 16th May 1917.
Mr. S. W. G. I. MacIver, I.C.S.	17th May 1917 to 1st August 1917.
The Hon'ble Muhammad Aziz-ud-din Husain Sahib Bahadur, Khan Bahadur, C.I.E., I.S.O.	2nd August 1917 to 30th August 1917.
Mr. N. E. Marjoribanks, I.C.S.	31st August 1917 to 7th October 1917.
The Hon'ble Muhammad Aziz-ud-din Husain Sahib Bahadur, Khan Bahadur, C.I.E., I.S.O.	8th October 1917 to 30th May 1918.
Mr. N. E. Marjoribanks, I.C.S.	31st May 1918 to 15th June 1918.
The Hon'ble Muhammad Aziz-ud-din Husain Sahib Bahadur, Khan Bahadur, C.I.E., I.S.O.	16th June 1918 onwards.

APPENDIX VII.

[Vide answer to question No. 108 asked by the Hon'ble Sri Sobha Chandra Singh Deo at the meeting of the Legislative Council held on the 13th August 1918, page 21 supra.]

G.O. No. 81, Medical, dated 28th September 1916.

At the meeting of the Legislative Council held on the 5th April 1916, in answer to an interpellation by the Hon'ble Raja Sri Madan Mohan Singh Deo, the Government undertook to consider the question of instituting special scholarships for the encouragement of Uriyas in technical branches of education, such as engineering and medicine. The Surgeon-General, who was consulted as regards the increased facilities that could be given for the education of Uriyas in medicine, has now submitted his recommendations on the subject.

2. He points out in the first place that, as the Uriya community is backward in general education, it is desirable to give special facilities for the general education of Uriyas and he recommends the creation of scholarships in secondary schools for this purpose. The Government observe, however, that there is already a number of Government scholarships for boys in secondary schools and that the number allotted for the First Circle has been lately raised and is now 27. In the award of these scholarships special consideration is invariably shown to the claims of Uriya candidates, who also enjoy the privilege of paying school-fees at half-rates. Moreover two schools, one at Russellkonda and the other at Purushottapur, are specially maintained at the cost of Provincial funds for the benefit of Uriyas. These measures will no doubt gradually increase the number of Uriya boys qualified to enter for the medical profession and the Government do not consider that there is any need for providing further special facilities for the secondary education of Uriya boys.

3. As regards the provision of special facilities for their medical education, the Government agree with the Surgeon-General that Uriya students who have obtained good marks in the School Final examination may be admitted into the medical schools without undergoing a competitive examination and may be given a special stipend of Rs. 12 per mensem each. They are accordingly pleased to sanction the grant of two such stipends every year commencing from the 1st July 1917 to qualified Uriya students entering the Medical School, Vizagapatam. These stipends will count against the total number allotted to the Telugu districts.

4. The Government also sanction the award annually by the Surgeon-General of a special scholarship of Rs. 20 per mensem to the best of the qualified Uriya candidates who may offer themselves for admission into the Medical College, Madras.

(True extract)

C. G. TODHUNTER,
Acting Secretary to Government.

42 ACTS ASSENTED TO; COMMUNICATIONS TO THE COUNCIL AND
A MOTION FOR ADJOURNMENT OF THE COUNCIL.

(Mr. Narasimha Ayyar; the President.) [13TH AUGUST 1918.]

ACT ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR-GENERAL.

The Secretary announced on behalf of His Excellency the President that the Mappilla Succession Act, 1918, had received the assent of His Excellency the Governor-General on the 25th May 1918.

ACT ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR.

The Secretary reported that the Mappilla Succession Act, 1918, which had been passed at the meeting of the Council held on the 3rd April 1918, received the assent of His Excellency the Governor on the 3rd May 1918.

COMMUNICATIONS TO THE COUNCIL.

(i) The Secretary reported the receipt of a communication, dated the 6th May 1918, from the Joint Secretary to the Gōdāvari District Association, Cocanada, regarding the Bill to amend the Madras Village Courts Act, 1888.

(ii) With reference to the answer given to question No. 55 asked at the meeting of the Council held on the 12th February 1918, regarding improvements effected to the water-supply in grazing grounds, the Secretary laid on the table copy of G.O. No. 1848, Revenue, dated the 13th May 1918, recording papers on the subject.

(iii) With reference to the answer given to question No. 8 asked at the meeting of the Council held on the 3rd April 1918, the Secretary laid on the table copy of a list of towns in the Presidency notified under Board's Standing Order No. 21 (9) during 1917-18.

A MOTION FOR ADJOURNMENT OF THE COUNCIL.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Before the next business is taken up, I wish to move an adjournment of the house. I will state why."

His Excellency the PRESIDENT:—"Why now?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Under rule 4."

His Excellency the PRESIDENT:—"What page?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Page 87 of the Council Rules: 'A motion that any meeting or business be adjourned or postponed or that the Council pass to the business next in order in the statement of business may be moved at any time without previous notice as a distinct question, but not so as to interrupt a speech. If the motion is carried, the meeting or business shall be adjourned or postponed accordingly'."

His Excellency the PRESIDENT:—"What does the honourable gentleman propose to move?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I propose to move an adjournment of the house this day six months."

His Excellency the PRESIDENT:—"Will the honourable gentleman sit down? I do not wish to stand between the Honourable Members and the rules. What is the motion?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"This meeting of the Council do stand adjourned this day six months."

His Excellency the PRESIDENT:—"I hope the honourable gentleman has weighed his word. Will the honourable gentleman sit down while I consider the rule? (After consulting the rules) will the honourable gentleman proceed?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, it is hardly proper that business should get on here when important duties remain neglected. I wish to call attention to facts that any one who has a close contact with the people must be aware of; I have toured recently through ten Tamil districts and moved closely with the various classes of people, and I find a widespread feeling that there is not a sufficient recognition by the authorities concerned that internal order, peace and good Government of this Province is in peril either at a near or more distant date. The conditions making for unsettlement arise out of the War. High prices of necessities have led to looting in some places. No doubt the looting has as yet been confined to a very few places. But in times like the present, when men's minds are rather unsettled and when the masses are more responsive to stimuli of various sorts, looting or other disorder in one place will be copied by places even at a considerable distance. There is also another cause. We have had the Premier's message and the Viceroy's pronouncement thereon that India's north-western door is open, that some of 'the credulous and fanatical people of Afganistan' at a time of world excitement may be 'carried away by any wind of vain doctrine' that 'we must take no risks,' and 'whenever the call may come and whatever it may be we must be ready to meet it.' Local authorities in this Province have also referred to those possibilities as a reason for redoubling our War efforts. These statements required to be made and are fully justifiable. But they have revived apprehensions that had been dissipated after the destruction of "Emden." People realize no doubt that we in the south are very far indeed from the north-western door; yet there are those who fear that, consequent on any rumoured attack, the thieving and criminal

* Vide Appendix A on page 73 infra.

† Vide Appendix B on page 74 infra.

A MOTION FOR ADJOURNMENT OF THE COUNCIL AND A BILL TO
PROVIDE FOR THE VOLUNTARY REGISTRATION OF MUSSALMAN
MARRIAGES AND DIVORCES.

43

13TH AUGUST 1918.]

(Mr. Narasimha Ayyar; the President;
Mr. Yaqub Hasan.)

classes will combine and expose the lives, honour and property of the people in towns and villages to great danger and that the handful of police now in the country will not be able to put down any large epidemic of disorder. Special constables, being untrained, will be equally useless and there is no other assistance that the people can rely upon. Many men think that each adult will have to keep himself in readiness to defend his women, children and property and feel their utter helplessness in the matter at present. Even the cultured, educated and well-to-do classes feel their present condition to be miserable and contrast it with the condition of similar classes in the civilised countries. Several of them, as at Namakkal and Tuticorin have come forward to drill and train themselves and be ready for self defence. They are asking the authorities for necessary help. Several gentlemen at Namakkal in Salem district asked their Sub-Magistrate to request the Collector to give them the necessary facilities for the purpose. However, no such thing has been done. Neither the Collector nor the Government have, so far as I know, moved even a little finger in this matter. I know people in other places, hopeless of getting authorities moving in this matter, have begun with imperfect assistance to drill themselves. This is hardly satisfactory state of affairs. The first duty of Government is to secure protection of subjects against all disorder from within or without. This duty is recognised to be the duty of this Legislative Council also, in section 79 of Government of India Act, 1915. People feel that this most important of all duties remains unperformed. Authorities concerned appear to ignore the above facts. Their action has been merely to ask people to lessen apprehension. They cannot remove circumstances which must continue to raise apprehension. They have certainly failed to help the thoughtful householders who, without seriously giving up their homes and avocations, yet wish to be drilled and equipped to meet sudden outbursts of disorder in their neighbourhood and there is no use in pointing out the Indian Defence Force to such people. Indian Defence Force is only for the few that will leave their homes and avocations for long periods and place themselves under military control and the Army Act, and Indian Defence Force is of no use for ordinary householder who likes to be in his own neighbourhood and form a sort of drilling or Rifle Club for home defence. To help these a more liberal issue of licences for arms and the loan of arms and drilling officers is felt to be necessary and I have therefore to move an adjournment of the house until such time as authorities have attended to this important duty."

The Hon'ble Mr. B. Venkatapati Raju seconded the motion.

His Excellency the PRESIDENT:—"I will just explain the situation. The honourable gentleman has taken advantage of this rule 4 in order to place before this Council the substance of a resolution which he submitted for the agenda paper on this occasion and which I disallowed as President on the ground that it was a matter for the Government of India. The training of troops for the army and the drilling of troops is not a matter that lies within the province of the Provincial Government, and therefore I was obliged by the rules which committed such subjects to the charge of the Government of India to disallow the honourable gentleman's resolution. In order to give publicity to this resolution he has now taken this means which, as he probably will admit, is a straining at any rate of the purpose for which this rule 4 is included in our rules. I cannot therefore allow a discussion on this resolution. I must rule the honourable gentleman out of order."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Is not the question of employing our own officers to drill and help a group of gentlemen within the province of the Local Government?"

His Excellency the PRESIDENT:—"The honourable gentlemen will agree that this is a simple point. I hope they will really believe I am having regard to promoting the usefulness of the Legislative Council and the desirability of Presidents and of Members of the Council having some respect, in fact scrupulous regard and respect to the rules of the Council. The Council is after all a greater thing than the individual members. Therefore, it behoves us all to carry out literally the rules of the Council in the interests of the Council as a public institution. I do not think therefore that the minor point that he mentioned really weakens the ground upon which I have disallowed his resolution."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I want to make it quite clear that it is not with a view to giving publicity to the fact of my having proposed a resolution that I made this motion. I could have published my resolution in the papers. I have moved because I thought there was some neglect in the matter. If Your Excellency's Government think there is none, that is a matter for the public to judge. I must protest against Your Excellency's ruling which is not warranted by the rules and the assumption that I consciously violated the rules. Violation of rules is not by me. I hope Your Excellency will not continue that impression but will correct it."

A BILL TO PROVIDE FOR THE VOLUNTARY REGISTRATION OF
MUSSALMAN MARRIAGES AND DIVORCES.

The Hon'ble Yaqub Hasan Sahib Bahadur then moved for leave to introduce a Bill to provide for the voluntary registration of Mussalman marriages and divorces. In doing so he said:—"I beg to move, under rule 31 of the rules for the conduct of business, for leave to introduce a Bill to provide for the Voluntary Registration of Mussalman Marriages and

(Mr. Yaqub Hasan.)

[13TH AUGUST 1918.]

Divorces'. I have circulated to the members of the Council copies of the draft Bill and a full Statement of Objects and Reasons. It will be seen that Muslim marriage is a very simple affair. Marriage, according to Muslim law is simply a civil contract, its validity does not depend upon any religious ceremony. The consent of the contracting parties, which is called *ijab*—'declaration'—and *qubul*—'acceptance'—expressed in the presence of two male witnesses (or one male and two female witnesses) is all that is needed to make the marriage perfectly valid. The offer of a *mahr* or marriage consideration by the bridegroom and its acceptance by the bride is also considered essential in order to constitute a valid marriage. If a contracting party is a minor, consent to the marriage can be given by her or his *wali* or guardian. A *purdanishen* woman (and in this country almost all Mussalman women are *purdanishen*) gives her consent to the marriage through her attorney called *vakil* duly authorized by her in the presence of two witnesses. One of the Mussalmans present on the occasion officiates as Kazi and puts the necessary questions in the presence of the two witnesses to the bridegroom (or to his *wali* in the case of a minor) and to the bride (or to her *wali* in the case of a minor or to her *vakil* in the case of a *purdanishen*) and elicits their consent to the marriage and their agreement as to the value or form of *mahr* and then offers prayers, in which the audience join, for the happiness of the married couple. This simple ceremony is called *Nikah Khani* or the solemnization (literally 'the reading') of marriage. The *Nikah Khan* or 'Reader of the marriage ritual' is either a Kazi or his assistant called Naib Kazi or the *Peshimam* of the mosque of the *Mohalla* or locality where the party or parties reside.

The Kazis, Naib Kazis and the *Peshimams* who act as Kazis maintain marriage registers in which entries are made of marriages solemnized by them. In some places each entry is signed by the bridegroom, the *vakil* of the bride, the two witnesses and the officiating Kazi, but in other places signatures are dispensed with.

Dissolution of marriage is effected among Mussalmans in one of the following ways: (1) the husband tells the wife three times (with certain specified intervals) that he has divorced her and abstains from intercourse with her during each of the intervals (*tahrs*) and pays her the dower he had agreed to pay at the time of marriage. This form of divorce is called *talak*. *Talak* is also effected by the deliberate pronouncement of words which signify repudiation of the wife by her husband, for example his comparing his wife to his mother or sister or any other female relation within the prohibited degrees. (2) The wife obtains separation from her husband by giving him a consideration for example by foregoing her *mahr* and separation is also effected by mutual discharge from marriage tie. The former is called *Khula* and the latter *Mubarat*. (3) The divorce effected and enforced by a decree of the judge.

The *talak* is reported to the Kazi by the husband and the *khula* or *mubarat* by both parties jointly and he makes an entry of it in his register.

It is stated in the preamble to the Kazis Act of 1880 (enacted by the way at the instance of the late Sir Syed Ahmad Khan) that 'whereas by the usage of the Mussalman community in some parts of British India the presence of Kazis appointed by the Government is required at the celebration of marriage and the performance of certain other rites and ceremonies' it was expedient that the Government should be empowered to appoint persons to the office of Kazi. It was therefore enacted that 'whenever it appears to the local Government that any considerable number of Muhammadan residents in any local area desire that one or more Kazis should be appointed for such local area, the local Government may, if it thinks fit, after consulting the principal Muhammadan residents of such local area, select one or more fit persons and appoint him or them to be Kazis for such local area.

The Act further provides that 'the local Government may, if it thinks fit, suspend or remove any Kazi appointed under this section who is guilty of any misconduct in the execution of his office or who is for a continuous period of six months absent from the local area for which he is appointed or leaves such local area for the purpose of residing elsewhere, or is declared an insolvent, or desires to be discharged from the office, or who refuses or becomes in the opinion of the local Government unfit, or personally incapable, to discharge the duties of the office'.

Section 3 of the said Act empowers a Kazi appointed under this Act to appoint one or more persons as his Naibs to act in his place in all or any of the matters appertaining to his office throughout the whole or in any portion of the local areas for which he is appointed, and may suspend or remove any Naib so appointed.

In pursuance of this Act Government of Madras have appointed Kazis for certain places and at other places Kazis are self-appointed or hereditary and the latter not being appointed by Government cannot be removed from their office by Government. The object of one of my questions put at this meeting was to elicit information as to how many Kazis are appointed by Government and the list of Naib Kazis appointed by the Government Kazis. Government say that the list of Kazis is under compilation and will be furnished to me later on. Some of the Government and private Kazis have appointed their assistants called Naib Kazis. There are several localities where there are no Government or private Kazis. Here the *Peshimam* of a mosque officiates as Kazi for the locality in which the mosque is situated and he is appointed by the *Muthawalli* or trustee of the mosque. Even in places where there is a Kazi, a section of the community that does not belong to the sect of the local Kazi has an officiating Kazi of its own. Wherever Shia Mussalmans are in a number too small to have a mosque and a Kazi of their own they get a Shia Kazi from other locality to perform a marriage or some one of the local men officiates as such and makes a report of the marriage to the Shia Kazi of a neighbouring town. It is not laid down in Act XII of 1880 that there shall be a Kazi for each 'local area'. Mussalmans of some place may not desire to have a Kazi and a *Peshimam* of a

13TH AUGUST 1918.]

(Mr. Yaqub Hasan.)

Mohalla may not care to be a Naib to the local Kazi. Section 4 of the Kazis Act does not prevent any person discharging any of the functions of a Kazi, and as a matter of fact the duties of a Kazi are being performed by several persons who are neither Kazis nor Naib Kazis. My Bill does not interfere with the Kazis Act but provides that it shall be lawful for the Governor in Council to grant a license to any person, being a Mussalman, authorizing him to register Mussalman marriages and divorces which have been affected within certain specified limits, provided that a license shall be granted as a matter of course to every Kazi appointed by Government in pursuance of section 2 of the Government of India Act XII of 1880 and to every Naib Kazi appointed by a Kazi in accordance with section 3 of the said Act. Thus the *Peshimam* and other persons who are now performing the duties of a kazi in respect of marriages and divorces as well as the ordinary Kazis and Naib Kazis will receive licenses from the Government and will henceforth be known as Muslim Registrars in addition to their own designation of Kazi, or Naib Kazi.

The present system of record of marriages by Kazis, Naib Kazis and officiating Kazis is loose and unsatisfactory. All sorts of books from a strong bound book with printed pages and ruled columns with printed headings to a cheap flimsy school exercise book, are used for the purpose of recording marriages and divorces. Entries are sometimes made at the time of the ceremony and sometimes long afterwards. Signatures of parties are sometimes taken in the book and sometimes they are dispensed with. The books remain in the possession of the Kazi of which no particular care is taken and they are easily lost or destroyed and not seldom done away with. It is obvious that this loose system of keeping records can give room to abuses of gravest nature. There have been many law suits in which the marriage of a party was questioned and the evidence produced to prove or disprove it was found to be unworthy of acceptance. I shall quote only one instance. In civil suit No. 269 of 1916 before the Hon'ble Mr. Justice Kumaraswami Sastri, the fourth defendant claimed to be the widow of the deceased and as such entitled to one-eighth share in the estate and also a *mahr* of 39 tolas of gold and Rs. 5,000. This claim was contested. One witness, the Naib of a private Kazi, who was said to have officiated at the marriage was produced to prove the marriage and he produced a book alleged to be a marriage register kept by him. Mr. Justice Kumaraswami Sastri in his judgment remarks that 'according to exhibits 7 and 8, the marriage certificate, the marriage took place on the 27th November 1912. The Deputy Kazi admits that he did not make the entries in exhibit 7 as soon as the marriages are performed. He states that at the time of the marriage he used to make entries in slips of papers, that he then collected them together and copied them in the book once in five, six or seven months and that after he made the entries the slips were destroyed. He admits that the book was taken away by the Police in April 1913 and was returned to him sometime in January 1915 and that he made the 7th entry only in 1915. An entry of 5th May 1913 is written before 27th November 1912 the date of the alleged marriage. At page 10 of the book Exhibit 7, a marriage is duly entered and then it is cancelled. Though the Deputy Kazi says that the book was taken away by the Police in April 1913 he did not enter the marriage in question which took place in 1912 till 1915. He says that at the time of the seizure of the book by the Police he was engaged in writing the entries up to November 1912 and that after he got the book in January 1915 he made the other entries. He states that all the previous books except Exhibit 7 were eaten up by white ants, a statement which I find it difficult to believe. The witness also admits that the book Exhibit 7 contains entries of marriages not performed by him and that he used to enter marriages if news was sent to him of marriages officiated over by private persons. It also appears that one of the pages of this book has been torn.'

Here is a remarkable case in which almost all the abuses which the present system or want of a system of recording marriages can give rise to are found together. Here is a Naib Kazi who has been appointed to his office not by a Government Kazi but by a private Kazi. He records in his book not only marriages performed by him but also marriages officiated by private persons of which news was communicated to him. He noted down in slips of papers marriages performed by him and copied the entries in his book once in five, six and seven months. He entered in his book in 1915 the marriage that took place in 1912. One entry of a marriage was cancelled. One of the leaves of the book was found to have been torn away and the Naib Kazi stated that all the previous books were eaten away by white ants. Mr. Justice Kumaraswami Sastri says in his judgment that this witness 'admitted after a great deal of prevarication, that he was convicted by Mr. Jones, Presidency Magistrate, for false personation of a police constable and though he denies that the conviction resulted in his dismissal from Government service where he was a schoolmaster, I have little doubt that he was really dismissed.' If he had been a Kazi duly appointed by Government he would have been dismissed from that office by the Government. If he was a Naib of a Government Kazi or a *Peshimam* of a mosque the authorities that appointed him would have dispensed with his services under the above circumstances, but a self-styled Naib of a private Kazi is a free lance responsible to no one for his actions. When my Bill comes into force the number of such persons will be considerably reduced, if they do not altogether disappear, for no respectable family will take the risk involved in a marriage having been performed by a person other than a licensed Muslim Registrar.

The Muslim Registrar shall be bound to enter into the register supplied to him all the marriages and divorces effected by him or reported to him by responsible parties and each entry shall be signed by the parties concerned, by the witnesses and by the Muslim Registrar, and he

(Mr. Yaqub Hasan; Mr. Ranga Achariyar.) [13TH AUGUST 1918.]

shall grant a proper certificate to the party that applies for it. The Government shall supply to every Muslim Registrar the seal and the books necessary for the purposes of this Act. The pages of such books shall be consecutively numbered in print and the number of pages in each book shall be certified on the title page by the officer by whom such books are issued.

"Every Muslim Registrar shall perform the duties of his office under the superintendence and control of the (Government) Registrar in whose district the office of such Muslim Registrar is situate. The Inspector-General of Registration shall exercise a general superintendence over offices of all Muslim Registrars. Every Muslim Registrar shall at the expiration of every month, send certified copies of all entries made by him during the month in the registers kept by him, to the Registrar of the district who shall file such copies in his office. Every Muslim Registrar shall keep safely every register until the same shall be filled and shall then make over the same to the Registrar of the district for safe custody. Section 12 of my Bill corresponds to section 54 of the Indian Registration Act, 1908, and is as follows:—'In every office in which every register hereinbefore mentioned is kept, there shall be prepared a current index of the contents of such register and every entry in such index shall be made so far as practicable immediately after the Muslim Registrar has made an entry in such register.' The index, the registers and the file of the copies of entries in the registers shall be at all times open to inspection in the office of the District Registrar by any person applying to inspect the same and paying the prescribed fees, and certified copies shall be given to all persons applying for same.

"It will be noticed that there is nothing in my Bill to require compulsory registration of every Muslim marriage and divorce. The Right Hon'ble Mr. Amir Ali, the late Judge of the Calcutta High Court and now a member of Privy Council, in his book on Muhammadan Law, Volume II, referring to the Bengal Act I of 1876 on which my Bill is based says 'at the time the Bill was about to be passed into law, the author (of the book) pressed on the authorities the advisability of making the registration compulsory, but other counsels prevailed. It has since been acknowledged that great difficulties arise in the administration of justice from the permissive character of the Act. In Algiers and in most Muhammadan countries registration is compulsory.' Sir Ronald Wilson in his book 'Anglo-Muhammadan Law' says 'Mr. Amir Ali is probably right in thinking that this provision ought to be made compulsory and general.' In spite of these two eminent authorities I have given the Bill a permissive character, for I think that in the present state of society it will be too much of a drastic reform if we jump from the present loose system of keeping records of marriages and divorces to a compulsory system of registration. Though according to my Bill it is optional with the parties to register the marriage, but as marriages in this Presidency are performed as a rule by certain functionaries and seldom by private persons and as all these functionaries will obtain licences and become Muslim Registrars under the proposed Act, and as Muslim Registrars will be bound to register in proper form all the marriages that they perform, and as no respectable family hereafter will care to take the risk involved in a marriage being performed by a person other than a Muslim Registrar, unless it is eventually registered with a Muslim Registrar, practically all marriages will come to be registered in the ordinary course. The difficulties in the administration of justice will therefore be considerably reduced, for Judges will eye with suspicion marriages that have not been performed in the usual course by persons duly authorized to act as Muslim Registrars and the burden of proof shall be heavier on the interested parties.

"I believe I have now convinced the Council that the present system of keeping records of Muslim marriages and divorces is faulty, and it is capable of giving rise to and has been found to have given occasion for abuses of gravest nature, and that there is an imperative necessity for substituting for it a better regulated system of registration and that my Bill provides a system calculated to attain that end. I am sure that when this Bill with translations in Hindustani and other vernaculars is published and opinions thereon are invited from leading Mussalmans and accredited Muslim Associations this measure will be welcomed by the Muslim community. I therefore move that permission may be granted to me to introduce the Bill.

"It may not, perhaps, be out of place, to mention here that my friend the Hon'ble Khan Bahadur Ahmad Thambi Marakkayar had intended to bring forward a Bill for the compulsory registration of Mussalman marriages and divorces. He issued a printed letter inviting opinions of some Mussalmans about a Bill that he had drafted. This shows that he as keenly feels the necessity of legislation in this direction as I do. The only difference between him and me is that he wants a provision for compulsory registration and I only that of voluntary registration."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I have great pleasure in seconding the motion of the Hon'ble Mr. Yaqub Hasan. As one having, during my several years of practice, had a good deal to do with Muhammadan cases, I feel the force of the observations made by my Honourable friend. According to Muhammadan Law marriage is a contract. No religious ceremony or writing is necessary. According to established practice marriage is celebrated in all respectable families in the presence of a kazi or a deputy kazi or by peshimans. That has been the recognized practice under all Governments. In regard to the presence of such kazis at these marriages, it will be within the recollection of Honourable Members that under the Regulation of 1808 kazis were given not only judicial and administrative powers but had also to be present at marriages and other ceremonies in Muhammadan families. By Act II of 1864 this Regulation was repealed, but very soon after that it was felt that it was necessary to appoint kazis and the Act of 1880 was passed for that purpose; for there was a great demand among the Muhammadan community that they should have the Act which was in force prior to Act XI of 1864 and the Government had to revert to the system of appointing kazis. This power of appointing kazis

13TH AUGUST 1918.] (Mr. Ranga Achariyar; Mr. Ahmad Thambi Marakkayar; Mr. Aziz-ud-din.)

is a power inherited from the Muhammadan Sovereigns. Under the Muhammadan law they were appointed by the Sovereign. Therefore, it is only a continuation of the practice requiring that some recognized official should be present at these marriages which are civil contracts and according to the peculiar law of the Muhammadans can even be contracted by agents. As pointed out by Mr. Wilson, one man may be the agent of both the parties. Therefore, having regard to the peculiarity of the Muhammadan system of marriage and having regard to the wishes of the people expressed by their representatives, I think it is necessary that this permissive legislation should be introduced. It is not a new thing. Bengal has had it from 1876 onwards and this Bill is mainly on the lines of the Bengal Act. Bengal has found it to work satisfactorily; and great Muhammadan authorities such as Mr. Amir Ali have stated that it works well and think that it should be made compulsory. I for one would like to make it compulsory, but as my Honourable friend does not go so far, I do not insist upon it.

"The unsatisfactory condition of the evidence of Muhammadan marriages has often been pointed out by the judicial officers who have had to deal with such cases, and they have expressed the opinion that the system gives rise to false claims. These questions are very difficult questions affecting the status and legitimacy of children. The legislature ought to afford facilities to the various parties to get their marriages registered. There should be uniformity in registration. It may be that this Bill applies only to those who know how to read or to agents who know how to read. In other cases this Bill will not apply. I hope there will be a time when the community will ask for this being made compulsory. I support the introduction of this Bill firstly because it is a continuation of the existing practice and elsewhere in other provinces which have had similar Acts it works well; and it would obviate false evidence and false records and encourage uniformity of practice in the community and stimulate them to make the marriages regular. I do not say that people do not enter into regular marriages. All that I wish to say is that whenever the matter comes up before the Court they must be able to establish it. The question is whether the kazis should take out licences. We must see that their appointment under the Act of 1880 should be uniform or they should take out a licence."

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBHI MARAKKAYAR:—"My Lord, I am sorry I have to oppose the motion moved by my Honourable friend.

"That the Mussalman system of registration of marriages requires legislation cannot be denied. Even so early as in 1900 the Mussalman residents of Triplicane sent in a memorial to the Government of Madras to amend the Town Kazi Act XII of 1880 and to prevent malpractices arising from want of compulsory registration of Muhammadan marriages. The Government on that occasion after consulting the Muhammadan officials and the Collectors of the districts observed that the Government would not take the initiative in the matter of legislation unless the members of the community are agreed as to the direction in which the reform should take. The need for providing better registration of Muhammadan marriages is admitted on all hands and therefore the Bill to be introduced must be one capable of putting a stop to corrupt practices obtaining at present for want of necessity to register marriages. So unless registration of Muhammadan marriages is made compulsory, the desire for registration would not receive adequate response. Under the Bill which my Honourable friend proposes to introduce, registration of marriages would be voluntary as at present and no useful purpose could be served by the Bill as in section 25 of the Bill no marriage would be rendered invalid for want of registration. In the objects and statements of the Bill my Honourable friend states 'that the loose system of registering marriages and divorces is capable of giving room to abuses of gravest nature' and I am afraid that the Bill which he proposes to introduce will fail to bring about the desired effect as he himself admits 'that it will be open to the parties to get married in the simple Islamic manner.'

"To provide that all cases of Muhammadan marriages should be registered to make them valid would probably be opposed to the spirit of Muhammadan law and so in order to escape from the difficulty it is necessary to penalise the parties for neglect to register Muhammadan marriages without at the same time making such marriages invalid for want of registration. Fear of penalty would compel parties to register marriages though marriages without registration might be held to be valid according to Muhammadan law. A Bill on the above lines penalising parties for neglecting to register marriages without rendering the marriages void for want of registration is the only one that could remedy the defects. In order to introduce such a Bill I was getting Mussalman opinion and before my endeavours on that respect are completed, my Honourable friend has brought forward this motion for leave to introduce a Bill which in my opinion is insufficient to check the corrupt practices prevailing at present. I am daily receiving a number of letters from the leaders of the Mussalman community from different parts of the Presidency encouraging me to take action on the lines suggested by me. Under these circumstances I am afraid I have to oppose the motion for leave though I am in sympathy with the Hon'ble mover's desire to effect some sort of legislation to provide for better registration of Muhammadan marriages. In my opinion the desired end could be brought about only by amending with the consent of the Government of India, the Kazis Act XII of 1880 to bring it into harmony with the wishes of Mussalman public without introducing a new Act whose principles might conflict with the existing Act XII of 1880."

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur:—"The Bill to introduce which leave is sought by the Hon'ble Mr. Yaqub Hasan can be divided into two parts, the first relating to the registration of marriages and the second relating to divorces."

(Mr. M. Ramchandra Rao; the President; [1TH AUGUST 1918.
Mr. Aziz-ud-din; Mr. Gillman.]

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO (*interrupting*):—"I should like to rise to a point of order. I should like to know—whether it is open to any Honourable Member to criticise the provisions of a Bill which is not before the House. The motion before the House is a motion to introduce a Bill to provide for the voluntary registration of Mussalman marriages and divorces. I ask Your Excellency whether it is open to any Honourable Member to speak on the Bill which my Honourable friend has supplied to the Members and criticise each provision in it, when the motion before the House is to introduce a Bill, which when it is published will come up for discussion in the ordinary course."

His Excellency the PRESIDENT:—"It would not be easy to avoid a detailed discussion of the Bill on this occasion. But at the same time any speaker who follows the Honourable Member can criticise anything which he has said in explanation of or in support of the measure."

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur:—"If the Hon'ble Mr. Ramachandra Rao thought that I intended to discuss in detail or in the abstract the provisions of the Bill to introduce which permission is requested by the Hon'ble Mr. Yaqub Hasan, I may tell him that that is not my object. My object is simply to apprise this House as to how this Bill is viewed by the outside Mussalman public. The Hon'ble Mr. Ramachandra Rao need have no fear that I am going to deal with the provisions of the Bill."

"I have been myself interested in this subject for the past many years. When His Excellency Sir Arthur Havelock visited South Arcot many Mussalmans of the place requested that some legal provision should be made for an effective registration of Mussalman marriages. The Government of the day were pleased to hold an inquiry, but it was decided that the time had not arrived for making any such legislative enactment."

The Hon'ble Mr. H. F. W. GILLMAN:—"Was it in 1902—the same thing as the Hon'ble Mr. Ahmad Tambi Marakkayar referred to?"

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur:—"It was even earlier than that. Then the Mussalmans of Triplicane of their own accord submitted a memorial to the Government and that was referred for remarks to me as well as to some others. On that occasion, I was very enthusiastic over this subject, and even submitted a draft Bill—which must be in the archives of the Government. A more elaborate inquiry was made and all the Collectors, as stated by the Hon'ble Mr. Ahmad Tambi Marakkayar, were consulted, but even then unanimous opinion in favour of legislation of this kind could not be got and the result was that the proposal again fell through. Later on, when I was Collector of South Kanara, I suggested to the Mappillas, and they were agreeable that some satisfactory provision for the registration of Mussalman marriages was necessary, and His Excellency Sir Arthur Lawley was approached. He was good enough to give due consideration and Mr. A. Y. G. Campbell wrote to me that His Excellency was in sympathy with my idea and he requested me to write to the various Anjumans in the Presidency and ask them to express their opinions on the subject. As a Government official I could not command the necessary time to undertake such an inquiry and the matter stopped there."

"So this House will see at once that there has throughout been no unanimous opinion that a Legislative enactment was necessary to safeguard Mussalman interests in connexion with the registration of marriages. My idea throughout has been that great many malpractices have been going on in connexion with these marriages. As it is, anybody and everybody can solemnise a marriage. It is not invariably recorded in any register."

"What happens is, when a husband dies, a dispute arises as to the Mahar. The persons interested in securing a larger share at times influence the Kazis and make them tamper with the register with the result that the Mahar is increased. For instance, if the Mahar is Rs. 1,000, another cypher is added and it is made Rs. 10,000. Sometimes it so happens that the more influential party bribes the Kazi and the Mahar is reduced. I am very strongly of opinion that some legislative measure is necessary to safeguard Mussalman interests in connexion with their marriages."

"It has been the practice of the parties in the matter of Mahar, although it is considered meritorious to fix the Mahar as low as possible, to fix it as a rule, at a very high figure. I think the Government will have in their records a reference made by the Government of India in connexion with a Mahar suit by a lady who had married a Nawab. He had settled a Mahar upon her of Rs. 75 lakhs. The result was that after his death, his whole property was taken away by the widow who happened to be an English woman, and there was not a single pie left for the deceased's son. Then the Government of India wanted to know whether it would not be lawful to curtail the Mahar. I was one of those who were consulted, and I had to write that it was not possible under the Muhammadan law to fix the Mahar. In India it is fixed at a high figure, because according to the tenets of Muhammadanism a husband is allowed to contract in for a plurality of wives. Under these circumstances it is very necessary that the record as to those marriages is made as perfect as possible. If I were to mention concrete cases where there has been miscarriage of justice or where there has been malpractice, I think, I would require much more time than is allowed. I may therefore say at once that some legislative enactment is needed to safeguard Mussalman interests."

13TH AUGUST 1918.] (Mr. Aziz-ud-din; Mr. Gillman; Mr. Yaqub Hasan.)

"At the same time, I do not think the Bill proposed to be introduced by the Hon'ble Mr. Yaqub Hasan is a sound one or one which will receive the assent of the Mussalman public at large. As soon as notice was given in the papers about the proposed introduction of this Bill, several Ulemas came to me and expressed their dissent from the Bill. Their idea has been or is that it would interfere with their religious liberties, and they do not like that the Government should interfere in matters connected with their religion. Although I am a great enthusiast myself about legislation in this matter, I may say at once I have my own misgivings as to the advisability of having any such enactment as the one proposed by the Hon'ble Mr. Yaqub Hasan or an enactment of the kind which is proposed by the Hon'ble Mr. Ahmad Tambi Marakkayar at the present juncture. My fear is the Ulemas whose opinions in religious matters carry great weight with the Mussalmans might go to the length of saying that India has become Darul Harab. In Hyderabad it may be that any interference like this by His Exalted Highness the Nizam may be taken in a different light. But any interference here with religious matters will be at once resented. The portion of the Bill relating to talak is also open to objection. According to the Muhammadan religion khula is not a thing which is favoured. People do not like publicity in regard to divorce."

"Divorce in Arabia is something like mother's milk and no dishonour is attached to it. But Mussalmans have lived so many years in India that they have begun to think like Hindus, and not only divorce but widow-marriage is considered almost a sin, although Ulemas have been urging that according to Mussalman religion widow-marriage is not prohibited. The Hon'ble Mr. Yaqub Hasan has come here from outside. Although he has been here a considerable time he does not know much about the Mussalmans of this Presidency. He will not be able to point out any respectable family in which there has been a divorce. It is resorted to only in extreme cases. Registration of divorce will give a publicity to the act which will at once be resented by the parties and the respectable section of the community in Madras."

"Again among the Mussalmans there are four schools of thought—the Hanafis, the Shafis, the Hanbalis and the Malikis. According to the Hanafis a woman on her initiative cannot obtain divorce. She cannot tell her husband "I divorce you," but the husband can pronounce divorce and that brings about the separation. In some cases a Hanafi woman in order to obtain divorce from the husband has recourse to the subterfuge of going to the Kazi of the Shafi sect on some pretext or other—such as the husband's neglect to maintain her for some months—and the Kazi at once divorces her from her husband. Very often the divorce takes place without the knowledge or consent of the husband."

"Several Mussalmans who came to me raised objections to this Bill on the ground that it will be a great calamity, if these Kazis who are responsible to no authority are given the power to separate husband and wife merely on the complaint of the wife. On the whole, I think that at this juncture it is undesirable that permission should be given for the introduction of this Bill. If such permission is given, I may predict safely that the opposition will be extremely strong."

The Hon'ble Mr. H. F. W. GILLMAN:—"I have listened with very great interest to the speeches that have been made on this measure by the Muhammadan representatives on this Council. There appears to be considerable difference of opinion as to whether this Bill is appropriate to meet the present needs of the Muhammadan community in regard to the matter of marriages. I entirely agree with what has fallen from the Hon'ble Mr. Aziz-ud-din that this is a question in which the Government should be very careful to abstain from offending any religious susceptibilities of the community and it is one in which they should make every endeavour to obtain the opinion of the community before they proceed to give their assent to any enactment. I would, however, remind the Hon'ble Mr. Aziz-ud-din that this is not a motion to introduce the Bill, but for leave to introduce the Bill, and that until leave is given to introduce, it will not be possible for the public in general to know the provisions of the Bill and to be in a position to criticize them. This subject was taken up before by this Government in 1902, as stated by two of the previous speakers, and it was decided that the time was not opportune for pursuing it further. Now though we have opinions that the enactment is required and that there is a general desire by Muhammadans to improve the registration of marriages, still the provisions in this Bill about registration of divorces are likely to meet with considerable objection. I desire to say on behalf of the Government that in regard to this Bill they are entirely neutral at present. They do not propose to express any opinion. They do not intend to oppose the motion for the reason that they think that full opportunities should be given to the public to consider the provisions of the Bill and make representations on the subject which would be laid before this Council. It is for that reason and that reason alone that the Government do not wish to oppose this motion."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"After the speech of the Hon'ble Mr. Gillman that the Government do not wish to oppose this motion, that is to say, that leave will be granted to me to introduce the Bill, the Government naturally maintaining as usual a position of neutrality for the present, I need not say much. The intention of the rules in regard to the procedure to be adopted for such a motion is to elicit the opinion of the people towards the measure. A year or two ago, before the Business rules were amended, it was open to any member to move for leave to introduce a Bill without submitting the draft Bill; but according to the new rules the Bill has to be submitted to the Government so that they may know on what lines the

(Mr. Yaqub Hasan; the President.) [13TH AUGUST 1918.

proposed Bill will come before the Council. Having submitted the draft Bill to the Government I thought it advisable that the Bill should be placed in the hands of Honourable Members also so that they may know on what lines I proposed to introduce the measure.

"The Hon'ble Mr. Ahmad Tambi Marakkayar said in the beginning that he was opposed to the leave being given to me for introducing the Bill, but the speech which he delivered was such that I can take it to be in support of my Bill. He has said that there is a necessity, he has felt the necessity of such a measure so much so that he went to the length of drafting a Bill of his own for the purpose of introducing it later on. The difference between his measure and mine is that he wants the registration to be made compulsory, but I have made it voluntary. If the opinion of the community is in favour of registration being compulsory and not optional, then my Bill may be revised in due course to suit the opinions that may be given. In the same way the Hon'ble Mr. Aziz-ud-din has said that he has all along felt the necessity for legislation in this direction and so long ago as 1902 he took practical steps to see that a legislation of this nature was introduced. In 1902, as pointed out by him and the Hon'ble Mr. Ahmad Tambi Marakkayar, a memorial was submitted to the Governor and on that memorial opinion was taken from the public. It did not occur to the then Muhammadan member of the Legislative Council to introduce a Bill. If a Bill was introduced, opinion would have been obtained from the Muhammadan community in a better manner than it could be obtained in any other way. The Hon'ble Mr. Ahmad Tambi Marakkayar has also tried to obtain opinions. I was also advised to hold public meetings to discuss this Bill, and I told my friends that that would not be the proper method. It is the business of the Government to consult associations and public bodies and elicit opinions about a proposed measure, and that will be more authoritative than if any body else did it on his own hook. If the Hon'ble Mr. Ahmad Tambi Marakkayar, for example, comes here with certain opinions and says 'so many are in favour of this measure,' it may be said that he consulted only those who were in favour of the measure and omitted to consult others. When people are consulted about my Bill in the usual course, I am quite prepared to accept the verdict of the community, and till that verdict is obtained and unless it is against the necessity of such a measure as this, the Government will allow me to proceed with the Bill. But if it is in favour of the measure, and it is only in regard to the detail that there is a difference of opinion, it will be the business of the Select Committee to consider the opinions and to alter or revise the Bill according to the majority of opinions expressed.

"There is only one other point that I would like to refer to. The Hon'ble Mr. Aziz-ud-din said that several Ulemas and several Mussalmans went to him and objected to the nature of the Bill. I cannot understand when these people went and saw him. I posted a copy of my Bill to the Hon'ble Mr. Aziz-ud-din only on Saturday last. There were only Sunday and Monday for him and the opportunity to consult others cannot be so great as represented by him. That speech was made not with a view to prevent the Government from permitting me to move the Bill, but it is a speech made to the outside public telling them not to support the Bill, because the Hon'ble Mr. Aziz-ud-din is opposed to it. That is how he wants to influence outside opinion. I am sorry that justice was not done to me by the Government. Usually when a motion is proposed and seconded, a member of the Government comes forward with their opinion, but here two persons were allowed to have their say before the Government member gave his opinion about it and thereby the Hon'ble Mr. Aziz-ud-din, who is a member of the Government and of this Legislative Council, who sits on the side of the Government and is not free to have any independent opinion to which the Government do not give their permission, was in this matter allowed to oppose a non-official motion before this Council before the Government expressed their opinion on it. I am afraid personal feelings have been allowed full play. I hope the Government will allow me to introduce this Bill, and I feel sure that this Bill will be discussed by the Mussalman public at large with a free mind and the opinions that will reach the Government will be such as to influence the decision of the Government and the Council one way or the other. The Hon'ble Khan Bahadur Aziz-ud-din Sahib was always inclined to say that I am a foreigner not belonging to this Presidency and therefore I do not know the feelings of the Muhammadans of this Presidency. Let me tell him that though I have come from outside I have lived here for a long time and I know Mussalman feelings much better than any one else. I am here as a representative of the Mussalmans of half the Presidency. Those who have supported me and sent me to this Council know that I represent their opinion better than any body else."

His Excellency the PRESIDENT:—"Before I put the motion to the Council, I must say that the honourable gentleman's feelings have led him astray. He attributes to the Government—"

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"That was not my intention."

His Excellency the PRESIDENT:—"Will the honourable gentleman kindly keep his seat and allow me to make one observation on his remark? He attributed to the Government the action of the President of this council in the chair in allowing the Muhammadan representatives to express their opinions freely on a matter peculiarly relating to their community before the representative of the Government expressed his view. I simply wish to tell him that that action was not the action of the Government, but it was the action of the President of this Council endeavouring to get the full expression of the opinions of this Council on a subject of this kind."

The motion was then put to the Council and agreed to.

13TH AUGUST 1918.] (Mr. A. S. Krishna Rao; Mr. Narasimha Ayyar; Mr. Siva Rao; Mr. Ranga Achariyar.)

THE MADRAS PREVENTION OF ADULTERATION BILL, 1918.

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar then presented the report of the Select Committee on the Madras Prevention of Adulteration Bill, 1918, and moved that the Bill and report be taken into consideration at once.

The Hon'ble Sir Alexander Cardew seconded the motion.

The motion was put to the Council and agreed to.

It was agreed that the consideration of the preamble be postponed.

Clause 1.

The Hon'ble Mr. A. S. KRISHNA RAO:—"I beg to move the amendment of which I have given notice. It is as follows:—

'For the proviso to sub-clause (2) substitute the following:

"Provided that such notification shall be made after obtaining the consent of the local authority or authorities concerned for such extension."

"I must admit in the first place that the proviso which was introduced in the Select Committee has afforded substantial facilities in the way of the local authorities concerned expressing their opinions before the extension of the remaining provisions of this Bill. I welcome the proviso so far as it has been introduced. If in the same liberal spirit the Government had taken the further step of giving a larger amount of discretion to the local bodies in giving effect to the provisions of the Bill, it would have been quite satisfactory. This Bill is intended to prevent the adulteration of food in the interests of public health which is one of the primary functions of the local authorities. It is proposed to extend this Bill not merely to urban areas like municipalities but to district and taluk boards also. The Bill contains provisions which require the local authorities to employ analysts. It also provides that in cases they do not discharge this function, the Government can step in and appoint these officers. Such being the general provisions of the Bill, I think there are several local areas where it will not be desirable to introduce the provisions of this Act without securing their consent. In the first place, I would suggest that in the light of the recent resolution of the Government of India on local self-government, local bodies should be given freedom to a much larger extent. Secondly, so long as it is incumbent upon them not only to employ a public analyst, and to bear the expenditure necessary for the purpose, they will be called upon to incur the expenditure even though they do not like it, it is necessary that their consent should be secured. Therefore I suggest that this proviso which gives them merely an opportunity of expressing their opinion should be so modified as to secure their consent before action is taken. It may be that the local bodies will realize their responsibility and the advantage of the prevention of adulteration and apply the provisions of the Act; but if they do not choose to do so, it will be open to the Government to remind them of their duty and secure their consent. I do not think it reasonable to anticipate that they will not discharge these functions and consequently to thrust these provisions upon them."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I second the amendment. In seconding it I will make only one observation. In the reform report issued by Mr. Montagu and Lord Chelmsford, local bodies are to be given full responsibility. Here is a matter which pre-eminently comes within the control of local bodies. Whether a particular place would like its butter or ghee being mixed with an adulterated article or its milk to be mixed with chunam water or whether they would prevent adulteration at some expense and trouble is pre-eminently a subject to be decided by the local authority. We may leave a certain amount of discretion to the local bodies. If the clause is worded as suggested, it would not merely give them an opportunity to express their opinion, but it would give them responsibility to have the Act extended. We have passed the stage of administering good doses of advice and doing the thinking for local bodies. They are competent to take care of themselves. The Government must give up the idea that these bodies are children; they are fully developed and are well able to take care of themselves."

The Hon'ble Mr. P. SIVA RAO:—"The amendment rather goes to the root of the matter, as it involves a principle, namely, whether it should be open to the Government to impose the operation of this Bill on local bodies even though they express their unwillingness. The latest policy of the Government of India has been to give them every latitude and every freedom. When the air is full of such liberal policy, is it consonant with that to give power to the Government to force these measures on the local bodies whether they are willing or not? This is a matter which essentially relates to public health. Under the Local Boards Act and the District Municipalities Act, this is a matter which specially appertains to local bodies. The responsibility is theirs and it is for them to invoke the aid of this measure. They may be trusted to exercise this responsibility. Why should it be supposed that if they feel the real responsibility, they will keep quiet? Either the consent of the local body should be obtained prior to the extension of this Bill, or it should be made a condition precedent that it should be extended only on the application of a local body. In other words it should be permissive. It should enable the local bodies to ask for its extension. In any view the local bodies should be trusted up to a certain length. They ought not to be dictated to. If there is real necessity for this measure, they will ask for it."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"My Lord, as one in the Select Committee responsible for the introduction of this proviso I should like to say a word. I might explain the reason why we put it in. This is a question which affects not only the local bodies, but it has

(Mr. Ranga Achariyar; Mr. Rajagopala Achariyar; [13TH AUGUST 1918.
Mr. M. Ramachandra Rao; Mr. A. S. Krishna Rao;
the President.)

extra-territorial operation. You have, for instance, the Periyapalaiyam festival where a large number of people gather. The City of Madras might require that this Act should be in operation in that area. Suppose the Taluk Board of Tiruvallūr did not consent, is the City of Madras to suffer and allow cholera to be brought into Madras? Not only that. My honourable friends will remember that many areas are supplied with food from a lot of surrounding villages. For example, Madurai and Trichinopoly get supplies of food from places fifty miles away. The municipality that is going to be affected complains that they supply very bad food and it must have power to ask for the application of this Act to those villages. We give the ultimate decision to the Local Government, but they will consult the local authority. I do appeal to my honourable friends that it is not a purely territorial matter; it is not a local matter. It is a matter which is likely to affect places outside—third parties. I think a central authority is necessary. This is the reason why we introduced this provision."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, may I supplement what the Hon'ble Mr. Ranga Achariyar has said? When we put in that proviso in the Select Committee, we knew that we would have to introduce this legislation in blocks of local areas. In a district there are several municipalities and taluk boards; it may happen that a large majority are for introducing this legislation. Is it to be open to one or two isolated boards or councils to block the introduction of the measure and evade their share of payment of the expenditure incidentally? Unless you introduce it in a whole area which is within the jurisdiction of several councils and boards, you will probably find that the law is ineffective. There is no use of making a rigorous law for the City of Madras, if you find a big festival, as pointed out by the Hon'ble Mr. Ranga Achariyar, going on outside it, without our being able to enforce it there. It is not that we want to force this legislation down the throat of unwilling local bodies. If a majority of local bodies are against it, we will not force it on them. If a majority are for bringing this law into operation, it is but fair that there should be some power in a central authority like the Government to bring it into operation and it should not be left to one or two isolated bodies to stand in the way and prevent the application of this Act. I would not advise the Council to vote for the amendment."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, I am not in favour of this amendment. I am satisfied that the provision is not an interference with the freedom or free action of the local bodies. The administration of the Act is left to local bodies, but the application of the Act to any particular area may be left to the Central Government. As Honourable Members are aware, there is a certain amount of control necessary in the administration of certain Acts. The control of the Local Government over local bodies in England may be referred to in this connexion. I feel that this proviso is perfectly consistent with the relation that should subsist between the Central Government and the local bodies. If the Ellore municipality is willing to have this measure extended to-day, but if the neighbouring taluk board is not willing, the result will be that adulteration will be going on within a mile of the municipal limits. Therefore, on this particular ground I would suggest that my honourable friend may see his way not to press this amendment. After all, I am certain that in applying Acts like this, the Infectious Diseases Act and the Adulteration of Foods Act, the Government will call upon the local bodies and take their opinions as regards the feasibility of extending them. It is the local bodies that will have to apply for these Acts being extended to their areas. For these reasons, I am not for this amendment."

The Hon'ble Mr. A. S. KRISHNA RAO:—"My Lord, I have listened with very great interest to the speeches made by two non-official friends who were on the Select Committee, but I am not convinced by their arguments. The only argument suggested is that while there are several local areas to which this Act might have to be applied, if any municipality expresses its consent to have the Act extended to it, but the adjoining taluk board opposes it, complications would arise. According to the provisions of this Bill, every seller is made liable for punishment under clause 5. If the argument of the Hon'ble Mr. Ranga Achariyar is to be accepted, Madras which gets articles of food from various parts—it gets supplies from all parts of the Presidency—might get the Act applied all over the Presidency. These sellers may be prosecuted and punished; in accordance with the provisions of clause 6 the employer may be held liable; and there would not be any difficulty for local bodies in putting a stop to the adulteration of food. Once there is a provision to punish sellers as regards any particular urban area, the necessary steps can be taken. It will be necessary for them to disclose the persons from whom they obtain their food supply; and they can be punished."

The amendment was put to the Council and lost.

Clause 1 was allowed to stand part of the Bill.

Clause 2.

His Excellency the PRESIDENT:—"I have to ask the attention of the Council to an amendment which the Hon'ble the Advocate-General is going to move. If the Council would please to look at line 49 on the first page of the Bill, they would find the definition of local executive officer. 'Local executive officer' means, in any municipality in which there is a commissioner, the commissioner; in other municipalities, the president or chairman of the council; and in or for other local areas, the president of the district or taluk board, or such public servant as may be designated by the Local Government for the exercise of the functions

13TH AUGUST 1918.] (The President; the Advocate-General;
Mr. A. S. Krishna Rao; Mr. Ranga Achariyar;
Mr. Rajagopala Achariyar.)

of a local executive officer under this Act.' The amendment is, in substitution of the words, 'the president of the district or taluk board etc.' the following words be inserted: 'the president of the taluk board, or if there is no taluk board the president of the district board, or if there is no taluk or district board, such public servant, etc.'"

The Hon'ble the ADVOCATE-GENERAL:—"I beg to move that amendment. The last portion of the clause will then read as follows: 'The president of the taluk board, or if there is no taluk board the president of the district board, or if there is no taluk or district board, such public servant as may be designated by the Local Government for the exercise of the functions of a local executive officer under this Act.' The idea which underlies this definition is to make the commissioner the local executive officer, or if there is no commissioner the chairman of the Municipal Council. Similarly with regard to taluk boards and district boards. In the case of the Nilgiris where there is no taluk board, there will be the district board. In areas where there is no taluk or district board the Government will have power to designate somebody as the local executive officer to carry out the purposes of the Act."

The Hon'ble Rao Bahadur M. Ramachandra Rao seconded the amendment.

The amendment was put to the Council and agreed to.

The only amendment to clause 2 of which notice had been given stood in the name of the Hon'ble Mr. A. S. Krishna Rao.

His Excellency the PRESIDENT:—"I do not know whether you wish to move your amendment."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I find from the proceedings of the Select Committee that this was considered but was not accepted. I therefore move my amendment. It is as follows:—

'In the definition of "local executive officer" add the words "other than a police officer" after the words "public servant."'

"I need not take a long time to satisfy the Council that in working this Act you must exclude the police officer from the category of officers who are to discharge such functions. They have ordinary functions to discharge under the ordinary criminal law. Under section 6 the seller can be prosecuted. I only draw attention to the fact that there are several presumptions created in the matter of prosecutions under this Act."

His Excellency the PRESIDENT:—"The honourable gentleman will bear in mind that the amendment will apply only to the Agency tracts. I do not know whether it is worth while to move his amendment unless he can base his case on the circumstances of the Agency tracts."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"It may be open to the Government to appoint a local executive officer anywhere."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"It is only in such areas where there is no commissioner or president of a district or taluk board."

His Excellency the PRESIDENT:—"The point is this; the clause which the Honourable Mr. Krishna Rao wishes to amend runs thus: 'if there is no taluk board or district board, such public servant as may be designated by the Local Government'."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I did not catch it."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I do not press it."

The amendment was withdrawn.

Clause 2 as amended was allowed to stand part of the Bill.

Clause 3.

The Hon'ble Mr. A. S. KRISHNA RAO:—"I propose that clause 3 be omitted. This is an important amendment. It will be found that in clause 22 of the Bill it is stated that 'the provisions of sections 2 to 21 shall be read as supplemental to the Act under which the local authority concerned is constituted.' So far as the Municipal and Local Boards Acts are taken into consideration, they contain provisions for chairmen delegating their powers to particular officers. If it is contemplated that they should have further power of delegation, the appropriate course to be adopted would be to give them the power in the various Municipal and Local Boards Acts. What this clause proposes to do is 'the local executive officer may delegate his powers and duties under this Act to such persons and in such manner as may be prescribed.' And we see that in clause 20 it is stated 'the Local Government may make rules prescribing the classes or qualifications of persons to whom and the conditions on which the local executive officers may under section 3 delegate his powers.' What I would submit is that so far at least as the local executive officers who are presidents of district or taluk boards or chairmen of municipal councils are concerned, there is absolutely no justification for taking away the powers of delegation vested in them by the laws which create them. What is the necessity for suggesting that even in their cases they should delegate their powers and duties to such persons as may be prescribed by the rules to be framed under section 20. I think it will lead to very anomalous consequences. If we had not in this Bill section 22, the argument might have been suggested that, so far as the provisions of this Bill are concerned, the District Municipalities Act and Local Boards Act will not apply; but when the provisions of this

(Mr. A. S. Krishna Rao ; Mr. Rajagopala Achariyar ; [13TH AUGUST 1918.
Mr. Narasimha Ayyar ; Mr. M. Ramachandra Rao ;
Mr. Siva Rao ; the President.)

section are to be read as supplemental to the Acts under which the local authorities are constituted and when those Acts contain provisions for delegation of powers, there is no necessity for this provision for delegation. The Hon'ble the Advocate-General having moved the amendment which has been accepted, the Government should in conformity with that idea leave the question of delegating those powers to such officers. As it is, the Bill leaves the power of delegation to the Local Government and not the local executive officers."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" Will you quote the section in the Municipalities Act or the Local Boards Act where powers of delegation are given ? "

The Hon'ble Mr. A. S. KRISHNA RAO :—" Under the Local Boards Act the president and under the Municipalities Act, the Chairman, have the powers of delegation. If this clause is passed into law the effect of it will be that instead of these presidents and chairmen delegating their powers to officers at their own discretion which is the policy of those Acts, they will have to delegate these powers only to such officers and in such manner as may be laid down under section 20. There is meaning in having such restrictions in regard to the officers appointed for Agency tracts, but in the case of other areas where there are local boards or municipalities, these restrictions are quite unnecessary and positively injurious."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" I formally second the amendment."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—" There seems to be a little misapprehension as regards the scope of clause 3. Under the District Municipalities Act and the Local Boards Act the chairmen of the councils and the presidents of the boards are empowered to delegate their functions under those Acts to the vice-chairman or the chairman-delegate. That delegation is for the purposes of the District Municipalities Act or the Local Boards Act. Now this provision is intended for the purposes of enabling the local executive officer to delegate his functions to food inspectors or sanitary inspectors for the purpose of discharging their duties under this Bill. My Honourable friend has not probably seen the distinction between this and the delegation under those Acts which is the delegation of the powers entrusted to the chairman or the president under those Acts. This is a special Act which empowers the local executive officer to discharge certain definite functions under this Act; the functions of inspection, functions of occasionally purchasing samples and submitting them to the analyst have necessarily to be discharged by municipal subordinates, food inspectors and sanitary inspectors. Clause 3 says that the president or the chairman will have power to delegate his functions under this Act to municipal employee also. I am unable to see the difficulty which the Honourable Member has felt. I do not see any necessary inconsistency in the powers of delegation given by the Municipal Act to the municipal chairmen and the powers of delegation given under clause 3 of this Bill which must necessarily be limited to the powers given to local executive officers under this Bill."

The Hon'ble Mr. P. SIVA RAO :—" I cannot agree to this amendment. The Honourable mover evidently means that by clause 3 the powers of delegation which the local bodies now have are sought to be restricted. This is a misconception. It may be so on a superficial reading. If you go deeper into the Bill you will see that the powers of delegation are extended. These are to be read as supplemental to the Acts constituting the local bodies. There is no provision which seeks to take away the powers of delegation already enjoyed by the presidents of local boards or the chairmen of municipalities. That is recognized. The chairman of the municipality can delegate his powers to the vice-chairman under certain conditions. In the Local Boards Acts also delegation is allowed under certain circumstances. Suppose there is a health officer in a town and the chairman is busy, why should not the chairman delegate these functions to him? Why should he not entrust them to a sanitary inspector? This is a welcome extension of the powers given to local bodies; I sincerely approve of it."

The Hon'ble Mr. A. S. KRISHNA RAO :—" I am afraid that the Hon'ble Mr. Siva Rao has not correctly understood me. I do not say that the powers of delegation should be taken away. All that I am suggesting is that you can make them more free in the matter of delegation. Why do you restrict their powers by these sections."

The amendment was put to the Council and lost.

Clause 3 was allowed to stand part of the Bill.

Clause 4.

The Hon'ble Mr. A. S. KRISHNA RAO :—" I do not want to move my amendment that sub-clauses (2) and (3) be omitted."

Clause 4 was allowed to stand part of the Bill.

Clause 5.

His Excellency the PRESIDENT :—" I will ask the attention of the Council to another amendment which the Hon'ble the Advocate-General wishes to move, but it will not prejudice the first amendment of the Hon'ble Mr. Krishna Rao."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—" May I know what bearing the Hon'ble the Advocate-General's amendment has on this ? "

His Excellency the PRESIDENT :—" It has no bearing at present. Let the Hon'ble Mr. Ranga Achariyar move his amendment."

13TH AUGUST 1918.]

(Mr. Ranga Achariyar.)

The Hon'ble Mr. T. RANGA ACHARIYAR then moved the following amendment :—

" In sub-clause (1) (a), before the word ' sells ' insert the words ' to the prejudice of the purchaser."

In doing so he said :—" As the clause stands, even if the man sells superior food he is liable to punishment, and even if the purchaser knows that he was purchasing a different article the seller is liable to punishment. These words are introduced in all the Acts for preventing miscarriage of justice. There is some misapprehension in the minds of some who had the idea of omitting it. They seem to have misread the cases which are quoted in the Statement of Objects and Reasons. It is pointed out in the Statement of Objects and Reasons : ' The second defect in section 6 (of the English Act of 1875) which had to be corrected in 1879 was that it was doubtful whether it provided against a defence that purchasers buying only for analysis were not prejudiced and had nothing to complain about.' They misread the case about an analyst purchasing. The Madras City Act also omits to provide against this defence. So far as that is concerned, I agree that that proviso to this section is necessary. ' The words " to the prejudice of the purchaser " at the beginning of section 6 of the English Act have been the subject of considerable judicial dubitation.' I do not know that at all.—and are now read in a very general sense and as merely embodying the principle which may be left unstated, that there is no offence where a quixotic vendor sells a better article than the one demanded (43 J.P. 431). That case Hoyle v. Hitchman 4 Q.B.D. 233, instead of saying that these words are far from unnecessary says this : ' If a purchaser, whoever he may be, and with whosoever money he may purchase, gets an article inferior to that which he demands and pays for, it seems to me that he is necessarily prejudiced within the meaning of the section.' The statute never intended the fact that a person purchases with another's money to be material. The real offence is the fraudulent sale of an article adulterated so as to be of an inferior nature, substance and quality to that which is demanded and paid for. The necessity for the words, ' to the prejudice of the purchaser ' is this. But for these words various absurdities might arise on the words of the section. The sale of an article of a superior nature or quality to that demanded would be an offence. Another learned Judge says in the same case : ' What is the meaning of " prejudice " here? It cannot be confined to pecuniary prejudice, or prejudice arising from the consumption of unwholesome food. The prejudice is that which the ordinary customer suffers, viz., that which is suffered by any one who pays for one thing and gets another of inferior quality. The official purchaser is to purchase by way of testing whether the prejudice is suffered by the ordinary customer, and he is prejudiced in the same manner. The words " to the prejudice of the purchaser " are necessary because if they had not been inserted, a person might have received a superior article to that which he demands and paid for, and yet an offence would have been committed. The words are intended to show that the offence is not simply giving a different but an inferior thing to that demanded and paid for. It appears to me that the prejudice the Act intends is the general prejudice done to customers." What was in question was, was there prejudice to the particular purchaser? Again in 1902, 2 K.B.D. Justice Darling says : ' I think the words " to the prejudice of the purchaser " are used in the sense that there is a sale to the prejudice of the purchaser, if a purchaser in the abstract would be prejudiced, although the actual purchaser may for some reason peculiar to himself not be prejudiced. Goods might be sold under a false description and might not inflict any actual injury, because they were in fact of a better quality than the goods demanded; but it was never intended that in such a case there should be a prosecution; and I think that is the reason why the words " to the prejudice of the purchaser " are inserted in the section.'

" All these three cases show that the words ' to the prejudice of the purchaser ' should be there; otherwise the man who sells a better article than that demanded is liable to conviction. That is one part of the argument.

" The other aspect of the case is brought out in 1912, 2 K.B.D. 471, where Lord Alverstone, C.J., says : ' It seems to me that the result of the authorities to which our attention has been called is that if the purchaser is informed at the time of purchase that the article he is buying is an article mixed with something else, he cannot say that he is prejudiced on the ground that he thought he was buying a pure article. The sale in such a case is not prima facie to the prejudice of the purchaser. That seems to me to be the effect of the case of Sandys v. Small and the other cases to which we have been referred. Sandys v. Small also shows that the knowledge may be brought to the mind of the purchaser not only by means of a label under section 8 but also by a notice such as was given in this case.'

" Let us take a case where a seller tells the purchaser, ' this is not the article you are demanding.' As the section stands, he will be liable to conviction. The only exception is in proviso 3 which refers to label ' where . . . the article of food sold is not up to the standard of purity prescribed by the Governor in Council, and before the sale the vendor has clearly brought the fact to the notice of the purchaser either by means of a label on or with the food or in such other manner, etc.' But even that notice has to be by a label or such other method. If he merely tells him by word of mouth that will not do. That is what happened in the 1912 K.B.D. Case. Even if the vendor says ' this is not the article you want ', and yet the man buys, according to this section he will be liable to conviction.

" These are the two reasons which induced the legislature to introduce the words ' to the prejudice of the purchaser.' What is stated here as the reason for omitting these words? The sale of a superior article is not an offence. Naturally the purchaser would not make it an offence. It is said that the words embody a principle which may be left unstated, and ' there is no offence where a quixotic vendor sells a better article than the one demanded.' There are quixotic vendors, quixotic magistrates and quixotic purchasers. Therefore we should be careful

(Mr. Ranga Achariyar ; Mr. Rajagopala Achariyar ; [13TH AUGUST 1918.
Mr. M. Ramachandra Rao ; Mr. Siva Rao ; Mr. Richmond ;
Sir Gordon Fraser.)

in the language we use. The only argument is, it is unnecessary. On the other hand it has been held to be necessary in several cases. The reason for the omission is that it is unnecessary, I have shown it is necessary to prevent quixotic decisions. They are not quixotic cases at all. We are providing for public health and where there is a knowledge in the mind of the purchaser as to what he is purchasing there is no offence. The real offence is that the article is of an inferior nature. Everything is gained by having these words and there is a great deal to be lost by omitting them. The purchaser who purchases merely for analysis has nothing to lose. We have safeguarded that in section 6 as it stands. 'In every prosecution for an offence against the last preceding section, it shall be no defence to allege merely . . . that the purchaser having bought only for analysis was not prejudiced by the sale'. That itself is an argument that we ourselves contemplate that prejudice to the purchaser is a necessary ingredient, and yet in the words defining the offence we omit these words. What you do not want to make an ingredient of the offence, you want to make an exception. That itself is self-contradictory. The suggestion to omit these words is based on a misconception. Nothing is lost by having those words. As we are creating an offence our language must be un-exceptionable. We ought not to leave to quixotic magistrates to decide the meaning of the section."

The Hon'ble Mr. A. S. Krishna Rao seconded the motion.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"The Hon'ble Mr. Ranga Achariyar will bear me out when I say that this was one of the points considered in the Select Committee and the majority of us were apprehensive that, if we introduced the words 'to the prejudice of the purchaser', there might be difficulties in the working of the Act. But I recognize there is considerable force in what he has said. I am hardly competent to deal with the decisions on the subject. The Hon'ble the Advocate-General will refer to these decisions later on. So far as a lay man could see from the very decisions quoted, it will appear inadvisable to put in these words. Every one does not know how these words will be interpreted. The strong point in favour of the amendment is that these words are in the English Law. We have made a departure from the English Law. It will be better perhaps if other members will express their opinions."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"My Lord, since the last meeting of the Select Committee I have referred to the two cases mentioned by the Hon'ble Mr. Ranga Achariyar and I think these words should be inserted in clause 5. Suppose some food inspector purchases samples for analysis. The contention put forward was that these samples having been purchased with public money for analysis and not with the food inspector's own money, whether the words 'to the prejudice of the purchaser' would really apply to the food inspector, in fact whether a sale to a food inspector came within the provision of the English Sale of Foods and Drugs Act. That is the reason why in clause 6 we have specifically provided that a purchase for analysis should not be a defence, a person may merely purchase the article with public money for the purpose of analysis and such a person may be competent to undertake a prosecution under the terms of the Act if the food was adulterated. That exception has been specially provided for in clause 6, viz., purchase for mere analysis. But it logically follows that these words should appear in clause 5. It may be that a person may get a better article than what he demanded. It is unnecessary to expose any person who knowingly or unknowingly gives a better article to prosecution. The facts of those cases clearly show that it is quite possible that many times it so happens that the article actually demanded is not there and a better article is given. The question is whether this act should be an offence under this Bill."

The Hon'ble Mr. P. SIVA RAO :—"My Lord, I am distinctly of opinion that the words 'to the prejudice of the purchaser' should be inserted in this clause; otherwise it will be a real hardship. It is not for every discrepancy between the thing asked for and that supplied that a prosecution should be instituted. The gist of the offence as put by the Hon'ble Mr. Ranga Achariyar is that the purchaser must be injuriously affected. That is the test, you must make that a criminal offence. If a chemical analysis is made it may be that the article purchased may not be of the same composition as announced. Before the prosecution is launched some degree of safeguard should be vouchsafed that the purchaser should be affected injuriously."

The Hon'ble Mr. T. RICHMOND :—"Your Excellency, I support the amendment. I entirely agree with the reasons given by the Hon'ble Mr. Ranga Achariyar. It is necessary that the wording of sections creating an offence should, as far as possible, be exact. It should not be left to the criminal courts to decide upon doubtful constructions if that could be avoided. I think the amendment would only bring about the result that we wish to achieve."

The Hon'ble Sir GORDON FRASER :—"Your Excellency, as one of the members of the Select Committee that considered Bill, I think that there is a great deal in what the Hon'ble Mr. Ranga Achariyar has said in favour of the introduction of these words. The Hon'ble Mr. Rajagopala Achariyar pointed out one difficulty, that it is extremely difficult to foresee what plausible arguments may be brought forward under cover of these three words to escape prosecution. But as the Hon'ble Mr. Ranga Achariyar pointed out, clause 6 is a safeguard against this. It is always possible to buy articles for analysis and clinch the matter. I think on the whole the arguments are in favour of the inclusion of these words."

13TH AUGUST 1918.] (Mr. Yaqub Hasan ; Mr. Rama Ayyangar ;
the Advocate-General.)

The Hon'ble YAQUB HASAN SAHIB Bahadur :—"My Lord, I feel some difficulty, on account of which I am inclined to oppose the insertion of these words. In clause 5 it is perhaps taken for granted that the buyer is the consumer himself. But there is another kind of buyer who is not the consumer of the article but who will be a seller later on, a retail seller buying from a wholesale seller. For example, if a retail seller buys adulterated ghee from a wholesale seller, it cannot be said that the wholesale seller has sold that ghee to the retail seller to the prejudice of the latter, because the retail seller may have purchased and intended to purchase the adulterated article only to make more profit. The sale is not to his prejudice, but it is to the prejudice of the ultimate consumer of the article. This intermediate buyer should be taken into account and I want the wholesale seller should be prevented from selling adulterated article to another merchant though he knows that by selling it to him he is not doing anything to the prejudice of the purchaser. It would be very difficult to prove that the wholesale seller has sold his article to the prejudice of his customer—the retail dealer."

The Hon'ble Mr. K. RAMA AYYANGAR :—"My Lord, the introduction of these words will not solve the question. If the words 'to the prejudice of the purchaser' were added, it would require proof that the purchaser was prejudiced; otherwise you will not be able to convict the seller. Therefore, the addition of the words suggested will not give the remedy. But certainly the decisions quoted by the Hon'ble Mr. Ranga Achariyar are decisions whose spirit will show that the wording here is not quite correct. We may have 'whoever fraudulently sells food' or some such words. I do not know whether this word 'fraudulent' would imply loss or gain. The present wording would probably make it difficult for the courts to punish a man who sells an article which is adulterated."

The Hon'ble the ADVOCATE-GENERAL :—"The suggestion made by the Hon'ble Mr. Rama Ayyangar that the word 'fraudulent' might be added would make the section futile. The section in the Penal Code would suffice. *Mens rea* is not necessary for prosecution in case of adulteration of foods and drugs. It is necessary for the customer to get the proper articles."

"The amendment moved by the Hon'ble Mr. Ranga Achariyar gives rise to considerable difficulty. It is easy enough to refer to English decisions, but as a matter of fact one does not know whether we will be right in accepting his amendment. If these words 'to the prejudice of the purchaser' were to be inserted in clause 5 (a) those words would mean the immediate purchaser; not purchasers generally. What the decisions generally state is this: it should appear that prejudice is done to customers. But if the amendment is accepted, unless there is prejudice to the actual customer, there cannot be a prosecution."

"The Hon'ble Mr. Yaqub Hasan mentioned one difficulty which is not an unlikely difficulty. If a wholesale dealer in certain kinds of food-stuffs sold an article to a retail dealer who knew perfectly its quality and knew that it was adulterated, seeing that this retail dealer does not consume the article but sells it, there would be no prejudice to the customer. That will be one way of evading the Act. Suppose a purchaser never uses the article or buys it and prejudice is suffered by somebody else. Therefore the learned Judges take care to say that it is not pecuniary prejudice but general prejudice. No absurdities are really pointed out except two. If you can find a vendor in this world quixotic enough to supply an article superior to the article demanded, the Hon'ble Mr. Ranga Achariyar's amendment is required."

"There is another possible case where the article that is sold is not superior but altogether different, but not adulterated. That may require protection. The prejudice of the customer will cover cases far more numerous than those mentioned by the Hon'ble Mr. Ranga Achariyar as requiring protection, and it would open a wide door to all sorts of adulteration and defences which it will be impossible for the prosecution to overcome. In the case in 1912 K.B.D. mentioned by the Hon'ble Mr. Ranga Achariyar, what happened was that the purchaser had notice that all cream had a certain amount of boron. That case illustrates the necessity for keeping the section as it is. An ingredient was mixed, which was injurious. He knew only it contained a particular percentage of boron. There could be no prejudice because he knew it contained it. If you look at the proviso to clause 5, five safeguards are provided. Are they not ample enough for all reasonable purposes? The first proviso says 'Where any innocuous material has been used or admixed in the composition or preparation of food to render the same fit for carriage or consumption and not fraudulently to increase the bulk, etc.', that does not constitute an offence. The second safeguard is 'where in the process of production, collection, preparation or conveyance of the food some extraneous material has unavoidably been admixed therewith.' The third is 'where any innocuous material has been added or admixed or the article of food sold is not up to the standard of purity prescribed by the Governor in Council, and before the sale the vendor has clearly brought the fact to the notice of the purchaser either by means of a label on or with the food or in such other manner as the Local Government may prescribe.' So also in the case 'where the food is the subject of a patent in force and is supplied in the state required by the specification thereof.' The proviso to clause 6 says: 'the vendor shall not be deemed to have committed an offence under section 5, if he proves that the food was purchased by him as the same in nature, substance, composition and quality as that demanded by the purchaser and with a written warranty to the effect that it was of such nature, substance, composition and quality, that he had no reason to believe at the time when he sold the same that the food was not of such nature, substance, composition or quality and that he sold it in the same state as that in which he purchased it.' Sub-section (2) protects employers. There are also two new clauses 18 and 19

(*The Advocate-General; Mr. Ranga Achariyar; Mr. Narasimha* [13TH AUGUST 1918.]
Ayyar; the President.)

which say that no prosecution shall be instituted except on the complaint of the purchaser or with the consent in writing of the local executive officer, and that no prosecution shall be commenced after the expiry of three months after the commission of the offence. Though the words appear to be somewhat wide, really there are ample safeguards provided. If the object of the Bill is firstly to protect customers generally and secondly to increase the reputation of the goods of this presidency in the markets of the world, which is equally an important object, it is very much better to have a slightly drastic Adulteration Bill with sufficient safeguards rather than to let in any number of defences the exact nature of which it is not possible to foresee. One can see that the three English decisions do not exhaust all possibilities of the words 'to the prejudice of the purchaser'. Naturally the ingenuity of the counsel for the prisoner will cover a far wider ground than these three decisions. If the words 'to the prejudice of the purchaser' are to be limited to the purposes mentioned by the Hon'ble Mr. Ranga Achariyar, viz., that the seller should not be prosecuted if he sells an article superior in quality or an altogether different article, that would be a different matter. Those are the only two cases which require protection. The section does not involve any hardship. If those two cases require protection we can put in an explanation to say that any person who sells an article of food superior in quality to the one demanded or an altogether different one cannot be prosecuted. This can be put in at the end of clause 5, but to use the words 'to the prejudice of the purchaser' would be embarking upon the unknown."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"My Lord, my amendment is taken from the English Act of 1875 and the Madras City Municipal Act and the Calcutta Act. These words will not cover very many cases, because, ingenious counsel as he is, even the ingenuity of the learned Advocate-General cannot instance any other cases than those mentioned in the English cases. From the year 1875 ingenious counsels have not been able to invent any other defences. They devised only two, superior article or different article. From 1875 ingenuity could not invent another. If the Hon'ble the Advocate-General cannot invent one — we might well say that ingenuity is exhausted. We are creating an offence. Here are two cases which we do not want to make an offence. The Hon'ble the Advocate General says safeguards have been provided. This safeguard has been provided in the analogous Acts; why not we have that. The Hon'ble Mr. Yaqub Hasan says there may be an intermediate customer. That is what the English Judges say. That is exactly what we mean by 'to the prejudice of the general customer.' We have that precedent. Therefore it is not the prejudice of the particular purchaser but the prejudice of the customer in the abstract. I do not see why those words would not do, words which have stood the test of forty-three years. Simply because legal ingenuity may devise defences, it is said we should omit those words. What will be the percentage of cases that will be protected by ingenious defences. When we create an offence we must make the language unambiguous. In the case of the retail purchaser mentioned by the Hon'ble Mr. Yaqub Hasan either he is a party to the fraud or he is not. If he is not a party to the fraud, he is prejudiced. If he is a party to the fraud directly he sells it he comes within the Act. Therefore the retail buyer who buys for selling the thing to others will be either an innocent purchaser or a fraudulent seller."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"Suppose we say 'ultimate customer' instead of 'purchaser'."

His Excellency the PRESIDENT :—"As there seems to be some difference of opinion, let us adjourn now."

At this stage the Council adjourned for a short interval and re-assembled at 2-50 p.m.

Then the consideration of the Hon'ble Mr. T. Ranga Achariyar's amendment to clause 5, sub-clause (1) (a) to insert before the word "sells" the words "to the prejudice of the purchaser" was resumed.

The Hon'ble the ADVOCATE-GENERAL :—"I wish to add one or two words more by way of reply to what the Hon'ble Mr. Ranga Achariyar has said. In the very case referred to the learned judge says :—"The language of the section has unfortunately given rise to diversity of opinion and crippled the operation of a very beneficial Act." Apart from the words being of any use, they have given rise to endless difficulties. Some cases have found their way in the Law Reports, some of them are unreported. We must not suppose that, there are not other cases in which difficulties were experienced. The learned judge says 'an impression has gone abroad whether the purchaser can be said to be prejudiced when he knows the adulteration.' The result of this would be to strike out all those provisos and safeguards. The result will be that in few cases only will the offence be committed. In most of the cases he must be deemed to have known that it contains some ingredients. The whole question therefore is whether it is possible for the Council to allow such an amendment as this which has been characterised in the very case as having unfortunately given rise to a great diversity of opinion and of having crippled to some extent the operation of this very beneficial Act.

"In the second place, I wish to mention to the Council that the Hon'ble Mr. Ranga Achariyar is not correct in stating that it works very smoothly in England. This Act was introduced in England in 1875. In 1879 they had to bring in an amendment in connexion with the very words 'to the prejudice of the purchaser.' Again, a further amendment was made in 1899 which was also the result of this unfortunately worded section. This amendment

13TH AUGUST 1918.] (*The Advocate-General; Mr. Ranga Achariyar;*
Mr. Rajagopala Achariyar; the President.)

which the Hon'ble Mr. Ranga Achariyar has proposed will bring in the complications of English law and the complications which may be discovered in India hereafter in the actual working of the Act. So much for the felicity of the expression sought to be introduced.

"As regards the question whether the English legislation was on the same lines throughout, in the later Act, the Margarine Act, the words 'to the prejudice of the purchaser' do not occur. This is with reference to a special kind of food-stuffs. I would submit that the proposed words would seriously deprive this measure of any benefit which it is likely to secure. The word 'purchaser' must necessarily mean the immediate purchaser."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"In that very case it has been held otherwise."

The Hon'ble the ADVOCATE-GENERAL :—"It has been held in England; we do not know how it will be held here. Judicial opinion is not always uniform. The purchaser means the person who demands the article, and not one who does not demand the article. Then it may also involve the further question, what is meant by 'prejudice.' It is a very difficult question. Is it to be defined as injury, as injury affecting body, mind, reputation or property or is it any other kind of prejudice? I think when the Council looks at all the safeguards and the very exceptional provisions which have now been put in by which prosecutions are to be instituted within three months and with the consent of the local executive officer, and also has regard to the fact that if one sells an article superior in quality it is hardly likely that the magistrate will convict him for that, it will come to the conclusion that the section may remain as it stands."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I have very little to say, but after hearing the debate which has taken place, I feel convinced that the balance of advantage is against the amendment. It is really a question on what side the balance of advantage will be. I do not deny that there is considerable force in what the Hon'ble Mr. Ranga Achariyar has said. His strongest point is that there is a similar provision in the English law which was enacted forty years ago. But, as pointed out by the Hon'ble the Advocate-General, the English law gave a great deal of difficulty in the actual working. There is no particular reason why we should not depart from the English law when we feel that the departure will be in the direction of facilitating the working of the measure. The apprehension—I think it is a well-grounded apprehension after the debate—is that if you put in these words, the chances are that you would greatly weaken the measure. I do not think there is any fear of this measure being worked oppressively. There are a number of safeguards, as pointed out by the Hon'ble the Advocate-General. I would earnestly appeal to the Council not to adopt the amendment which would cut at the root of the enactment."

The amendment was put to the Council and lost.

His Excellency the PRESIDENT :—"If you look at clause 5 (1) (a) the language is 'or in the case of a compounded article of food is not composed of ingredients according with the demand of the purchaser' It is proposed that those words be omitted."

The Hon'ble the ADVOCATE-GENERAL :—"The reason for the amendment which I beg to move is that it was apprehended in the Select Committee that the word 'composition' might give rise to difficulty so that it was necessary to define what 'composition' means and what 'compounded article' means. What I propose is to omit all reference to composition in the section. 'Nature, substance and quality' are sufficient to cover every case. It is not necessary to have the word 'composition' especially when we have 'compounded article of food.' This was taken from the English Act which itself was defective—section 7 of Sale of Foods and Drugs Act."

"This section refers to a clause which was dropped out of the Bill. It was originally intended to define what is meant by a compounded article of food. But unfortunately the section remained in the Act which was finally passed. Then the question arose whether prosecution in the case of compounded articles of food is to be under section 7 or section 6. The English Courts have held that section 6 which corresponds to section 5 of our Bill would apply. We find there was a special section which defined composition. Food is defined in clause 2 of our Bill as 'every article (other than drugs or water) used by man for food or drink, and all material used or admixed in the composition or preparation of such article and shall also include flavouring matter and condiments.' It is wholly unnecessary to have any reference to compounded article of food, because a 'compounded article of food is food and any article of food will be subject to the provisions of the Bill. There is, therefore, no necessity to have this proviso unless there is a definition of compounded article. This is due to the mere accident of our following the provisions of the English Act. I propose that the words 'or in the case of a compounded article of food is not composed of ingredients according with the demand of the purchaser' in clause 5 (1) (a) be omitted."

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar seconded the amendment.

The Hon'ble Mr. T. RANGA ACHARIYAR :—"Does the Hon'ble the Advocate-General propose to omit the word 'composition' wherever it occurs?"

The Hon'ble the ADVOCATE-GENERAL :—"Yes."

The amendment was put to the Council and agreed to.

His Excellency the PRESIDENT :—"The next amendment which is a consequential one is that the word 'composition' be omitted in clause 5 (1) (b) and 5 (1) (c)."

(Mr. Narasimha Ayyar; Sir Fairless Barber; [13TH AUGUST 1918.
Lieut.-Col. Giffard; the Advocate-General; the President;
Mr. A. S. Krishna Rao; Mr. Rajagopala Achariyar.)

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Is it necessary to remove the word 'composition' in this sub-section?"

"I think the word 'composition' is as necessary as 'nature, quality or substance.' The consequential amendment does not require the deletion of this word 'composition' elsewhere."

The Hon'ble Sir FAIRLESS BARBER:—"Does composition refer to the proportion of the articles?"

The Hon'ble Surgeon-General Lieut.-Col. GIFFARD:—"If by composition you mean chemical composition, you would never get out of the difficulty."

The Hon'ble the ADVOCATE-GENERAL:—"It is very difficult to define what is meant by the word 'composition' which is not covered by the words, 'nature, substance or quality.' By putting in these unnecessary words you create a certain amount of confusion whether it is chemical composition or proportion. If the food is lacking in the proportions of the ingredients it should contain, it will not conform to the nature, substance or quality of the food. It is better to omit the word 'composition'."

The Hon'ble Sir FAIRLESS BARBER:—"There is a great deal of difference between coffee and chicory in the composition."

The Hon'ble the ADVOCATE-GENERAL:—"If a man asks for a pound of coffee and if he gets coffee and chicory it is not of the nature, substance or quality of the article that he asked for. But if it is brought to the notice of the purchaser either by a label or otherwise that it is so much coffee and chicory, it will be all right."

His Excellency the PRESIDENT:—"I do not think the word 'composition' matters one way or the other."

The motion to omit the word composition in clause 5 (1) (b) and (c) was put to the Council and agreed to.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I find in line 14 on page 3 the word 'composition'."

The Hon'ble the ADVOCATE-GENERAL:—"That is a quite different thing."

His Excellency the PRESIDENT:—"The next amendment is with regard to sub-clause (1) (d). Does the Hon'ble Mr. A. S. Krishna Rao want to move it?"

The Hon'ble Mr. A. S. KRISHNA RAO:—"Yes, I want to move a slight amendment which affects the penalties provided in the Act. The amendment runs as follows:—

"In sub-clause (1) (d) for "one hundred" substitute "fifty" and for "five hundred" substitute "two hundred"."

"There are two reasons: firstly, it is a new Act which will be tried in rural areas as also in the Agency tracts; even third-class magistrates may try these offences. That is why the penalty should be lighter. I hope there will be no difficulty in accepting it."

The Hon'ble Mr. B. V. Narasimha Ayyar seconded the amendment.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I am against it. This is only the maximum penalty. I do not consider rupees hundred excessive for the first offence or rupees five hundred for the second offence."

The amendment was put to the Council and lost.

Clause 5 as amended was allowed to stand part of the Bill.

Clause 6.

His Excellency the PRESIDENT:—"The word 'composition' goes out in four places; it occurs four times."

The Hon'ble Mr. A. S. Krishna Rao intimated that he did not move his amendment to omit sub-clause (2).

Clause 6 was allowed to stand part of the Bill, with the omission of the word "composition" in four places.

Clause 7.

Clause 7 was allowed to stand part of the Bill.

Clause 8.

Clause 8 was allowed to stand part of the Bill.

13TH AUGUST 1918.] (Mr. Ranga Achariyar; the Advocate-General;
Mr. M. Ramachandra Rao.)

Clauses 9 to 18.

Clauses 9 to 18 were allowed to stand part of the Bill.

Clause 19.

The Hon'ble Mr. A. S. Krishna Rao intimated that he did not wish to move the amendment to this clause of which he had given notice, viz., for "three" substitute "two."

The Hon'ble Mr. T. RANGA ACHARIYAR then moved the following amendment of which he had given notice:—

"After clause 19 the following clause shall be inserted as clause 20:—

"Every fine imposed and recovered under this Act shall be paid to the credit of the local authority within whose jurisdiction the offence was committed, or by whom or under whose authority the offender was prosecuted."

In doing so, he said:—"My Lord, I have taken this from the English Act, section 26. There is a corresponding section in the Madras City Municipal Act. We are now throwing a financial responsibility on the local authority in connexion with the working of this Act. It is only right that the fines recovered under this Act should go to the fund from which the prosecution is launched. That principle is recognized in connexion with prosecutions which are purely municipal or local. These bodies have not got enough funds and we are throwing a new financial burden on them. It is necessary that these local authorities should be given an inducement by way of these fines. As the principle of it is accepted in other Acts I do trust that the Government will accept it."

The Hon'ble Mr. A. S. Krishna Rao seconded the amendment.

The Hon'ble the ADVOCATE-GENERAL:—"Your Excellency, there is great difficulty in accepting this amendment. The Government can always allot funds and distribute funds. The question is whether the Council has the power to pass such a section. No doubt in certain other Acts there have been similar provisions. The Government of India Acts were scattered in several statutes and it was impossible to find those statutes and they were not considered in enacting those sections. The real reason why I object to this section is that section 21 of the Government of India Act, 1915, provides:—"The expenditure of the revenues of India, both in British India and elsewhere, shall be subject to the control of the Secretary of State in Council; and no grant or appropriation of any part of those revenues, or of any other property coming into the possession of the Secretary of State in Council by virtue of the Government of India Act, 1858, or this Act, shall be made without the concurrence of a majority of votes at a meeting of the Council of India." Therefore, any grant or appropriation of revenues cannot be made except by a resolution of the Council of India or by the various Governments in accordance with the general provisions of the regulations and rules framed by the Secretary of State under section 21 or the corresponding provisions in the earlier statutes in this behalf. The revenues of India are expressly defined in section 20, which states: "The revenues of India shall include all fines and penalties incurred by the sentence or order of any court of justice in British India and all forfeitures for crimes of any movable or immovable property in British India." Therefore the fines which are recovered are part of the revenues of India, and if you make a direct or substantial grant of the fines, then it would be contrary to the express prohibition contained in section 21 of the Government of India Act. That is a section which cannot be affected by the local or the Indian legislature. Honourable Members will remember, with reference to this section 65, clause (2) (i), which says "Provided that the Governor-General in Legislative Council has not, unless expressly so authorized by Act of Parliament, power to make any law repealing or affecting any Act of Parliament passed after the year one thousand eight hundred and sixty." Section 79 (4) says: "The local legislature of any province has not power to make any law affecting any Act of Parliament." Therefore, the express prohibition in section 21 will be affected by a legislation that part of the revenues shall be transferred. The Legislative Council can pass an Act which makes a charge on the revenues of India but has not power to appropriate any part of the revenues to any particular purpose. That is the general nature of the various regulations made in accordance with section 21. Therefore, my objection is only on that ground, that such a provision is ultra vires. I know in several cases that this has been done, but the recent Consolidation Act has brought this matter prominently to notice. There is nothing to show that when the provision in the City Municipal Act was made, this was had in mind."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, I regret that the Hon'ble the Advocate-General should have come to the conclusion that the Government of India Act stands in the way of this amendment and that he should have made the extraordinary statement that the previous enactments containing similar provisions were enacted without the knowledge of this provision on the part of the Provincial legislatures, the Indian legislature and the Secretary of State. Section 21 refers to the appropriation of the revenues or expenditure, but it has no bearing upon the powers of the Provincial legislatures which are referred to in section 79 of the Act which contains restrictions upon the power of the local Legislative

(Mr. M. Ramachandra Rao ; Mr. Siva Rao ;
Mr. Narasimha Ayyar ; Mr. Rama Ayyangar.) [13TH AUGUST 1918.]

Council. Section 79 does not contain any restriction of the nature now suggested ; it says on the other hand that a Bill may be introduced with the permission of the Governor, even though it may affect the revenues of the Government of India. The precedents to be found in various enactments are a safer guide in this matter than the present contention of the Advocate-General. There is a provision in the Criminal Procedure Code, section 545, which permits the money realized from the composition of offences being paid to complainants in cases where it may be adjudged by courts. There are provisions in the City Municipal Act which say that fines levied for municipal offences should be credited to the municipal funds. A most recent case was when a village fund was constituted in Assam under the Local Self-Government Act recently passed ; the penalties imposed were to be contributed to the village fund. As this contention is put forward and is likely to be put forward whenever such a proposal is made, it is one of those matters in which we must join issue with the Hon'ble the Advocate-General. The consideration of section 21 has no bearing on this matter. On the other hand I am convinced that the local legislature has ample power."

The Hon'ble Mr. P. SIVA RAO :—" My Lord, I was considerably surprised at the position taken up by the Hon'ble the Advocate-General, although he conceded that there was considerable justice in favour of this claim. A local body has to engage an analyst, whether it will or no, and when the Hon'ble Mr. A. S. Krishna Rao moved an amendment that this Act should not be thrust upon the local body, that was vehemently opposed by the Government. The operation of the Bill is imposed upon the local body and with it some additional burden is also imposed. The local body has to engage a staff and to incur certain expenditure in working the provisions of the Act and it has to employ an analyst. After all this, we are told at the end under the cover of certain Government of India Acts that the local body cannot have recoupment of all these expenses. There have been a number of provisions in the Towns Nuisances Act and the District Municipalities Act that these fines may be credited to the municipal fund. We have here a declaration of opinion for the first time pronounced by the Hon'ble the Advocate-General that those provisions are ultra vires. I shall invite the attention of the Hon'ble the Advocate-General to this point. The Act raises a special fund for certain purposes, and therefore the Act can give power to appropriate the fund for any definite purposes. It is a special Act, the Adulteration Act. It raises a certain fund, and when it does that, it is ridiculous to suggest that the same Act which creates these revenues cannot give the power to dispose of them. This provision does not contravene the provision in the Government of India Act. But for this Act, we would have no funds."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" I am glad that the Hon'ble the Advocate-General did not object to the amendment on its merits. I wish to press one aspect of the matter. Are we here to join the Hon'ble the Advocate-General and say that a series of Acts have been passed by this Council which should be treated by ourselves as invalid, or are we rather to say they are valid ? We have proceeded on one interpretation as to the power of this Council, and that should continue until it becomes necessary to alter our views. Suppose we accept the Hon'ble the Advocate-General's contention ; the proceedings of this Council will be quoted and the courts may say all these Acts are illegal and we would be stultifying ourselves. Should this opinion which is now the opinion of only one member prove ultimately to be correct, we should require a validating Act, as regards this and numerous other Acts. In such a general Act, we can have one clause about this Act also. The Moment case decided that the local legislature has no power to legislate so as to take away a right to sue the Secretary of State in regard to land. We as a Council should not stultify ourselves by saying that all these Acts are invalid. With due respect to the Hon'ble the Advocate-General, very few Honourable Members are prepared to believe that all these enactments are invalid. If they are held invalid, we may have a validating Act ; otherwise we should ask for the Secretary of State's formal permission."

The Hon'ble Mr. K. RAMA AYYANGAR :—" My Lord, I think in this connexion we have to read sections 21 and 79. All that section 21 says is : 'The expenditure of the revenues of India, both in British India and elsewhere, shall be subject to the control of the Secretary of State in Council ; and no grant or appropriation of any part of those revenues, or of any other property coming into the possession of the Secretary of State in Council by virtue of the Government of India Act, 1858, or this Act shall be made without the concurrence of a majority of votes at a meeting of the Council of India, provided that a grant or appropriation made in accordance with provisions or restrictions prescribed by the Secretary of State in Council with the concurrence of a majority of votes at a meeting of the Council shall be deemed to be made with the concurrence of a majority of such votes.' The constitution and the powers of the local Legislative Council are referred to from section 72 to section 79. Clauses (4) and (5) of section 79 are important. Clause 4 says : 'The local legislature of any province has not power to make any law affecting any Act of Parliament.' Clause 5 says : 'Provided that an Act or a provision of an Act made by a local legislature, and subsequently assented to by the Governor-General in pursuance of this Act, shall not be deemed invalid by reason only of its requiring the previous sanction of the Governor-General under this Act.'

13TH AUGUST 1918.] (Mr. Rama Ayyangar ; Mr. Ranga Achariyar ;
the Advocate-General.)

Even in cases when prior sanction is not taken by the local Legislative Council for the provision, the provision is not illegal. That is well understood if we take sections 81 and 82. Section 81 says (1) 'When an Act has been passed at a meeting of a local Legislative Council, the Governor, Lieutenant Governor or Chief Commissioner, whether he was or was not present in Council at the passing of the Act, may declare that he assents to or withholds his assent from the Act. (2) If the Governor, Lieutenant Governor or Chief Commissioner withholds his assent from any such Act, the Act has no effect.' Clause 4 says : 'Where the Governor-General withholds his assent from any such Act, he shall signify to the Governor, Lieutenant Governor or Chief Commissioner in writing, his reason for so withholding his assent.' That, therefore, gives an opportunity for the Governor-General, when such an Act is passed to withholding his assent. Section 82 says 'When any such Act has been assented to by the Governor-General, he shall send to the Secretary of State an authentic copy thereof, and it shall be lawful for His Majesty to signify, through the Secretary of State in Council, his disallowance of any such Act.' These provisions are made. I have already referred to clause 5 of section 79, and so far as section 21 is concerned, I have mentioned, Your Excellency, that no grant or appropriation of revenue shall be made without the concurrence of a majority of votes at a meeting of the Council of India. The definition was read out that the revenues of India 'shall include all fines and penalties incurred by the sentence or order of any court of justice in British India, and all forfeitures for crimes of any movable or immovable property in British India.' These are the three clauses. The question is where there is an Act passed to have certain revenues and to appropriate them to a particular purpose, whether they will be the revenues of India. Sub-clause 3 of section 20 will come in only when they become the revenues of India. Under these circumstances the language used in section 20 (3) and section 79 does not refer to the competency of this Council to pass a measure like this. I do not see where we are out of order. Even if we are out of order in doing this, we have precedents. There is no reason why there should be a departure made like this. This Council is of opinion that it should not be made a revenue of India but should be made a revenue of the local body. The amendment is quite in order."

The Hon'ble Mr. T. RANGA ACHARIYAR :—" I do not want to follow my Honourable friend in discussing questions of law. The Hon'ble the Advocate-General will admit that there is some doubt. We have precedents including legislations of the Government of India and local legislations and nobody has ever questioned them. The principle of it is admitted ; nobody has questioned our power. Are we to drop it, merely because our Advocate-General is down on us ? With due respect to the Hon'ble the Advocate-General it is a highly doubtful question, and it has not been decided. Possibly it is an arguable point as some of our Judges will say. I am sure that if the Hon'ble the Advocate-General were on the Bench, I would convince him in five minutes. When the principle and the policy of the suggested amendment is admitted in other Acts, are we sure that it is *ultra vires* ? Has anybody suggested that ? Are we to say merely, on account of doubt, that all our Acts are *ultra vires* ? I quite agree that it is a doubtful point. There is the Governor who is going to give his assent and there is also the Governor-General who has to give his assent. Look at the consequences of it. We are going to have the City Municipal Bill, repeating that provision which was put in in 1884 and 1902. Look at the Criminal Procedure Code. Every magistrate knows that if a man is assaulted or hurt, so much is paid to him as compensation. In the case of adultery, hurt, assault, it is a well known thing. When we have precedent and practice and principle in our favour, is this doubt to stand in our way ? I would appeal to the Hon'ble the Advocate-General not to give effect to a mere doubt."

The Hon'ble the ADVOCATE-GENERAL :—" As I expected, the Hon'ble Mr. Ranga Achariyar did not discuss the merits of the question. He skilfully evaded it by saying that it is a matter of doubt. With a full sense of responsibility, without any desire to throw any doubt upon similar provisions, I must point out it is a fundamental principle of the Government of India Act that no appropriation or grant of the revenues of India can be made by the local legislature. The amendment that is sought to be made is that the fines should be credited to the local authority. The question is whether these fines are revenues of India. The only argument of the Hon'ble Mr. Siva Rao and the Hon'ble Mr. Rama Ayyangar is, when you create an offence you create a fund and you can dispose of it. It is hardly right to say that. When you create an offence, upon conviction certain results follow. Section 20 (3) (ii) applies to all penalties in all cases before the Act or after it. That argument will not do. I am sure that the Government can do it by executive order. The Hon'ble Mr. Ranga Achariyar wants the legislature to do it. That the Government can do it there is very little doubt, just as the local bodies get other grants and appropriations substantial or otherwise. As far as practice is concerned, practice does not make a statute valid. The Hon'ble Mr. Ranga Achariyar and others as lawyers may remember there are many decisions based on many points never raised or argued. In the other cases referred to there may be special instructions issued by the Government or they may be in accordance with special regulations. The Council must confine itself to the present proposal. If it is a matter of doubt, it is serious enough according to the Hon'ble Mr. Ranga Achariyar to make the Council withhold its assent to the amendment proposed."

64 THE MADRAS PREVENTION OF ADULTERATION BILL, 1918, AND
THE DODDAPPANAYAKKANUR AND VUYYURU IMPARTIBLE
ESTATES BILL, 1918.

(Sir Alexander Cardew.)

[13TH AUGUST 1918.]

The amendment was put to the Council and lost. A poll was demanded and it was taken with the result that 12 voted for and 23 against the amendment. The following is the amendment:—

For	Against
The Hon'ble Rao Bahadur V. K. Ramanuja Achariyar.	The Hon'ble Sir Alexander Cardew.
„ Rao Bahadur M. Ramachandra Rao.	„ Mr. H. F. W. Gillman.
„ Mr. P. Siva Rao.	„ Mr. L. Davidson.
„ Mr. K. Rama Ayyangar.	„ Mr. A. R. Knapp.
„ Mr. K. Sadasiva Bhat.	„ Diwan Bahadur R. Ramachandra Rao.
„ Diwan Bahadur K. R. Surya-narayanamurti Nayudu.	„ the Lieut. Col. G. G. Giffard.
„ Mr. B. Venkatapati Raju.	„ Mr. A. Butterworth.
„ the Rev. Mr. G. Pittendrigh.	„ Mr. L. E. Buckley.
„ Mr. K. R. V. Krishna Rao.	„ Mr. M. E. Couchman.
„ Mr. T. Ranga Achariyar.	„ Mr. C. G. T. Dhunter.
„ Mr. A. S. Krishna Rao.	„ Md. Aziz-ud-din Husain Sahib.
„ Mr. B. V. Narasimha Ayyar.	„ Sir Gordon Fraser.
	„ Sir Francis Spring.
	„ Mr. J. H. Stone.
	„ Mr. J. H. Thonger.
	„ the Archbishop Aelen.
	„ the Prince of Arcot.
	„ Mr. S. B. Murray.
	„ Mr. W. J. J. Howley.
	„ the Advocate-General.
	„ Diwan Bahadur P. Rajagopala Achariyar.
	„ Mr. R. A. Graham.
	„ the Zamindar of Serugada.

The Hon'ble Mr. A. S. Krishna Rao did not move the amendment of which he had given notice, viz., to omit sub-clause (a) from section 20 and to substitute 'fifty' for 'one hundred' and 'two hundred' for 'five hundred'.

Clause 20.

Clause 20 was allowed to stand part of the Bill.

Clause 21.

Clause 21 was allowed to stand part of the Bill.

Clause 22.

Clause 22 was allowed to stand part of the Bill.

Preamble.

The preamble was allowed to stand part of the Bill.

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar then moved that the Bill be passed into law.

The motion was put to the Council and agreed to.

THE DODDAPPANAYAKKANUR AND VUYYURU IMPARTIBLE
ESTATES BILL, 1918.

The Hon'ble Sir ALEXANDER CARDEW introduced a Bill to declare the Doddappanayakkanur and Vuyyuru estates to be impartible estates within the meaning of the Madras Impartible Estates Act, 1904, and moved that it be read in Council. In doing so, he said:—“Your Excellency, my duty is to move for the introduction of this Bill and to move that it be read in Council. This is only a small measure the object of which is to accord to these estates the same degree of protection which is possessed by other impartible estates which are scheduled in the Act of 1904. I may just briefly explain to the Council what was the *raison d'être* of that Act. For a very long time, for nearly a century, it had been regarded as the settled law of this Presidency that ancient zamindaris were impartible and that conclusion really followed from the well-known principle that under the native rule every zamindari was resumable at pleasure. The ruling power did not promise continuance, though hereditary succession was freely admitted. But as the estates were resumable, they could not be alienated. Alienation would be detrimental to the continuity of the estate. For this reason all the ancient

THE DODDAPPANAYAKKANUR AND VUYYURU IMPARTIBLE
ESTATES BILL, 1918. 65

13TH AUGUST 1918.] (Sir Alexander Cardew; Mr. Venkatapati Raju.)

estates were regarded as impartible. That was the understanding and the general law of the Presidency. In 1889 the Privy Council dealing with an estate in Northern India held the view that it did not follow that these estates were inalienable and impartible and that it had to be proved in every case whenever the question was raised. The High Court of Madras following the Privy Council decision upset the law as hitherto understood in this Presidency and then the Government after a long debate determined to restore the law to the position it was in before, and in doing so they limited this protection to ancient zamindaris. In the case of ancient zamindaris, they declared by the Act of 1904 that they should be inalienable except in accordance with the provisions of that Act. What it is proposed to do now is to provide that that amount of protection should be extended to these two estates.

“One of these estates, the Doddappanayakkanur estate, is undoubtedly an ancient one, and was scheduled in 1904, but section 6 of the Act provides that when an estate changes hands it shall lose the protection under the Act. It is easy to understand that rule. A small portion might change hands and to continue the inalienable character to it would lead to public inconvenience. There is nothing in the section however to prevent us from restoring impartibility to the estate alienated. It would not be necessary to amend that section. As I have said, the Doddappanayakkanur estate is an ancient estate. It is a small one consisting of two villages. The Government would no doubt hesitate to restore this quality of impartibility which it possessed if the ancient zamindari were to fall into the hands of a modern zamindar. But this is not the case here. The estate has been purchased by one of the members of an ancient Madura family which traces its descent from the famous Tirumala Naick. Although it is not an actual zamindari family, it is one of the old families. In view therefore of the special circumstances, the Government have thought that as an old family has purchased an old zamindari they may legitimately restore to it the character of impartibility which it possessed.

“As regards the Vuyyuru zamindari, it is a subdivision of what is undoubtedly an ancient zamindari, the Nuzvid zamindari which goes back a long way into the 18th century. As regards that estate as to whether it was impartible or not, there was a conflict of decisions. The original decision was that it was impartible, but subsequent decisions have been otherwise. But that does not prevent the legislature from giving protection to it if it is necessary in the public interests to do so. The owner has applied to the Government to give him the protection of the Act. It is an ancient estate and it appeared to the Government that there is no substantial objection to the same protection being extended to it as other ancient estates possess. In analogous cases of the Kangundi and the Peddapur estates which had been declared by the Courts to be alienable the legislature stepped in and placed them under the Act of 1904. So we have precedents for this course. On that ground also it is proposed to give protection to this estate also. The Act itself besides restoring the ancient law as it stood before the decision in the 17 Allahabad case has the effect of preventing the disruption of these estates being wasted in needless litigation which was one of the causes for the Nuzvid zamindari being divided into 8 or 9 fragments. The object of this Bill is to protect this small estate from further disruption and further waste by litigation. These are the reasons which have led the Government to bring forward this Bill which we hope will receive the general support of the Council.”

The Hon'ble Mr. H. F. W. Gillman seconded the motion.

The Hon'ble Mr. B. VENKATAPATI RAJU:—“My Lord, after hearing the Hon'ble Sir Alexander Cardew I might say that the measure is not a controversial one, and on that account it is not unopposed. It is opposed because a good principle is not enunciated. The Bill merely aims at the perpetuation of ancient families. When you want the abrogation of a certain law already made there must have been a certain misunderstanding. In the Act of 1904 there are two provisions which say that it shall cease to apply to an estate which shall thereafter be alienated; the person who purchases the estate cannot have the protection of an impartible zamindari. We want to bring an estate so transferred under the protection? Are we to open this door wide to persons who purchase the properties. There are merchant princes who have purchased ancient zamindaris. Are we to include them in the Act, or are we to cry halt in regard to some? The reason now advanced is that the person who has purchased is a person belonging to an ancient zamindari. Are we to say that all those who are allowance-holders as has been the case with these will be brought in? If we have some such provision, there will be no difficulty in deciding which estate should be included. We must have a broad principle which is now wanting. Under the Impartible Estates Act there is a provision in section 8 (2) ‘If, in any suit, proceeding or appeal, permitted to proceed by the Madras Impartible Estates Continuance Act, 1903, it be finally decided that any estate named in the schedule attached to this Act is partible, such estate shall be deemed not to have been mentioned in the schedule.’

“Even with reference to the estates mentioned in the schedule appended to the Act, if the courts should pronounce that they are not impartible, you must deem it that they are excluded from the schedule. We have a decision that these estates are partible. On what principle can we make impartible estates? If we say that in spite of the Privy Council decision, it is

(Mr. Venkatapati Raju; Mr. Ranga Achariyar; [13TH AUGUST 1918.
Mr. M. Ramachandra Rao.]

impartible because it is an ancient estate as understood by the Madras Government and the Madras High Court, you must include all those estates which were held to be ancient.

"There is another circumstance also which I wish to place before this Council. Very recently the Privy Council pronounced that junior members of the impartible estate-holders were not entitled to any maintenance, but they say as a matter of practice they will allow it for the sons. You only create safeguards against the zamindars from being ruined by litigation. Are the junior sons to be sent out? Is it not necessary for the legislature to provide for the junior members? It is not enough for one zamindar to say, 'I will make an allowance for the junior son', or for another to say 'I have no son now, but if I have any son I will provide for him.' There must be a certain principle enunciated as to what sort of zamindars will be included or excluded, and secondly provision should be made for junior members. If that is made, I have no objection. We know automatically this motion will be carried, but there will be a feeling left that things are done in a manner which is not fair."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"My Lord, I do not wish to give a silent vote. I propose to vote for the motion. It seems to me that there is justification in principle for the inclusion of these two estates and for Government to consider whether the time has not come to amend the Act so as to give effect to that principle. Section 7 applies to all estates alike. As the Hon'ble Sir Alexander Cardew has pointed out, there may be cases where we will have to make exceptions. Suppose in the case of an ancient zamindari like that of Doddappanayakanur, the zamindar loses the ancient estate which was impartible and buys another—in this case Doddappanayakanur—which was impartible under the Act, such an estate should not lose the character of impartibility. If such a man buys such an estate, he should not be considered an alienee within the meaning of section 7. After all the custom of impartibility is a family custom. There are not many estates which by the nature of their tenure are impartible; in other cases impartibility has to be proved by custom. Where in a family there has been a custom of impartibility and such a family buys an estate, it will be a very good reason to make the estate impartible. Let us have some such principle."

"There is one other matter which I desire to mention. The Zamindar of Doddappanayakanur has got two sons. As the law stands, the second son has an one-third share and by this legislation we confiscate that property. What is the compensation we are giving? He is an infant who is not able to take care of himself. In the case of adult people who can give their consent, it will be a very good case to make the estate impartible. But here is an infant and we are depriving him of his estate without making any compensation. In such a case the Government should insist on the proprietor who has more sons than one making a settlement beforehand not to prejudice the interests of the sons. It may be to the interest of himself and to the interest of the infant that the estate should be impartible. Although I understand he wrote to say that he is willing to do so, I should like the Hon'ble Sir Alexander Cardew to assure me on that point, so that my conscience may be clear in giving my vote, that the proprietor has given such an assurance to the Government."

"Then as regards the other estate which has been declared by the High Court to be partible, by a stroke of the pen we are declaring it to be impartible. I give my vote with a clear conscience, because the zamindar has got an only son and because the person interested applies. If all the people interested should apply that will be a principle to go upon. There are estates and estates. The condition should be that it should be an ancient zamindari prior to the Regulation of 1802 and it should be held in a family where the custom is impartibility and all the adult members should apply for its inclusion. I do not see how the public can object to it. It is time for the Government to consider whether they should not lay down for their own guidance some principle. It ought not to depend upon personal whims and fancies. I dare say the Government are acting on a principle. But there must be legislative guidance instead of the sweet will and pleasure of the executive Government. I earnestly urge upon the Government whether they will not consider the desirability of amending the Act itself so to give them guidance in future. I am sure there will be applications from persons who have purchased ancient zamindaris. The Kalahasti zamindari has been parcelled out and the Karvetnagar estate has been parcelled out. I therefore ask that the matter may be taken serious notice of by the Government so that the Government may not be flooded with applications from persons and personal considerations may not come into play."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, I should like to offer a few observations. In the first place I should join my Honourable friends who have spoken before me and say that this Bill meets with my general support. While I agree with my Honourable friends that ancient zamindaris should get protection, there are certain considerations which arise on this Bill in regard to which I should like to have a clear statement from the Hon'ble Sir Alexander Cardew. One of these is in regard to the purchasers of ancient zamindaris. It has been explained by the Hon'ble Sir Alexander Cardew, that if the purchaser happens to have been the owner of an ancient zamindari at one time, i.e., although he is a malikana holder, if the alienation was made in favour of a gentleman who belongs to an ancient family which at one time owned an ancient zamindari and were in possession of those estates the estate may

13TH AUGUST 1918.] (Mr. M. Ramachandra Rao; Mr. A. S. Krishna Rao;
Mr. Kavalappara Muppil Nayar; Mr. Rama Ayyangar.)

be made impartible. Many of these ancient zamindaris have been broken up; we have a large number of auction purchasers. Karvetnagar has been broken up and Kalahasti has been similarly dealt with. In the southern districts a number of zamindaris have passed into other hands. The question arises whether the Government should create an aristocracy of auction purchasers or whether the Government's intention is to preserve the dignity of persons belonging to ancient zamindaris. As I said, the gentlemen concerned in this Bill come under ancient zamindaris, and possibly there may be no insuperable objection in their case. But the question which arises is one of legislative policy which has been inadequately dealt with by the Hon'ble Sir Alexander Cardew. I would ask him to consider whether a landed aristocracy of auction purchasers should be created. If such an attempt were made, it would meet with the same ridicule, as the proposal to strengthen the House of Lords by the creation of 500 Lords. I should like to know what the policy of the Government is. Some estates are already on the anvil. As soon as this Bill is passed, your Excellency's Government will have many more applications from persons who may not belong to ancient families themselves but who wish to come into the category of impartible proprietors."

"The second point that I should like to mention is with regard to the rights of maintenance of junior members. There is no provision in the Bill that maintenance shall be granted to the junior members. I understand that in one of the two estates there is a second son whose interests will certainly be affected by the Bill. Since the recent decision of the Privy Council in the Pithapuram case the rights of the junior members of impartible estates for maintenance have been unsettled, and the time has come when your Excellency's Government should undertake an amendment of the Act of 1904 by specifically providing beyond all controversy that the holders of impartible zamindaris are bound to make suitable provision for the junior members. That is a difficulty in regard to the Bill and I should like to have a clear statement about it."

"Therefore, my Lord, while I am willing to vote for this measure, I should like to have a clear statement as to the legislative policy implied in this Bill. Sir Alexander Cardew said something about the matter which was of a non-committal character. I hope, therefore, he will make a statement as regards amending the legislation suggested by the Hon'ble Mr. Ranga Achariyar,—whether, if it is intended to extend the principle of impartibility, it is necessary to amend the Act so as to confer this right to members of ancient zamindari families or to auction purchasers."

The Hon'ble Mr. A. S. KRISHNA RAO:—"It is with some hesitation that I have decided to support this motion. But listening to the speeches which have been made, I have some doubt whether the proposed course is the best one. I have no doubt that the Hon'ble the Advocate-General will give his reasons for deciding to afford such help to zamindaris. I am very glad indeed that the Government have thought fit to extend the provisions of the Impartible Estates Act to those cases which they considered as reasonable and proper. Under the Madras Act II of 1904 there were important provisions created in section 6 and in section 8. It has been also pointed out that the cases of the two estates come in conflict with the provisions, in one case of section 6 and, in the other, of section 8. Is it the proper course for this Council to adopt a Bill irrespective of the provisions of sections 6 and 8 to violate those provisions and make a declaratory law? I feel considerable doubt in the matter. I hope it will be cleared up when the Hon'ble the Advocate-General offers his remarks. If we feel that the provisions in sections 6 and 8 are unnecessarily drastic, we may consider whether they cannot be modified so as to give discretion to the local officers to include certain estates in appendices. Would it not be proper to modify them or would it not be wise to leave them intact and proceed with a different Bill declaring that certain estates are impartible? My own view is to modify these provisions and give power to the Government to have new estates included rather than to have a new Bill to deal with these two estates."

"Considering the interests of the junior members of the zamindar's family it should not be left to the sweet will and pleasure of the zamindar to provide for them; but provision should be made in the Bill itself to effect that object. There is nothing repugnant to such a condition in the Bill. It may be that a private assurance given to the Hon'ble Sir Alexander Cardew is ample assurance to some Honourable Members. But it is better to incorporate the provision in the Bill itself."

"These are the two points to be considered before the Bill is rushed through. From the agenda I find that it is proposed to suspend rule 46 and have the Bill passed into law. The necessary inquiries have to be made before it is passed into law. It is not desirable to pass this Bill into law at once. I am for introducing the Bill, but before taking further steps we must make fuller inquiries."

The Hon'ble Mr. K. K. R. KAVALAPPARA MUPPIL NAYAR:—"Your Excellency, my sympathies are wholeheartedly with the mover of the Bill which is fully in accordance with the laudable object of the Madras Impartible Estates Act of 1904."

The Hon'ble Mr. K. RAMA AYYANGAR:—"My Lord, my position in this matter has been causing me considerable trouble of mind. I have been trying to satisfy myself that I should vote silently. But I found it impossible. I do not want to repeat the arguments placed before

(Mr. Rama Ayyangar ; Mr. Siva Rao ; Mr. Narasimha Ayyar ; [13TH AUGUST 1918.
Sir Alexander Cardew.)

the Council. But I do want to press several arguments. I understand that in each case a portion of the present zamindari is set apart and is not sought to be brought into the Bill. It may be said that it is to satisfy the claims of the junior members. In one case I am able to say that it is so, but in the other I do not know. In the first case the estate of Vadagarai forms part of the zamindari; the proprietor has not applied for its inclusion. It looks to me that all aspects considered, one impression will be left on the public. For the sake of friendship or pressure by members who have taken an interest in the matter we feel bound to vote in favour of the present Bill. My submission is that the proper course would be, if the Government think more people should be protected, to give opportunity to the various zamindars to come with proper cases before the Government to have particular portions or the whole of their estates included in this list. Just as I was starting for Madras, the zamindar of Sevelpatti sent a man to me to say that he had applied for the inclusion of his zamindari under the Impartible Estates Act. From 1904 the Government seemed to have replied to him that if his first estate was impartible the present Act would not interfere with its nature and therefore it was not necessary to include it. That was the endorsement of the Government which he sent to me. When we are taking steps to protect certain people who were specifically excluded from the prior Act, I suggest that the intention of the Government should be placed before the country, and all persons interested should be asked to apply so as to give such satisfaction as the Government may finally decide to worthy zamindars. All of them may be asked to apply and the Government might proceed then. As suggested by the Hon'ble Mr. A. S. Krishna Rao we are repealing two sections in the old Act which vitally oppose these estates being included in the old Act, and we shall be passing an Act which is inconsistent with a previous enactment. That is the position we are taking up. By implication we are repealing those sections. Why should the legislature proceed on these lines? I am also giving my support to this motion; but everybody would oppose and would yet support the Bill. It is not satisfactory that it should be done in that way. Let the whole thing be considered fully and in an open manner and the matter brought up at the next meeting. Unless that is done my conscience will be acting against my heart."

The Hon'ble Mr. P. SIVA RAO:—"My Lord, one feels conscientious scruples in voting for a measure like this introduced not at the instance of any official department, but at the instance of individuals who are interested individuals. Both of these are ancient zamindaris and are held by ancient families, but one feels that a principle which ought to guide us in the matter should be enunciated and until we hear from all the interested people, no such drastic action should be taken in my humble view. What about the unfortunate son who if this Act were not passed would get half the estate? How are the Government to satisfy him? Are we not defeating the expectations of these persons by passing this measure, although the Privy Council has decided that the estate is partible? Unless there are strong reasons for this step we should not have this Bill. This Bill will have a two-fold effect. It prevents the landholder from improvident acts and ties up the estate; and it introduces the law of primogeniture and disturbs the course of succession in the family. Why should that be done unless there are strong reasons? Unless there is a condition in favour of other claimants, such as other sons, this ought not to be done. They must also be heard on the matter."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"My Lord, I think that except the last speaker, all the rest were not logical. They said they were not going to oppose the motion, but they gave ample reasons why they should oppose it tooth and nail, when they said that the present Bill is a repeal of the previous Act. We are going right in the teeth of sections 7 and 8. Section 7 of that Act says that if there is an alienation, the alienee shall not have an impartible estate. Some of us who are going to vote for the Bill tried to discover the principle of it. But there is no principle except the favouring of individuals. The Hon'ble Sir Alexander Cardew said that they are of ancient families. I should like to know whether we have exhausted all ancient families and whether they have applied to be brought under the Act and whether they would be treated with equal favour if they apply. The Hon'ble Mr. Rama Ayyangar mentioned one ancient estate."

The Hon'ble Sir ALEXANDER CARDEW (interrupting):—"It dates from 1803"

The Hon'ble Mr. B. V. NARASIMHA AYYAR (continuing):—"It dates only from 1803 and therefore the Hon'ble Sir Alexander Cardew may not think that protection is necessary. I am not going into the case of the Sevalpatti zamindari, as I have not studied its history. But in Salem district, there are zamindaris in my neighbourhood which are ancient and which have not been included in the schedule to the Act of 1904. The question arises whether we are going to invite all persons who have ancient estates to come under the Act. Otherwise, we shall be charged with partiality. We are not logical in what we are doing. It is very unfortunate that the Government have lent their name to the introduction of this Bill. It would have been more appropriate for the representatives of the zamindars to introduce it in this Council. We have had frequent assertions in the Press, that some persons in high official authority push the interests of certain classes and their object is the creation of a cleavage between classes. It is unfortunate that such an idea should spread."

13TH AUGUST 1918.] (Mr. Narasimha Ayyar ; Mr. Richmond ;
Sir Alexander Cardew.)

"I would proceed to other matters. Certain of my predecessors tried to find out a reason for supporting the Bill. Of the two applicants, one was an Honourable Member who sat with me in this Council from 1913. Most of us sat with him. When he appealed to me I was disposed to support him. He put forward an application, which, in the circumstances of our having known him, we accept. I also made him understand that there will be very little to stand in the way of his wish. Each of the previous speakers says that he is a willing support. Several of them are unable to find a reason for the support. It is really illogical. If we support this, it must be because the zamindar of Doddappanayakkanur is a friend of ours and for that reason I should like to support him. By this Act, we are doing nothing short of confiscation. Suppose we proceed to drive out the younger members, we shall be certainly guilty of a gross act of confiscation. That is what we are doing under the colour of this Act. If we were doing this by a private act, the courts would set it aside; but we are doing it in this legislation and we are doing it merely for the preservation of ancient names. Why should a person who has a vested interest in the property be deprived of it? One Honourable Member who says he is going to vote for it says that there is an assurance given in private in closet. There are solemn assurances given in the Legislative Council which are whittled away. Assurances were given in the case of the Press Act but were whittled away by the Government and were found to be useless when the Act was discussed in Court. So we must have an adequate guarantee that the persons whose properties are confiscated have been provided for. There is no reason why in an important business like this, we should proceed in a haphazard way. If we vote for this Bill without a legislative guarantee we are giving predominance to personal matters without taking care of the interests of all the parties concerned."

"The Hon'ble Mr. Ranga Achariyar seems to have discovered a valuable principle which seems to have given him satisfaction. If property owned by a person is held to be impartible, any property that may be purchased by that owner may be tacked on to that impartible estate. A man may go on purchasing any number of estates, but all of them cannot be made impartible. If really we are going to create a series of exceptions, we might repeal section 7. I should like to ask a clear question of the Hon'ble Sir Alexander Cardew. Suppose tomorrow this estate is again alienated, is he again going to introduce a Bill in 1919 to declare it impartible? Logically, we have no basis to support this Bill. If a basis is found and some other Bill is introduced in future on that basis I shall be glad to support it; at present, I must oppose this Bill."

The Hon'ble Mr. T. RICHMOND:—"None of the speakers have given sufficient reasons showing the necessity for laying down broad principles. It is not competent for this Council to lay down broad principles or hard and fast rules to guide future legislative councils. That should be left to the future legislative councils to decide when such legislative business comes before them. It is open to the present Legislative Council to vote for or against the present legislation. We may have members hereafter of ancient families who purchase zamindaris but there may be other facts in connexion with them which may render it undesirable to make the estates impartible. Each case must be disposed of on its own merits. As almost all the speakers have agreed to vote for this Bill, it is idle to seek to lay down in addition a policy."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, as the Hon'ble Mr. Richmond has said, almost all the other Honourable Members have approved of the actual measure but wanted further information to relieve their conscience except one or two of them. In the statement I made in introducing this motion, I gave all the information. Act II of 1904 is limited to ancient zamindaris. The Government have no intention of going behind that principle. I explained the principle to be that ancient zamindaris should be regarded according to the common law of the country to be impartible. We do not wish to depart in any way from the principle of the old Act, namely that it should be limited to ancient zamindaris. These are ancient zamindaris, but the only exception arises in the case of Doddappanayakkanur estate. The present holder of it, though an ancient holder, was not the original holder of it. But I told the Honourable Members it is a sound exception. Honourable Members will agree with me that it is a sound exception, because the estate is itself ancient and is bought by the ex-owner of another ancient zamindari. That is never likely to recur. I may assure the Hon'ble Mr. Ramachandra Rao that we have no intention of creating an aristocracy of auction purchasers who will be protected by similar legislation. We have no desire to take out a long list of recent purchasers out of money made by them. In the present instance the estate as a whole was bought by the representative of an ancient zamindari. It is an exceptional one and I do not think such cases are likely to recur."

"Then, with regard to the maintenance of junior members of the family, there is a decision of the Privy Council thereon; I am quite prepared to take it from the Honourable Members. That question is in no way brought up by this Bill which relates only to two estates. The question of maintenance is a general one and would require an amendment of the original Act. It would require us to take away the whole effect of the decision of the Privy Council on the original Act. That is a very important matter. Government may find it necessary to amend that"

(*Sir Alexander Cardew ; Mr. Narasimha Ayyar ; [13TH AUGUST 1918.
Mr. A. S. Krishna Rao ; the Advocate-General.]*)

Act. I have not myself perused the judgment. The Government may find it necessary in view of the judgment of the Privy Council to deal with the question of maintenance, but I submit to the Council that that question does not arise here and now.

"Then the Hon'ble Mr. Ranga Achariyar asked me for some information as to the provision to be made by the zamindar of Doddappanayakkanur for his younger son. As regards that, I may say that the zamindar of Doddappanayakkanur is also the owner of the Vadagarai estate which is a partible and alienable estate and the younger son's one-third share is provided out of that estate."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"I do not know if that estate is in existence. I thought he was a malikhana holder."

The Hon'ble Sir ALEXANDER CARDEW :—"Unless the Act is passed the zamindari of Doddappanayakkanur will continue to be alienable and the son may be deprived of the estate if it is alienated. It is not therefore a case of confiscation. The zamindar of Doddappanayakkanur has not told me anything personally, but he wrote to the Secretary in the Revenue Department informing him that he also proposes to provide for an allowance of Rs. 1,000 annually payable from and out of the income of the Doddappanayakkanur estate in addition to the Vadagarai property in which the younger son has a share. I hope that will satisfy the Honourable Member. We have no desire to depart from the principle of the original Act. This Bill does little more than carry out the principle of that Act, by giving the benefit of it to these two ancient zamindaris."

The motion was put to the Council and agreed to.

The Secretary then read the title of the Bill.

The Hon'ble Sir Alexander Cardew then moved that the Bill be not referred to a Select Committee for report.

The Hon'ble Mr. H. F. W. Gillman seconded the motion.

The Hon'ble Mr. A. S. KRISHNA RAO :—"I suggest that we should proceed with some caution. The Hon'ble Sir Alexander Cardew pointed out that the question of the maintenance of junior members has to be considered. He has to consider the bearing of the Privy Council's decision on this question and he has also to consider that decision in connexion with the amendment of the Act of 1904. He says that it has no bearing on the present Bill. I join issue with him. There is no difficulty in considering that question while we are dealing with this Bill. There is a general complaint that some provision should be made for junior members of the family under the Act of 1904. We should see the bearing of this Bill on all the provisions of that Act. So far as these two estates to be included in the Bill are concerned, there is no difficulty in this Council considering that aspect of the question. Clause 2 states 'notwithstanding any decision of the courts, rule of law, or enactment to the contrary,' those two estates are declared to be impartible estates. While we are trying to legislate in a general manner and taking wide powers, is it not open to us to deal with that aspect at all? I urge that the Bill be referred to a Select Committee. The Hon'ble Sir Alexander Cardew can examine the bearing of the decision of the Privy Council and incorporate the necessary provisions into this Bill. It has not been suggested that there is any hurry to pass these two Bills at this meeting. Let it receive further consideration at the hands of the members of the Council and of the Government, and the Advocate-General, and let it emerge in proper form. It is somewhat extraordinary to suspend the rules. No reason has been shown to pass this Bill at this stage. It is not suggested that anything will be lost by referring it to a Select Committee."

The Hon'ble the Advocate-General :—"The policy of including certain estates in the Act is a matter for the Legislative Council. The other one is what title-deed a man will take. That does not very much concern the Council. The Legislative Council first of all agrees that these estates should be impartible. The exact form is a question of conveyance—the terms of the title-deeds. This is like the procedure adopted in the House of Commons. This is a purely personal and private legislation. I do not see why we should impose conditions upon proprietors which they do not want. One point has been mentioned to which I should like to refer. There is no difference between the first and the second son. The right to demand partition is equally destroyed by proclaiming the estates impartible. There is no merit about the case of the second son. The real advantage which the sons get is that the estate is made a life estate and therefore they get a very substantial benefit. The holder of a life estate is unable to alienate it except under stringent conditions. It ensures that his property shall go to the sons unencumbered. So far as maintenance is concerned there is no difficulty. Both the first and the second sons of the Zamindar of Doddappanayakkanur and the only son of the Zamindar of Vuyyuru will be equally entitled to maintenance. The Privy Council decision deals with remoter persons, persons beyond the first generation. The Legislative Council is not going to decide whether the first son's son or the second son's son should get maintenance. That depends upon the circumstances of the zamindaris. I really think there is no necessity for the Legislative Council to go into the question of the rights of these parties. It will be noticed

13TH AUGUST 1918.] (*The Advocate-General ; Mr. Narasimha Ayyar ;
Sir Alexander Cardew ; Mr. Ranga Achariyar ; Mr. Rajagopala Achariyar ;
Mr. Thonger.*)

that in the case of one estate the proprietor has only one son and in the other the Zamindar of Doddappanayakkanur has two sons, but no uncle or anybody else who can claim maintenance. We may safely leave to the fathers the guardianship of the interests of their children. They have come forward for this legislation; they are giving up their absolute powers of alienation in favour of their sons. I do not suggest that the members of the Legislative Council have not got the power, but I ask is it necessary for us to constitute ourselves the guardians of the zamindars when these zamindars can protect their own interests? This Bill is for the protection not of the zamindars but of their sons."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"Of the two sons?"

The Hon'ble the Advocate-General :—"Yes. It does not affect the maintenance of the two sons. There is no doubt about the two sons of the Zamindar of Doddappanayakkanur having a right of maintenance; the same is the case with Vuyyuru. It is ancestral estate, and whether it is impartible or otherwise they have a right to maintenance out of it. The very Privy Council decision confirms the rights of the sons. There is no provision in the original Act to confer rights of maintenance on the sons. Are we to lay down a table of all persons entitled to maintenance in connexion with the decision of the Privy Council and say how far the Hindu law should be modified? I would certainly suggest that it is unnecessary to go into Committee, as you have already approved of the Bill."

The motion that the Bill be not referred to a Select Committee was put and agreed to.

The Hon'ble Sir ALEXANDER CARDEW :—"I move that the operation of Council rule 46 be suspended. If the Council is going to pass the Bill, it should not be kept in suspense or doubt for any length of time because claims may arise. The Council has accepted the position that the Bill should not be referred to a Select Committee and there is no reason why its consideration should be postponed. On that ground I move that the operation of Rule 46 be suspended, so that the Bill may be passed into law."

The Hon'ble the Advocate-General seconded the motion.

The motion was put to the Council and agreed to.

The Hon'ble Sir ALEXANDER CARDEW :—"I now move that the Bill be passed into law."

The Hon'ble the Advocate-General seconded the motion.

The motion was put to the Council and agreed to.

A BILL TO AMEND THE MADRAS PORT TRUST ACT, 1905.

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar then introduced a Bill to amend the Madras Port Trust Act, 1905, and moved that it be read in Council.

The Hon'ble Mr. T. RANGA ACHARIYAR :—"There is another public meeting at 5 p.m."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"This is a Bill which makes a few changes in the Port Trust Act. The changes which are proposed to be made are set out in the Statement of Objects and Reasons. There is only one further change which has since been urged upon the Government, after the Bill and the Statement of Objects and Reasons were issued, namely, the proposal made by the Trades Associations to amend section 9 of the Act so as to provide for the election of two members by the Trades Association instead of one. I hope to bring this up before the Select Committee for consideration. But at the same time I feel that I should mention it in the Council. With these remarks I commend this motion to the Council."

The Hon'ble the Advocate-General seconded the motion on the Bill.

The Hon'ble Mr. T. RANGA ACHARIYAR :—"It is suggested that the translation of the by-laws should be omitted. Having regard to the importance of the by-laws the translations should not be omitted. Can we discuss it in Select Committee?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"We can discuss it."

The Hon'ble Mr. J. H. THONGER :—"It was my intention to draw the attention of this Council to the inadequate representation of the Trades Association on the Port Trust Board. The Honourable Member has promised to take up this matter in Select Committee. Therefore the remarks that I wished to make may be left over for some other occasion."

The motion was put to the Council and agreed to.

The Secretary read the title of the Bill.

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar moved that the Bill be referred to a Select Committee for report.

The Hon'ble the Advocate-General seconded the motion.

[13TH AUGUST 1918.]

The motion was put to the Council and agreed to.

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar then moved that the Select Committee be constituted of the following members:—

The Hon'ble Mr. A. R. Knapp.
 „ the Advocate-General.
 „ Mr. T. Ranga Achariyar.
 „ Sir Gordon Fraser.
 „ Mr. T. Richmond.
 „ Mr. J. H. Thonger.
 „ Sir Francis Spring.
 „ Diwan Bahadur P. Rajagopala Achariyar.

The Hon'ble the Advocate-General seconded the motion.

The motion was put to the Council and agreed to.

The Council then adjourned to 11 a.m. on Wednesday, the 14th August 1918.

N. E. MARJORIBANKS,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

APPENDIX A.

[Vide item (ii) under "Communications to the Council," page 42 supra.]

G.O. No. 1848, Revenue, dated 13th May 1918.

READ—the following papers:—

I

*Memorandum to the Board of Revenue (Land Revenue), Forest
 No. 95-C/18-1, dated 18th February 1918.*

Copies of question No. 55 asked at the meeting of the Legislative Council held on 12th February 1918 and of the answer given thereto are forwarded to the Board of Revenue. The Board is requested to furnish the information required.

ENCLOSURE

*Question No. 55 asked by the Hon'ble Rao Bahadur M. Ramachandra Rao at the meeting
 of the Legislative Council held on 12th February 1918 and the answer given thereto.*

55 Q.—With reference to the statement made in the Council on the 3rd April 1914 by Sir John Atkinson in the course of the discussion on a resolution moved by me regarding the construction of a District Grazing fund, will the Government be pleased to state

- (a) the amount spent in 1914-15, 1915-16 and 1916-17 for the improvements of water-supplies on grazing grounds;
- (b) the nature of the improvements effected and the districts in which such improvements for water-supply were made;
- (c) the number of wells or other works constructed on grazing grounds during these years?

55 A.—The information will be called for and laid on the table at a subsequent meeting of the Council.

II

*Proceedings of the Board of Revenue (Land Revenue), Forest Routine
 No. 577, dated 30th April 1918.*

In reply to Government Memorandum No. 95-C/18-1, dated 13th February 1918, the Board submits to Government in a tabular form the information asked for by the Hon'ble Rao Bahadur M. Ramachandra Rao Pantulu as to (a) the amount spent in the several districts during the past three years in the improvement of water-supply in grazing grounds, (b) the nature of the improvements effected and (c) the number of wells or other water sources constructed or repaired. In the districts omitted from the statement, either there is no lack of water for the cattle or the panchayats carry out such improvements as are necessary.

2. As directed in G.O. No. 1622, Revenue, dated 4th June 1914, a short account of the annual progress in carrying out improvements in water-supply is given in the circle reports printed with the Annual Forest Administration Report.

(True extract)

H. R. PATE,
Secretary.

ENCLOSURE

Statement showing the amount spent in the several districts during the past three years in the improvement of water-supply in grazing grounds, the nature of improvements effected and the number of wells or other water sources constructed or repaired.

Circle and districts.		Amount of expenditure incurred in			Nature of improvements effected.	Number of works.
		1914-15.	1915-16.	1916-17.		
Northern Circle.	Gōdavari, Lower.	Rs. 9	Rs. 1,313	Rs. 590	Sinking of wells and repair of tanks.	Two wells and seven tanks.
	Kistna	.. 70	.. 70	..	Repair of tank	One tank.
	Kurnool, East ..	356	1,041	786	Sinking and repair of wells, repair of tanks and bunding of streams.	Number not given.
	Do. South ..	1,120	65	..	Repair of tanks and wells ..	Two tanks; number of wells not given.
	Do. West ..	..	210	292	Do. ..	Number not given.
	Anantapur ..	1,060	..	2	Sinking and repair of wells.	Three new and seven old wells.
Central Circle.	Caddapah, North	83	53	..	Repair of wells	Seven wells.
	Do. South.	113	145	97	Sinking and repair of wells.	Three new and two old wells.
	Do. West.	212	..	..	Bunding of streams	Two streams.
	Nellore ..	..	1,013	587	Repair of ponds	Number not furnished.
	Chingleput ..	130	..	..	Digging of a pond	One pond.
	Chittoor ..	306	135	..	Repair of tanks and sinking of a well.	One new well and four old tanks.
Southern Circle.	Vellore, North ..	198	63	1,083	Removing of silt from a tank; repair of a well and bunding of streams.	One tank, one well and streams in eight reserves (number not given).
	Salem, North ..	104	615	..	Repair of a well and seven tanks.	One well and seven tanks.
	Madura ..	..	..	88	Bunding of a stream ..	....
	South Arcot ..	..	..	37	Repair of a tank .. ..	....
North Coimbatore ..	880	..	..	Do. ..	....	
Total ..		4,571	4,723	3,562		
Grand total ..		12,856				

Order—No. 1848, Revenue, dated 13th May 1918.

Miscellaneous.

Recorded.

(True extract)

A. R. KNAPP,

Acting Secretary to Government.

the Board of Revenue, Land Revenue (Forests),
Local and Municipal (Legislative) Department.

APPENDIX B.

[Vide item (iii) under "Communications to the Council," page 42 supra.]

list of places notified as towns in the Madras Presidency under Board's Standing Order No. 21 (9) during 1917-18.

Districts.	Places notified as towns.		
Madura district ..	..	..	Usilampatti.
Ramnad district ..	..	..	Abiramam.
Trichinopoly district ..	..	..	Kulittalai and Sendamangalam.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Wednesday, the 14th day of August 1918.

PRESENT:

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.S.I., Governor of Madras—*Presiding*.
The Hon'ble Sir ALEXANDER CARDWELL, K.C.S.I.
The Hon'ble Mr. H. F. W. GILLMAN, C.S.I.
The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.
The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O.
The Hon'ble Mr. L. E. BUCKLEY, C.S.I.
The Hon'ble Mr. A. BUTTERWORTH, C.S.I.
The Hon'ble Mr. M. E. COUCHMAN.
The Hon'ble Mr. L. DAVIDSON, C.S.I.
The Hon'ble Lieut.-Col. G. G. GIFFARD, C.S.I., I.M.S.
The Hon'ble Mr. R. A. GRAHAM.
The Hon'ble Mr. W. J. J. HOWLEY.
The Hon'ble Mr. A. R. KNAPP.
The Hon'ble Mr. S. B. MURRAY.
The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.
The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).
The Hon'ble Mr. J. H. STONE, C.I.E.
The Hon'ble Mr. C. G. TODHUNTER.
The Hon'ble Mr. T. RANGA ACHARIYAR.
The Hon'ble the Rev. G. PITTENDRIGH.
The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU Garu.
The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.
The Hon'ble Mr. P. SIVA RAO.
The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.
The Hon'ble Mr. B. V. NARASIMHA AYYAR.
The Hon'ble Mr. K. SADASIVA BHAT.
The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.
The Hon'ble Mr. K. RAMA AYYANGAR.
The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU.
The Hon'ble B. RAJA RAJESWARA SETUPATI alias MUTTURAMALINGA SETUPATI Avargal, Raja of Ramnad.
The Hon'ble Mr. B. VENKATAPATI RAJU.
The Hon'ble Mr. K. KUMARAN RAMAN KAVALLAPPARA MUPPIL NAYAR.
The Hon'ble YAKUB HASAN SAHIB Bahadur.
The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR SAHIB Bahadur.
The Hon'ble Sir GORDON FRASER, *Kt*.
The Hon'ble Mr. J. H. THONGER.
The Hon'ble Sir FAIRLESS BARBER, *Kt*.
The Hon'ble Sir GHULAM MUHAMMAD ALI SAHIB Bahadur, Khan Bahadur, G.C.I.E., Amir-i-Arcot or Prince of Arcot.
The Hon'ble the Most Rev. JOHN AELEN, D.D.
The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR Avargal.
The Hon'ble Mr. T. RICHMOND.
The Hon'ble Sir FRANCIS SPRING, K.C.I.E.
The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.
The Hon'ble Sri SOBHA CHANDRA SINGH DEO, Zamindar of Serugada.

(Mr. Rajagopala Achariyar ; the Raja of Ramnad.) [14TH AUGUST 1918.]

The Council re-assembled at 11 a.m. when the discussion on the following Bill was commenced.

THE MADRAS AGRICULTURAL PESTS AND DISEASES BILL, 1918.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR introduced a Bill for the prevention of the spread of insect pests, plant diseases and noxious weeds, and moved that it be read in Council:—

In doing so, he said:—“Your Excellency, I beg to move that the Madras Agricultural Pests and Diseases Bill be read in Council. Honourable Members will see from the Statement of Objects and Reasons that, while India Act II of 1914 gives power to the Government to issue orders and frame rules with the object of preventing the introduction into British India of any insect, fungus or other pest which is or is believed to be harmful to crops, it gives no power to prevent or control the transport of insect-pests, plant-diseases or noxious weeds from one part of British India to another. The prevention of the spread of infection or of insect and vegetable pests within the country is quite as necessary as the prevention of the importation of such evils from outside, and it is to achieve this object that the present Bill is framed. It is not an imaginary or remote danger that is sought to be provided against. As an example of an insect which endangers a field crop, I would cite the case of the ‘Cotton Stem Weevil’ which is reported to be most destructive to Comodia cotton in Coimbatore: examples of insect pests against which united action is called for in the planting districts are the green bug on coffee, the coffee borer, the orange and coconut borers, the pepper vine disease (prevalent in the Wynad) and also the blister blight which attacks tea seed. The legislation now proposed is, in the opinion of the Government, urgently called for to deal with these and similar pests. I would also mention in this connexion that legislation has been felt to be necessary for the eradication of the bud rot disease in palmyras in the Gōdāvari and Kistna districts. Operations against this disease in the Gōdāvari district were started in November 1906 and in Kistna towards the end of 1909. The special staff sanctioned by the Government has so far relied mainly on persuasion to get anything done: the plan of operations consisted at first in the cutting of dead trees and the opposition of the ryots was always quoted as a reason for slow work. When it was found necessary to operate on infected living trees, the opposition became greater and legislation was suggested so early as 1911, but the Government were at first reluctant to undertake it. In his recent reports the Director of Agriculture has pointed to the urgent need of having some sort of legislative provisions at hand if success is to be ensured in the operations. I may mention here that the coconut palms in Malabar are also affected with the bud rot disease. Special operations were undertaken in August 1913, but abandoned about the middle of 1915. The chief point in favour of the proposed legislation is that it is not much use undertaking a campaign against insect pests or plant diseases unless the Government can enforce the carrying out of what is necessary. All the ryots in a village, except one or two, may be willing that remedial measures should be undertaken, but the opposition of quite a small minority will render the measures taken ineffective, because the process of infection remains untouched in the crops or fields of this small minority. It seems to me, Sir, that, unless some legislation, such as that in the Bill now before the Council, is passed, we shall never be in a position to take effective action against insect pests and plant diseases injurious to crops, plants or trees. For example, the Government have spent on the operations against palm disease in the Gōdāvari and Kistna districts about two and a quarter lakhs of rupees. We could have had a much better return for the expenditure if the operations of the Agricultural Department had the backing of some legislation. The Bill also provides for measures to prevent the spread of noxious weeds dangerous to health or injurious to crops, plants, trees or waterways. As an instance of the need for this provision I would mention the water hyacinth which has done so much damage in tropical America and Australia, which is now causing trouble in Burma, and which has appeared in parts of this Presidency and threatens to spread. Water hyacinth, in addition to other evil effects, provides a breeding place for mosquitoes and is thus injurious to public health and comfort. Power has been taken to bring this within the purview of the Bill under the term ‘noxious weeds.’ I do not propose to trouble the Council with an analysis of the provisions of the Bill which is quite a brief one and I trust that the Council would accept the principle of it. If it is found that any of the details require alteration or amendment, the proper place for doing so would be in Select Committee. At present, if the Council is satisfied that the Bill is necessary to meet an undoubted evil and that it is based on correct principles, I trust that it will be accepted and allowed to go to committee.”

The Hon'ble the Advocate-General seconded the motion.

The Hon'ble the RAJA OF RAMNAD:—“Your Excellency, I beg to accord my whole-hearted support to this motion. The Bill has not come a minute too soon. It would be a source of great help when the Bill is passed into law to the agricultural population. The zamindars, in particular, should feel grateful to the Government for bringing up this Bill. There are certain matters which I should like to mention for incorporation in the Bill, such as giving powers to the local boards, requiring villagers to help the proprietors as in the case of kudimaramat and so on. But I presume that these matters will be duly considered, as mentioned by the Honourable Member of the Government, in the Select Committee. The local boards have already some powers in this direction, but that is confined, I see, only to clearance of noxious weeds, etc., adjoining a public road or pathway. Therefore the Bill enunciates no new theory which is not already in existence. I therefore feel certain that there can possibly be no opposition in principle to this Bill. I support this motion.”

14TH AUGUST 1918.] (Mr. Kavalappara Muppil Nayar ; Mr. K. R. V. Krishna Rao ; Mr. Ahmad Tambi Marakkayar ; Mr. Ranga Achariyar ; Sir Fairless Barber.)

The Hon'ble Mr. K. K. B. KAVALAPPARA MUPPIL NAYAR:—“Your Excellency, I am generally for the Bill. I know of the trouble they have had in my part of the country especially with the disease of the palms. The fear of contagion is great and protection is badly needed.”

The Hon'ble Mr. K. R. V. KRISHNA RAO:—“My Lord, I give my whole-hearted support to this Bill which is a measure quite necessary to deal effectively with palm diseases so prevalent in Gōdāvari and other districts. The Government have done a great deal in eradicating and also to a great extent checking, the diseases of palmyra trees in Gōdāvari and Kistna districts. This measure, I hope, when it comes into operation will be more successful and better care will be taken.

“I beg to offer one or two suggestions that I should like to be incorporated in the Bill before it is finally passed. I think it is necessary that in the powers, which the Government may take they should have the co-operation of the people in preventing, eradicating and checking agricultural diseases. It is also better that some sort of educational value should be brought to bear on the cultivators so that their co-operation and friendly information with regard to the insect pests may be brought to the notice of the officers, from time to time, concerned with the execution of this work. My Lord, I beg to suggest in this connexion that a board may be constituted in every district as is done in Ceylon under the Ordinance of 1907 under which there is a board constituted in each district for giving information and also for taking such action as may be necessary. With such alterations and such powers as may be found necessary, a board of similar kind may also be constituted for each district in this Presidency. The power to constitute such a board may also be incorporated in the Bill. With these suggestions I give my whole-hearted support to the Bill which will be of very great help to the agricultural community.”

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TANBI MARAKKAYAR:—“Your Excellency, the want of such a Bill is keenly felt by the people of my district. I have had representations from various people, especially from the Muhammadan constituents in my district that coconut trees in Mutupet and Adirampatnam have been spoiled by insects. This is a Bill which will do much good to the people, and they ought to be thankful to the mover of the Bill. I have nothing more to say. I give my hearty co-operation and support to the Bill.”

The Hon'ble Mr. T. RANGA ACHARIYAR:—“My Lord, I am sorry that I cannot give my whole-hearted support to this Bill which the Honourable Friends who have preceded me have given. I am rather chary, because I am afraid that a department which is now growing in popularity will become unpopular. The Agricultural Department is doing very useful work and in course of time it will become a very useful institution and the people would begin to like it. Now under this Bill there are provisions made—I would specially draw attention to sections 8 and 9 and various other sections—which throw the burden of removing or preventing diseases upon the occupier of the land. These diseases are just like plague or cholera, but they affect plants and trees. They come from we do not know where, and it is a difficult thing for the occupier to take measures to prevent them. In the first place, the science itself has not advanced very much, and the experts employed in the Agricultural Department find it very difficult to deal with them. I will mention one instance: In an interpellation of mine yesterday with reference to a disease which affected the paddy crop in some taluks in the Tanjore district I asked for information, and I was surprised to see that the Government had no information. Since sending the notice of the question, I find in the Madras Students Agricultural Magazine published in June 1918, Mr. MacRae dealt with this disease which he says has come from outside and is a serious disease and they are investigating it and it will be difficult for the department to deal with it. The occupier, it must be remembered, in ryotwari tracts is mostly a poor pattadar holding a few acres. Many people hold less than an acre. In Tanjore they, the insects, may squat upon land 10 cents in extent. To call upon the occupier of that 10-cent land to comply with the provisions of the Act is rather difficult.

“There are two other provisions which should be noticed. Notice is to be given to remove the cause of the disease. If the man does not do it, it becomes an offence. I rather object to making it an offence. I quite agree that the department must have power to enter upon the land and do the necessary thing either by way of prevention or cure. In the first place to call upon him to take measures will be a hardship. In remote parts it may be difficult to obtain a chemical substance or a spraying instrument which you may advise the man to get. He will have to get them and also to get certain instructions and advice as to their use. Suppose he could not get it. Then to throw such a burden upon the poor occupier is to make the department unpopular which I do not think is the object of the Government. In the second place why do you make it an offence? We know people dread going to Magistrate's courts. Do the work yourself and take the damages from him; why drag him before the magistrate and get him convicted? While I welcome the measure inasmuch as it authorizes the department to enter upon the land and take remedial measures and protect not only the man's property but also the neighbour's property, I object to making it obligatory on the man to prevent the disease and to making it an offence if he fails to do it.”

The Hon'ble Sir FAIRLESS BARBER:—“Your Excellency, this is a businesslike measure which I heartily approve of. It is quite a necessary and useful piece of legislation and the planting community welcome this measure.”

(Mr. Siva Rao ; Mr. Subbarayalu Reddiyar ; [14TH AUGUST 1918.
Mr. Narasimha Ayyar.]

The Hon'ble Mr. P. SIVA RAO:—"My Lord, I don't give this measure the same warm approval as some of my Honourable Colleagues have done. The object of the Bill seems to be to prevent the spread of these pests and diseases from one part of the country to another. The legislature and the Government regret that hitherto there has been no power vested in the Government to prevent such pests travelling from one part of the country to another, although they have got power to prevent the importation of disease from outside British India. The only point for consideration is whether this measure will satisfy the object in view. Before I proceed further, I should like to point out that there is no parallel legislation undertaken in any other province in India. I may also say that this Act gives very drastic powers. For instance, section 9 says: 'If in the view of the inspecting officers any tree is infected with insect pests or plant disease, he may destroy it. He may even destroy any plants including trees which though not infected have in his opinion become liable to such infection.' The Council will have to consider seriously whether these powers are not liable to be abused. I do not know who the inspecting officer will be. The village karnam or the headman will be made to write a report, and on such a report, action may be taken. In some cases compensation is provided for, but in others it is not provided. The Bill gives these drastic powers of the destruction of trees and plants if only the inspecting officer thinks it necessary. The Council will have to consider whether these drastic powers do not require safeguards.

"Again, there does not seem to be any request for this piece of legislation from the people for whose benefit it is intended. At present if there is any pest, it is open to any individual to seek the advice of the Government employees. The Government have some officers to advise individual landlords or ryotwari proprietors exactly as to how to cope with such pests. It is left to their interest and sweet will and pleasure whether to combat it or not. It may be said, this mischief is not local, but it will at once spread. Therefore, we must have power to deal with it. But why throw the whole expenditure upon the poor landowner? If it is a general evil to be combated, why throw all the expenditure of these costly measures upon the poor landowner?

"There are sections which say that on or after notification it is open to the authority to call upon the owner to take remedial and preventive measures. Irrespective of the fact whether he has got the means of adopting these measures or spending anything on these measures, he ought to do it. If he fails to do it the Act declares it an offence, and the maximum punishment is Rs 50. The humble villagers will see nothing to their benefit in this measure, but will see some new weapon of oppression and probably blackmailing placed in the hands of the village karnam or, in a municipality, in the inspecting officer. The officer will not be anything above the grade of revenue inspector. The ryot will only see in this measure, which is said to be for his benefit, some means of squeezing out money from him. The inspecting officer will have the right to certify whether a certain tree is infected or not. The tree may be valuable. I do not wish to take up a long time. I am very diffident about the successful carrying out of this measure. I have my own misgivings whether this will do any benefit to the poor people who will regard it more as an engine of oppression than anything else. In order to deal with such pests, to take such destructive powers is in advance of the times. All that is needed at present is to provide a staff of officers who know how to deal with such pests; on request being made by the owner they should be called upon to advise him. There we might stop. We should not attempt to enforce the measures by statutes."

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR:—"Your Excellency, I do support this Bill on its main provisions except as regards the levy of the cost from the ryots. As regards the cost, I do agree with all that has been said by the Hon'ble Mr. Rangachariyar. It will be a great hardship to levy that cost from the ryot. I hope that the Select Committee that will be appointed hereafter will bestow its best attention on this matter."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I welcome this measure. If my memory serves me right, two or three years back at the budget debate, I expressed the hope that the Government would come forward with such a measure for this purpose. I do recognize the possibility of the abuse of such a measure. The Hon'ble Mr. Siva Rao is however in error in supposing that any measure of this sort must work for mischief. There are two ways in which we can provide against such consequences. In the first place, we can put in the necessary safeguards in the Bill when it comes up before the Select Committee or later on move amendments when it again comes up here. In the next place, you must remember that you are dealing with an agricultural question. For long, agriculture will be a question in which the representatives of the general public will have a determining or controlling voice. I am sure that with the increasing assertion by the public of what they conceive to be their rights, the danger of oppression at the hands of revenue officers and the subordinate police will be diminished. There is no possible doubt that legislative action is called for to put down the spread of insect pests and plant diseases. For instance, with regard to the water hyacinth, we have to take extensive measures. We cannot attack it with the help merely of a few pamphlets.

"Yet, at the same time, I wish to point out the serious omission of one or two matters which call for remarks. In the first place, Honourable Members will notice that power is sought to be given to the Government to define the local areas and the period within which notification is to be given. We may remember that we had it in connexion with the Food

14TH AUGUST 1918.] (Mr. Narasimha Ayyar ; Mr. M. Ramachandra Rao.)

Ad alteration Bill. Before any local area is made subject to the application of this Act, it is but proper that the sense of the local area should be ascertained. The necessity for that will be patent to Honourable Members. In the ordinary course, the local area must be consulted as to whether this Act is to be applied or not.

"Coming to section 7, you find there are provisions inserted which may be dangerous. As the section stands, the Hon'ble Mr. Siva Rao is justified in thinking that it may prove to be a dangerous weapon. Some pattadar is served with a notice, and he does not attend to it. Then, something is done for which no compensation is payable. I hope the Legislative Council will be slow to increase the number of cases in which no compensation is to be paid when damage is caused. If somebody has done serious wrong, he does not deserve compensation. The reason which is given here is that he has failed to comply with the notice. We know how notices are taken to be served. Some revenue inspector or karnam says he has served it and then there is to be no compensation. Seeing the great evils which would arise from such a provision it is necessary that before the Bill comes up again before the Council, we should have this provision deleted or materially altered.

"Again, I may refer to the clause relating to appeals to the Collector against the charges levied. There again, the language seems to suggest that it is not open to a man to go to the Collector and say 'you unnecessarily charged me with the cost of labour or the cost of an instrument or the material; whoever is responsible for the employment is responsible for the payment.' Under the section, it seems to me, he can only say that the rate is too high. Why the appeal to the Collector should be final, I cannot understand. In some of these cases the cost may run into four figures. I do not want to give scope for litigation because the matter would be indefinitely prolonged. But we must at the same time safeguard the ryots because large sums may be involved.

"I think there are one or two other matters which require serious consideration. What is meant by the declaration that the village officer shall have the duty of reporting certain matters? In default, is a fine or penalty to be levied or is a suit for damages to be started? A few other changes are necessary which are of minor importance and are matters of detail. Subject to the corrections I have indicated I am rather optimistic as to the working of such an Act, and I therefore support this Bill."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, I should like to offer a few observations on the Bill especially after hearing the Hon'ble Mr. Siva Rao. Unfortunately my friend comes from a district where the rainfall is very small and consequently no tree growth. I come from an irrigated district where paddy pests, sugarcane pests, palm diseases, coconut tree pests are all prevalent; and the fact that measures have had to be taken with reference to palm diseases for the last eight or nine years in the Gōdāvari and Kistna districts is proof positive that such a Bill is necessary. The Hon'ble Mr. Siva Rao has stated that there is no demand for the Bill from the ryots. I am perfectly certain that if the Government stop the palm disease operations, I shall have a mandate from my constituency that these operations should be taken up immediately. The Hon'ble Mr. Rajagopala Achariyar has referred to the fact that these operations were in force in my district. Perhaps I may give the Hon'ble Mr. Siva Rao a few figures of dead palm trees during the past few years which have been removed:—

"In 1911 the dead trees removed numbered	36,657.
1912	37,539.
December 1912	34,000.
June 1913	38,000.
December 1913	21,000.
June 1914	13,000.
December 1915	11,000.
June 1916	18,429.
December 1916	8,400.

"These officers had to examine as many as two lakhs of trees in the course of a single year and to remove the sources of infection. Therefore the fact that these operations were carried on on a voluntary basis is a sign that the ryot would welcome this Bill rather than otherwise. The good sense of the ryots in allowing the officers in carrying on the operations of the department to enter upon their land and cut down the trees is praiseworthy. I think the necessity for such a Bill to meet cases of obstruction is absolutely made out.

"I do not wish to trouble Honourable Members with regard to the facts and figures about the prevalence of these diseases in that part of the country. My Honourable Friend suggested that there is no parallel legislation in other provinces. In the British colonies even the smallest colony has a law dealing with the subject. In the United Kingdom there is considerable legislation to prevent the pests.

"A point was made by my Honourable Friend about the want of co-operation. The great defect of this Bill is that it does not purport to secure the co-operation of the local inhabitants. It proceeds purely on the assumption that an officer should be appointed by the Government

(Mr. Yaqub Hasan; the President; [14TH AUGUST 1918.
Mr. Rajagopala Achariyar.]

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar moved that the Select Committee be constituted of the following gentlemen:—

The Hon'ble Khan Bahadur Muhammad Aziz-ud-din Husain Sahib.

Mr. M. E. Couchman.
Rao Bahadur M. Ramachandra Rao Pantulu.
Mr. A. Subbarayalu Reddiyar.
Mr. K. K. R. Kavalappara Muppil Nayar.
Sir Fairless Barber.
the Advocate-General.
Mr. A. R. Knapp.
the Raja of Ramnad.
Mr. K. R. V. Krishna Rao.
Diwan Bahadur P. Rajagopala Achariyar.

The Hon'ble the Advocate-General seconded the motion.
The motion was put to the Council and agreed to.

THE MADRAS CITY MUNICIPAL BILL, 1918.

The next business on the agenda was the introduction of the Madras City Municipal Bill by the Hon'ble Diwan Bahadur P. Rajagopala Achariyar.

The Hon'ble Yaqub Hasan Sahib Bahadur:—"I should like to move an adjournment."

His Excellency the President:—"The Honourable Gentleman is not in order. The Honourable Gentleman must first make the motion."

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar introduced the Madras City Municipal Bill, 1918, and moved that it be read in Council. In doing so he said:—"I beg to introduce the Madras City Municipal Bill, 1918. This Bill has been before the public for about two years. The original draft of it was referred by the Government for the remarks of the Madras Corporation and that body devoted a number of sittings to a detailed examination of its provisions. Honourable Members have been furnished with a copy of the official report of their proceedings, and I take this opportunity to thank the Corporation for their careful examination of the Bill and the suggestions made by them for improving it. The Government have considered the opinions expressed by the Corporation and have made important modifications in the draft of the Bill. The Statement of Objects and Reasons which accompanies the Bill gives a résumé of the main changes of policy and principle which it embodies and Honourable Members have also been supplied with the 'notes on clauses' which explain in detail every change of importance which it is proposed to make in the law. I shall not therefore take up the time of the Council by attempting a lengthy explanation of the provisions of the Bill. I shall content myself with inviting attention to its salient features.

"Honourable Members are aware that we owe the inception of this measure to the report of the Royal Commission on Decentralization. The Commission drew attention to the stringency of the control exercised by the Government over the administration of the city under the existing Act. They said 'the control of the Local Government over the Madras Municipality is far more stringent. Its budget and any deviation therefrom require Government sanction, as does also the levy of municipal taxes. Various sections of the Municipal Act give the Local Government control in regard to the exemption of areas from water, drainage or lighting rates, the construction of water-works, the acquisition of land for street improvements, etc. Complaint should have as full powers, as Bombay now possesses.'

"The Madras Government being in complete sympathy with this policy, the Bill has been drafted with a view to give effect to it. First, as regards taxation, the approval of the Government is required under the present Act to the levy of all taxes and to the rates at which they should be imposed. The Bill gives the Corporation full control over taxation. Honourable Members will notice that no statutory maximum is prescribed for the property tax. The Corporation will be allowed complete freedom to adjust the rates of this tax at their discretion. In regard to the profession tax, minimum and maximum scales are laid down and the Corporation can regulate the rates within these limits. Secondly, the budget of the Corporation has at present to be approved by the Government. The Bill dispenses with the need for this sanction and the Corporation can, under it, frame their budgets without outside interference, subject to the maintenance of a minimum balance prescribed by the law. Thirdly, the Bill gives the Corporation full powers in regard to their establishments, subject only to the right of the Local Government to exercise a veto in the case of a few high offices. Lastly, the Corporation have been made the final authority in regard to practically all matters connected with the administration of the city and are given large powers of subsidiary legislation. The control of the Government is restricted to the few matters of cardinal importance referred to in Chapter II of the Bill, viz., revising the boundaries of the city, intervening (should necessity unfortunately arise) in case of gross mismanagement, removing councillors, etc., when such removal is proposed by a special resolution of the Corporation, cancelling resolutions and repealing or modifying

14TH AUGUST 1918.] (Mr. Rajagopala Achariyar.)

by-laws, and framing rules to regulate such important matters as elections and buildings. In these and other respects the Bill gives effect to the policy laid down in the recent resolution of the Government of India on Local Self-Government.

"I now proceed to refer to the important constitutional changes introduced in the Bill. It is proposed, following the Bombay system, to appoint a Commissioner to replace the President as chief executive authority. The Commissioner will have the right of attending all meetings of the Corporation but will not have the right to vote. This change, which was recommended by the Royal Commission on Decentralization, was unanimously approved by the Corporation in 1910, and also last year when they considered the draft Bill.

"It is proposed to increase the number of members of the Corporation from 37 to 43. At present 28 of the Commissioners are elected, 20 by the electors of the divisions or wards, and 8 by institutions—the Chamber of Commerce, the Madras Trades Association, etc. Under the Bill the number of elected members will be 34, of whom 24 will be elected by divisions, and two representatives are newly given to the South Indian Chamber of Commerce. The number of nominated members, to represent important interests and minorities which cannot secure representation by election, will, notwithstanding the increase in the total strength, remain the same as at present. The constitution of the standing committee has also been liberalised. It consists at present of nine members, of whom only four may be divisional commissioners and three must be nominated commissioners. Under the Bill this body will consist of 13 members, of whom the elected chairman would be ex officio member, six would be divisional commissioners, and three institutional commissioners. The nominated element of the standing committee will thus be three out of 13, instead of three out of nine as at present. Incidentally it may be mentioned that the enlargement of the standing committee will enable sub-committees to be formed for supervising particular departments.

"The provisions in the Act regarding elections have been amplified. Annual elections are provided for, one-third of the members going out by rotation every year. This is considered preferable to triennial general elections, as likely to secure greater continuity of policy. Election questions are under the Bill to be referred to the Small Cause Court instead of to a Presidency Magistrate as at present. Honourable Members will also notice that a separate set of clauses deals with election offences which are only briefly referred to in the present Act. These clauses are modelled on similar legislation in England and are considered necessary in view of the large extension of the franchise which will take place in the near future.

"One important departure from the Act in regard to this portion of the subject should be specially mentioned. Sections 32 and 33 of the present Act lay down in detail the pecuniary qualifications of voters and candidates. It has been recognized for some time that the present franchise is very much restricted and that every effort should be made to extend it so that there may be a more widespread interest aroused in local matters. The aim should be, as stated in the recent resolution of the Government of India, 'to obtain constituencies which will be really representative of the body of the rate-payers.' As the resolution goes on to say, 'an enlarged franchise is in any case an essential condition of an extension of the elected element on boards and it should be understood that the increase in the elective element of local bodies must, if it is to be of value, be accompanied sooner or later by a substantial extension of a franchise upon which that election is based.'

"Honourable Members are aware that the Government have recently extended the franchise for rural boards and have also published proposals for giving the vote in municipal areas to all tax-payers. This has been possible as, in regard to local boards and district municipalities, the qualifications for voters and candidates are not prescribed by statute but by rules framed under the law. In the city there are at present only 12,290 persons qualified to vote, i.e., less than a third of the body of rate-payers, and only 480 qualified to be elected as commissioners. The percentage of persons qualified to be elected as commissioners to the total adult male population, percentage of persons qualified to vote to the total adult male population, is 1.33, and that of persons qualified to vote to the total adult male population, literate and illiterate, is 7.72. The percentages to the total population in both cases are of course very much smaller. There can be no doubt that a progressive broadening of the franchise is essential, and if the qualifications are stereotyped in the Act, it would be necessary, every time a change is proposed, to have recourse to the elaborate procedure of introducing an amending Bill. Power is therefore taken in the Bill to prescribe qualifications for voters and candidates by rules to be framed by the Government and, before any change is made, the views of the Corporation will, of course, be invited and considered.

"I now proceed to deal with the taxation proposals. In this part of the Bill the Government have carried out substantial changes in deference to the wishes of the Corporation.

"The Corporation have objected to the surtax on income-tax which was provided for in the first draft. They have expressed a preference for 'the tax on professions or callings' on the grounds that the profession tax is an old tax to which the people have long been accustomed, that no objection has hitherto been raised to its continuance or to the mode in which it is assessed and collected, that the Corporation and its officials would have little voice in fixing the rate of the surtax to be imposed from time to time and none in the assessment of individuals or in dealing with appeals, and that fluctuations in the rate of income-tax might lead to friction. Another tax included in the first draft, viz., the increment duty, has also been objected to on the grounds that a complicated machinery would be required for working it, that it would be difficult to prevent evasions and that its incidence would be uncertain. The Government have withdrawn these taxes: they have restored the profession tax with a revised schedule based on the proposals made by the officers of the Corporation. So far as the increment duty is

(Mr. Rajagopala Achariyar ; Mr. Yaqub Hasan.)

[14TH AUGUST 1918.]

concerned, I must say that the Government are by no means convinced that such a duty will not be a feature of local taxation, not only in the City, but also in growing mufassal towns where the resources of local bodies are so inelastic relatively to the demands on them. As at present advised, however, the Government consider that the increment duty should form the subject of separate legislation, to be brought into force when necessary in specified areas on the application of the local bodies concerned. I mention this as I am anxious that the impression should not be created that the omission of the increment duty in the present Bill is due to any feeling on the part of the Government that it is *per se* unreasonable or unworkable.

Another important portion of the original taxation proposals to which the Corporation took exception was the proposal to increase the maximum rate of the property taxes to 25 per cent and the exemptions from those taxes proposed to be given to places set apart for 'public charitable purposes' and to educational institutions. The Government have decided not to lay down any statutory maximum for the property taxes and they have withdrawn the exemptions referred to. The exemption of the Port Trust properties is an old provision which it is proposed to retain.

Two new taxes proposed by the Corporation, viz., an occupiers' tax and a tax on tobacco imported into the City, have not been included in the Bill. The property tax falls ultimately on occupiers of houses and a separate tax on occupiers would only be an addition to the property taxes in another form. A tax on tobacco would be unproductive: there would have to be provision for refund on export: the tax would be difficult to collect, while evasion would be easy. It is proposed in the Bill to abolish the town duty on timber and firewood. The Corporation have not raised any objection to this tax, but in the opinion of the Government the duty is open to all the objections usually raised to an octroi and, in so far as it is levied on firewood, it falls on the poorer classes of the population.

The Corporation have suggested that one-fourth of the revenue derived from excise in the City might be handed over to them. The Government have every sympathy with the desire that the system of fluctuating provincial grants now in vogue should be replaced by fixed grants: but they cannot consider this suggestion at the present juncture when important and far-reaching changes are under contemplation in regard to the financial relations between the Imperial and Provincial Governments.

The Corporation will in the result levy the following taxes—the property tax, a profession and companies' tax on a revised scale, a tax on vehicles and animals, and tolls. They may also, with the sanction of the Governor in Council and Governor-General in Council, levy an additional stamp duty on instruments of transfer of immovable property situated within the limits of the City such as is provided for in the Calcutta Improvement Act. Greater power is also given to the Corporation to raise loans for works of public utility.

The other portions of the Bill—Parts IV to VI—embody improvements which are the result of the experience gained of the working of the present Act. Provisions have been inserted to enable the Corporation to deal adequately with overcrowding and insanitary houses, to enforce building and town-planning regulations strictly, to make the power of abating nuisances more effective, to give the Commissioner sufficient powers in regard to the sale of diseased food, etc., and in other ways to confer greater powers of regulation where this is called for in the interests of public health.

Honourable Members are aware of the general feeling that more facilities should be provided for what has been termed 'municipal trading' by the Corporation. This is provided for in the rules in Schedule V.

Only one other matter dealt with in the Bill needs mention and that is the system of surcharge by auditors which is introduced in rules 18 to 26 of Schedule V. Honourable Members are no doubt acquainted with the English system of surcharge by auditors and the summary recovery of amounts surcharged. The Committee on the District Municipalities Bill, which included several non-official gentlemen with experience of municipal administration, recommended that a similar system should be introduced in our legislation. This has been given effect to and the Government trust that these provisions will meet with approval.

I do not wish to detain the Council with any further remarks. The Bill has been before the Government in some form or other for nearly four years. It owes its main features to the labours of Sir Sivaswami Ayyar whose experience of the working of local self-government in the City and in the Presidency generally has been of great value in shaping the lines on which it has been framed. The Bill has subsequently been altered in the light of suggestions made by the Corporation and the Government of India. There is no reason why it should not be further altered if necessary in its passage through the Council. I am confident that, if passed, it would substantially improve the municipal administration of the City and I therefore commend it for acceptance."

The Hon'ble the Advocate-General seconded the motion.

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Under rule 4 of the business rules I move that the consideration of this Bill be postponed. I move this for two reasons. Though this Bill is an improvement on the present constitution of the Madras Corporation, it has to be remembered that this Bill was framed on the lines of the Bombay Municipal Act. But the constitution of the Bombay Municipality was framed many years ago, when there was a want of complete confidence in the people to manage their own local affairs. The people's ideal of local self-government has undergone a considerable change in the last few years, so that the reforms that would have been enthusiastically welcomed some two years ago will not now satisfy the people. The outlook of the Government themselves has undergone

[14TH AUGUST 1918.]

(Mr. Yaqub Hasan ; Mr. Rajagopala Achariyar.)

considerable change. It has in fact broadened very much. It is laid down as the first formula in the report of Mr. Montagu and Lord Chelmsford that 'there should be, as far as possible, complete popular control in local bodies and the largest possible independence for them of outside control.' It cannot be claimed, judged from the standard laid down in this formula, that the present Bill does provide for complete control or the largest possible independence of outside control. It has been pointed out by the Hon'ble Mr. Rajagopala Achariyar that this Bill was framed four years ago. Then the ideal of self-government was quite different from the ideal which the Government of India—"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (*interrupting*):—"I did not say it was framed four years ago."

The Hon'ble Yaqub Hasan Sahib Bahadur (*continuing*):—"The Bill was before the Government for four years. Since then there has been the war which has made a change in the outlook of the people and of the Government. As the original framer of the Bill has taken much trouble and spent much labour in framing the Bill and the Government have also taken much trouble to get through it, there is naturally a desire on their part to get it passed as it stands rather than undergo further trouble, in redrafting it in the light of the reform proposals that are before us. The resolution of the Government of India recently issued about local self-government cannot be regarded as constituting complete local self-government; that is what Mr. Montagu and Lord Chelmsford themselves say about it. I cannot therefore ask the Council to revise the Bill in the light of the resolution of Government of India because it is not a complete scheme of local self-government; and even if the Bill is to be revised as suggested by the Hon'ble Mr. Rajagopala Achariyar and be altered and brought into line with the resolution, still it will be imperfect. This report says 'if we are sincere in our advocacy of a policy of provincial autonomy, we must leave the work mainly to local Governments.' According to the Reform proposals the question of local self-government will be treated as a transferred subject and it will be in the charge of ministers who will be under the complete control of the legislature. The Local Government themselves will be given a good deal of autonomy to manage their affairs anyway they like without being interfered with by the Central Government. As I have said, the Provincial Government will have attained sufficient autonomy, and would it not be fair as suggested in the report that the drafting of another Bill should be left to the new Government and to the new legislature that will be constituted after these reforms are introduced? I do not think we will lose anything by postponing the consideration of this Bill for, say, about a year. We are assured that the Reform Bill will be taken into consideration by the Parliament and passed into law in about a year and it is quite possible that about this time next year or at the most in the beginning of 1920 the reformed Council will be able to tackle this question. One year is not a long period to wait for. We have been waiting for this reform for several years, for nearly two decades, and it has taken the Government themselves four years to bring it in the present form. The delay of another year or two will not, I am sure, hinder the needful progress which this seeks to bring about. No doubt if this Bill is passed, the municipality will have more facilities to raise revenue and that is, no doubt, a great consideration. But even then the Bill can at best come into force in 1919 or 1920, and the people will find that many provisions for raising revenue could not be applied on account of the conditions produced by the war. Nothing will be lost by postponement. On the other hand, we are likely to gain much by postponing it. If the reformed Council is not able to produce any better Bill than the one before us, then the responsibility will lie on the reformed Council and not on the present Government. If it is passed now, it will appear as if the present Government wanted to force the Act on the people against their wishes as it were. Some people might say that it is not against their wish, the Bill has been discussed by the public and by the Corporation and they have given a sort of approval to it and have suggested alterations most of which have been embodied and when the people are generally in favour of it, it should be passed now and not postponed. That approval was given when we had no reform proposals before us and when the Government of India's resolution on local self government was not issued. The new angle of vision had not come into existence then. Approval given under those circumstances cannot be taken as the present opinion of the people or the Corporation. The Corporation is not the only body that has a voice in the matter. The Municipality of Madras is a premier local body and anything you do for that city and the constitution you give to that body is bound to become the ideal after which other local bodies will strive. When a constitution is admitted to be not liberal enough, it is not desirable to make it a model for other local bodies to copy."

"Some people may say, 'why not let this Bill be passed? Afterwards the reformed Council may change it as it suits it.' I say that is not likely to be done for a long time: once constitutions are made for certain bodies they cannot be changed within a year or two; the tendency will be to say, this is a new constitution, you must give it sufficient trial, unless it has been well tried and proved to be wanting it ought not to be changed. Another thing is the new reformed Council will have many other things to look after. It would not do for that Council to upset everything that has been done by the previous Council or the previous Government. It is not likely that it will take up this Bill as their first Act. It can only be after some time that the reformed Council can take up an amendment of this Act. By postponing it now nothing will be lost. On the other hand, if this Bill is not now pressed it will be the first thing to be taken up by the reformed Council and the constitution given by it will be much more liberal than it is now, and if it is not so the responsibility will lie with that Council."

(Mr. Ranga Achariyar; Sir Gordon Fraser; [14TH AUGUST 1918
Mr. A. S. Krishna Rao.)

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I made up my mind to second the motion since yesterday. If there is so great an urgency so far as the Corporation is concerned, it is financial stringency, and if we were convinced that we get financial facilities for the Corporation, I should have been glad to go on with the Bill. On the other hand, the proposed Bill instead of giving new sources of taxation takes away the existing resources. All that my Honourable Friend has claimed for this Bill is that the threatened imposition of certain taxes was abandoned. On the other hand, we have the old property tax which remains. We have a tax on carts and vehicles and animals. That remains and also the old professional tax with a slight modification which will not give us more than Rs. 10,000 or 20,000. We have been waiting for this Bill from 1908 till 1918. Is it going to do us any harm if we wait for another two years? Although it might be possible to amend the taxation chapter in the Select Committee by making suggestions, yet since the objection taken by the Hon'ble the Advocate-General yesterday and accepted by this Council I feel whether it is quite competent to amend these taxation proposals. Suppose I suggest a new tax, a town duty, it might be said, you cannot impose it without the sanction of the Government of India. If I suggest any other tax, I would be told we have no power. I was told in connexion with the Prevention of Adulteration of Drugs Bill that I had no power to amend a certain section, because it dealt with the revenues of British India. I feel despondent that we cannot do anything in regard to taxation in the Select Committee. The taxation chapter takes away the existing taxes. It takes away two lakhs of rupees. No doubt the Honourable Member is giving unlimited powers to the Corporation with regard to the property tax. He calls it a blessing; I call it a curse. We have to spend Rs. 35 lakhs every year. We are at our wits' end to make both ends meet. Without any additional sources of taxation and with the existing sources being taken away, we will be driven to enhance the property tax. I am loath to go before my electors with this proposal. There are very welcome features in the new Bill; and there is no danger of their disappearing. On the other hand, these welcome features will become more welcome afterwards. Therefore I feel convinced that with the Advocate-General raising ingenious objection to our dealing with the financial portions we will be in a hopeless position; instead of its being a blessing it will be a curse to the city. On the whole it is better to postpone the consideration of this Bill. Also the Corporation might have an opportunity of considering this Bill. I have no authority to speak for the Corporation, but several Commissioners whom I have consulted and who have gone to me have pressed upon me this aspect. Though individually having bestowed some attention on it for seven or eight years and having fought on the revision of the Bill, on the whole I thought it better to go on with it; but after hearing the Hon'ble Mr. Yaqub Hasan to-day and after what happened yesterday, I feel convinced that it would not be proper on my part to say that this Bill should go on."

The Hon'ble Sir GORDON FRASER:—"Your Excellency, it is with the greatest surprise that I have listened to the speeches just delivered by the Hon'ble Mr. Yaqub Hasan and the Hon'ble Mr. Ranga Achariyar. I would like most emphatically to oppose the motion that has now been put before the Council for the postponement of a Bill which the Government and others have taken such pains to frame during the last four years. I must admit, I hope most of my Honourable colleagues admit, that it is impossible to follow the arguments just put before the Council. There is no doubt that the present Bill is a well thought out scheme. Possible improvements may be suggested and there may be many improvements that can be made. But these will come up for discussion when the Bill goes before the Select Committee. It cannot be denied that the proposed Bill is a vast improvement on the present Act. To turn it down would be a great mistake. I do not think this Council could do it in justice to the rate-payers and the people of the city of Madras. The Hon'ble Mr. Yaqub Hasan brought forward the point that it was useless at the present moment to bring in the new Bill as a new Council may be formed under the reforms scheme, and this legislation should be allowed to be run by them. That argument will not hold water; it is quite possible and up to the new Council if circumstances call for it to take up and amend the new Act by a new Bill. The new Bill is an improvement on the old Act and provides a better foundation for the new Council to go on than the old Act. The Hon'ble Mr. Yaqub Hasan pointed out that in passing this Bill, it might be looked upon by certain people that the Government were pressing on the people a Bill that they do not want and he would prefer to leave it to the new Council. To listen to this statement must leave one with the impression that the mover is anxious to shelve the Bill to the new Council which may be formed. It seems to be an attempt to take the credit from the present to the new Council for the enlightened legislation which we are now through the present Council trying to pass. I strongly oppose any attempt to postpone the present Bill."

The Hon'ble Mr. A. S. KRISHNA RAO:—"My Lord, though I had considerable hesitation in the beginning, after hearing the Hon'ble Mr. Yaqub Hasan and the Hon'ble Mr. Ranga Achariyar I have no hesitation in giving my support to the motion before this Council. As has been pointed out already, very great constitutional changes are under contemplation, and there is absolutely no doubt that a substantial devolution of power will be given to the local Government. The remarks of the Hon'ble Mr. Rajagopala Achariyar where he dealt with the question of excise revenue are by themselves sufficient to convince this Council of the desirability of postponing this legislation. He pointed out that the members of the Corporation suggested as one of the additional items of revenue to the Corporation that a portion of the excise revenue levied within the city should be made over to the Corporation, and his reply to it was that it

14TH AUGUST 1918.] (Mr. A. S. Krishna Rao; Mr. J. H. Thonger,
the Rev. Pittendrigh; the President; the Advocate-General,
Mr. Ranga Achariyar.)

was not possible to give effect to the suggestion, because very grave changes are to take place and that question has to be settled with a good many other questions. A Bill to improve the condition of local bodies will never be complete unless the financial provisions therein are carefully examined and sifted. With the increased powers and responsibilities which the Government are willing to grant to the local bodies, one ought to see whether they are placed in possession of adequate financial resources with which they can satisfactorily discharge their duties. That is the reason why the Hon'ble Mr. Ranga Achariyar drew the attention of the Council to that aspect of the question. We find that the Bill was referred to the Corporation in 1916 and they went into the matter at considerable length and made several suggestions to improve the financial condition. What has been the result? So far as one can judge, it cannot be said that the resources of the Corporation have been increased or that there is scope for increase. The duty on tobacco which they suggested was not accepted. The duty on timber was removed. They suggested that the properties of the Port Trust ought to be taxed. The Hon'ble Mr. Rajagopala Achariyar said that it was an old privilege and the properties of the Port Trust could not therefore be taxed. The original Bill said that 25 per cent property tax was to be levied; he now says we leave it to the Corporation to fix the limit. Can it be said that these have substantially improved the resources of the Corporation? The Hon'ble Mr. Rajagopala Achariyar has not indicated any provision in the present Bill and has not satisfied the Council with reference to the figures as regards the vast improvement in the resources of the Corporation. If he had done that, it would have been of considerable assistance. It is also put down here that there is another clause to which the members of the Corporation who have dealt with this question object; that is with reference to clause 47 of the present Bill. That says 'The Governor in Council may at any time by notification cancel any resolution in whole or in part on the ground that it is in excess of the powers conferred by this Act or by any rules made under this Act.' I find the members of the Corporation decided that the civil court must decide this question rather than the Governor in Council. I do not find any material change in regard to this; the view of the Corporation has not been accepted. There ought to be no difficulty in postponing the consideration of the Bill. The remarks offered in 1916 by the Corporation are rather out of date. I have no doubt whatever that with the new changes which have taken place in the country, and which changes have been accepted by the Government of India and referred to in their resolution on local self-Government, the members of council will view the Bill in a different light. As the Hon'ble Mr. Ranga Achariyar has said the Corporation has not had an opportunity to view the Bill in that light."

The Hon'ble Mr. J. H. THONGER:—"I oppose the amendment most heartily. I think it is a great mistake to have brought it forward. The citizens of Madras who have been clamouring for a larger measure of self-Government have now an opportunity of showing whether they are worthy of it, and they ought to welcome this piece of legislation. We should then have an opportunity of seeing whether they are worthy of that which they are demanding. My candid opinion is that the Bill should go before Select Committee and be passed into the law with such modifications as may be agreed upon after a careful discussion."

The Hon'ble the Rev. G. PITTENDRIGH:—"I had no intention of speaking on this amendment, nor would I have changed my mind but for what the Hon'ble Mr. Ranga Achariyar has said, namely, that, according to the remarks of the Hon'ble the Advocate-General, it would not be possible to interfere with the taxation proposals. That ought to be made clear. I object to certain taxation proposals, and I should try to get them modified by the Select Committee. If I have no power to do so, I must vote for this amendment. In the original draft Bill educational buildings were exempted; but that is not so in the present Bill. The thing is done in every other municipality in the Presidency with the exception of the Madras Municipality. But owing to pressure from some source or other—"

His Excellency the PRESIDENT:—"I may remind the Honourable Gentleman that we are not discussing the merits of the Bill, but we are discussing this motion for adjournment."

The Hon'ble the Rev. G. PITTENDRIGH:—"I am suggesting this in order to get an answer."

The Hon'ble the ADVOCATE-GENERAL:—"I am surprised that the Hon'ble Mr. Ranga Achariyar should have led this Council into a misconception. It is perfectly clear that the point taken yesterday was quite different from that which the Hon'ble Mr. Ranga Achariyar wishes to take to-day. The conclusion that the Council came to yesterday was that this legislature had no power under section 21 of the Government of India Act to assign or allot or appropriate any part of the revenues of India to any particular body. The issue which the Hon'ble Mr. Ranga Achariyar now wishes to raise is whether the legislature can arm the Municipality of Madras with powers of taxation over the inhabitants of Madras, for example, tax on professions, tax on timber or tobacco brought into the City of Madras. That is a quite different thing. It has nothing to do with the revenues of India. What is asked is whether the municipality can be empowered to impose any taxes it pleases. Certainly the Madras legislature has the fullest power to levy any taxes it pleases. There is absolutely not the slightest objection to that."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Can we impose a town duty on goods coming into Madras by sea?"

(Mr. Ranga Achariyar; the Advocate-General; [14TH AUGUST 1918.
Mr. M. Ramachandra Rao; Mr. Ramanuja Achariyar;
Mr. Narasimha Ayyar.]

The Hon'ble the ADVOCATE-GENERAL:—"Certainly."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Can I introduce an amendment in the Select Committee that a town duty may be imposed?"

The Hon'ble the ADVOCATE-GENERAL:—"Yes, certainly. Whatever decision the Council may come to it should not be influenced by this point. Whatever merits there may be in other points to which the Honourable Member referred, and with which the Honourable Member in charge is more competent to deal than I am, as far as this is concerned, it is a misconception and I am perfectly certain that on further consideration the Hon'ble Mr. Ranga Achariyar will think it is a misconception and that this does not stand in his way."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, it is with some amount of hesitation I rise to speak on this motion. We have here three members of the Corporation, two opposing the introduction of the Bill, and we have the third, the Hon'ble Sir Gordon Fraser, who does not want it to be put off. I regard this Bill as a very great improvement over the existing state of things. The Corporation has asked that a definite portion of the excise revenue should be appropriated to the municipal revenues. I find from the papers furnished that a definite request has been made and that has been made not only by the Madras Corporation but by every local body which has been consulted during the last three years. Honourable Members are aware that it is a unanimous request made. Your Excellency's Government have a much freer hand under the proposals made by Mr. Montague and Lord Chelmsford. From paragraph 203 of their report Honourable Members will see that the excise revenue will be a wholly Provincial head. If this proposal is carried out as I hope it will be, it would be open to your Excellency's Government to consent to a definite portion of the Provincial revenue being made over to the municipality. I ask the Hon'ble the Advocate-General whether it will be open to me or to any Honourable Member to propose that a definite proportion, whether it is $\frac{1}{2}$ or $\frac{1}{3}$ of the excise revenue levied within the jurisdiction of the Madras Corporation, should be made over to that body. If the Hon'ble the Advocate-General says it is open to us to move such an amendment in the Select Committee I am prepared to vote for the rejection of this motion. There is another point. The whole scheme of taxation in the new proposals do not appear to improve the financial position of the municipality and if this one provision is introduced, I should be glad to see that this Bill gets through as immediately as possible. If your Excellency's Government or either through the Hon'ble the Advocate-General or the Member in charge will give us that assurance, my Honourable Friend may be willing to withdraw this motion. There is one other matter which I should like to mention—the question of the imposition of a terminal tax. That has been discussed very much here. Such a tax prevails in Calcutta and the representatives of the Corporation are willing to impose it."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"We proposed it."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"Will the Hon'ble the Advocate-General say whether we will be right in proposing a terminal tax? It would not do for the Advocate-General to say that we must go to the Government of India. If the Hon'ble the Advocate-General can say that we can suggest a definite portion of the excise revenue being appropriated to the revenues of the Corporation and also the imposition of a terminal tax which will bring about two lakhs of revenue, it would be something and we can get the matter discussed in the Select Committee. Otherwise, we shall not be solving the question of the finances of the Madras Corporation. Any Bill which improves the machinery of the Corporation should also relieve it of the financial difficulties. I quite recognize that there are very many improvements. But the real point is in regard to the taxation proposals. I should like to have a categorical reply to my questions."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I support the motion of the Hon'ble Mr. Yaqub Hasan. I think the Bill should come before the reformed Council. It seems a liberal measure but it really takes away the power of appointing the Commissioner, who will be appointed by the Government and who will have the whole power. He will not be removable unless there is a very large majority of votes for his removal. We cannot make any large improvement in this Council. As this is one of the transferred subjects, we should get it considered by the new Council."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I should just like to say why I vote for the Hon'ble Mr. Yaqub Hasan's motion. My first reason is that given by the Hon'ble Mr. Ramachandra Rao. That leads me to a larger proposition, that matters which are not urgent and which can possibly be postponed till after the new Council when we shall breathe a freer air, should be invariably postponed, because the voice of the people will then be heard. At present the voice of the people does not prove of much avail. The Hon'ble Sir Gordon Fraser has stated that the Hon'ble Mr. Yaqub Hasan seemed to be anxious to give the credit of this measure to the next Council. Suppose it is discredited what will the Hon'ble Sir Gordon Fraser think about it? There are certain matters in which this Bill is retrograde, in which our freedom is fettered and those features reflect such discredit that we can leave it to a body which will be really representative of the people."

14TH AUGUST 1918.] (The Raja of Ramnad; the Advocate-General; Sir Fairless Barber; Mr. Siva Rao; the President; Mr. Yaqub Hasan; Mr. Thonger; Sir Gordon Fraser.)

The Hon'ble the RAJA OF RAMNAD:—"I am entirely opposed to this motion for the many reasons given by the Hon'ble Sir Gordon Fraser. It is provided in clause 414 that 'any fine or costs imposed or assessed by a Magistrate by virtue of this Act shall on recovery be paid to the Corporation to be by them applied to the purposes of this Act.' Will the Hon'ble the Advocate-General explain how this appropriation can be made and how, in the light of his remarks made yesterday, he considers the same as not offending the provisions of the Government of India Act?"

The Hon'ble the ADVOCATE-GENERAL:—"That particular enactment will be ultra vires. But that does not affect the present question."

The Hon'ble Sir FAIRLESS BARBER:—"I wish to protest against the reform proposals forming the basis of the discussion of this Bill. It is preposterous that the consideration of this Bill should be postponed simply because of the existence of the reform proposals. The proposals have not been actually translated into action. Why should they be dragged in when considering the City Municipal Bill? There is as much logic in this motion as there would be in a suggestion to drop the consideration of the Bill because of that other proposal—the German occupation of India."

The Hon'ble Mr. P. SIVA RAO:—"The Hon'ble Mr. Yaqub Hasan has given very cogent reasons in favour of his motion. I vote for the motion for two or three reasons. Liberal as the Bill is, it does not comply with the latest resolution of the Government of India and is not in conformity with the policy laid down by the illustrious authors of the reform scheme. The policy laid down there is that there should be as far as possible complete popular control and independence of outside control. This Bill looks a little bit antiquated and out of date. That is one of the reasons why I wish to support this motion."

"There is one other reason. The policy relating to local self-government is part of the proposal of the coming constitutional reform and that policy has to take final shape. It is not desirable that we should hurry this Bill through, while the whole thing is under consideration. We have yet to see what final policy is to be adopted in connexion with local self-government."

"The most cogent reason for the motion seems to be that the financial relations between the Corporation and the Government have to be settled. I remember that it was stated in the revised financial statement that these proposals formed part of the proposals in the reform scheme, and they were under discussion. There was a proposal under serious consideration to transfer a portion of the excise revenue to the City Municipality and other local bodies. I ask whether it is possible in this Bill to insert such a provision for the purpose of augmenting the resources of the City Municipality. We should await a settlement of the financial relationship. In fact when I sent up my interpellation, I intended that the Government would give up this Bill in light of the recommendations of the Government of India in their latest resolution. I asked about the three Bills, and the answer given was that the Madras District Municipalities Bill and the Local Boards Bill will be submitted to the Government of India and are being examined in the light of the resolution of the Government of India. In the case of the City Municipal Bill they said that it would be introduced at the present session. If there is a reason to recast the two other Bills in the light of the resolution of the Government of India, the same reason holds good with regard to the City Municipal Bill. Then, there is a final reason, that it is very desirable that the enactment of these Bills relating to local self-government should only be passed after the whole policy is settled and the reform question is settled and it is desirable to leave them to the future reformed Council."

His Excellency the PRESIDENT:—"I do not know whether the Council is prepared to take the vote now. The matter has been thoroughly discussed."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Four Honourable Members have opposed my motion but I do not find in their speeches, any good grounds for opposing the motion. One of them, namely the Hon'ble the Raja of Ramnad wanted an assurance to be given to him whether a certain revenue could be allowed to the Corporation and that assurance has not been given."

The Hon'ble the RAJA OF RAMNAD:—"I said I opposed the motion for the very good reasons given by the Hon'ble Sir Gordon Fraser."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"That doubt has not been explained to his satisfaction, and perhaps he may be prepared to change his attitude. The Hon'ble Sir Gordon Fraser in opposing this motion said, so also did the Hon'ble Mr. Thonger, that so much time and trouble has been spent on this matter."

The Hon'ble Mr. J. H. THONGER:—"I did not make that statement." His Excellency the PRESIDENT:—"The Honourable Gentleman is rather unfortunate (laughter)."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"I thought I might put them together. The Hon'ble Sir Gordon Fraser said that so much time has been spent by the Government."

The Hon'ble Sir GORDON FRASER:—"I said by Government and by others outside the Government."

(Mr. Ranga Achariyar.)

[14TH AUGUST 1918.]

"Again in the Standing Committee, in 1884 five out of eight members were elected. The President and the Vice-Presidents were the members of the Standing Committee and the other five were elected representatives. I will take it that the elected President is also an elected representative. Even then we have only 7 out of 13 members of the Standing Committee who are elected representatives. I do not think that is right. Therefore the Corporation suggested that the proportion of elected representative on the Standing Committee should be larger.

"Again take the Corporation itself. It is in a curious position under the new system. It is not the councillors who form the Corporation; the Corporation consists of the Commissioner, the Standing Committee and the Council. So it is the general body who form the Corporation. The Commissioner has no right of vote in the Corporation but is made part of the Corporation. As pointed out by somebody else, a man who has nothing to do with the ratepayers is part of the Corporation. It is a curious departure from the Bombay Act. As regards the position of the Commissioner again, it is pointed out in this report of the Committee of the Corporation that he must be merely a person to attend each meeting but may not vote and his administration must be subject to the control of the Standing Committee and the Commissioners. They have made a departure from the Bombay Act. He has got the power to sanction contracts and estimates up to Rs. 10,000 and the appointment of officers carrying a salary up to Rs. 500. Almost all the functions of the Corporation, nearly 80 per cent of the work consists in the sanctioning of estimates and contracts up to Rs. 10,000 and the appointment of officers up to Rs. 500. How many officers are there beyond Rs. 500? That is not so in the Bombay Corporation. What is now being done by the Standing Committee is transferred to the Commissioner. That is a matter of detail which may be amended in the final stage. The Commissioner is made part of the Corporation. He is an executive officer of the Corporation and should not be made part of the Corporation. This is a fundamental defect in the Bill which needs removal. There is not complete popular control which is contemplated in the recent Resolution of the Government of India, if that provision remains.

"Again there are two other matters of importance which are left to be guided by rules. It is left to the Governor to decide what the city limits should be by rules instead of by statute. There are very difficult questions as to whether a certain area should be included within the city. A proposal was sent up to Government that portions outside Perambur should be included within the Municipal limits. The Corporation resolved not to have it unless it was decided by statute. To-day we may include Perambur, to-morrow Sembium, and the day after Saidapet. Such a matter should be decided by the statute. It should not be left to a body quite outside the Corporation to decide what the municipal limits should be. This question affects the people a great deal. The original jurisdiction of the High Court will be affected by the orders of the Government. The legislature should take care to decide what the municipal limits should be. Another matter which ought to be left to Legislation and not to the Governor in Council is the qualification of the voters and the candidates. I have no doubt that the Honourable Member in charge is actuated by a desire to extend the franchise and he will do it. Such an important matter as defining the right to vote and the right to be elected should not be left merely to rules but should be defined by legislation. It has not been done hitherto in any other province in any other Municipal Act. Let us fix the franchise as low as possible, but why should not the Government bring up this matter before the Council whenever they wish to extend the franchise? These are two matters reserved to the Government to which I object.

"Now coming to the financial resources of the Corporation, the Bill is wholly disappointing. They have not dealt with the situation. On the other hand they want to throw the odium on the Corporation by making them unpopular with the people at large. As I have already stated, instead of giving us new resources this Bill proposes to take away the existing resources. We are now levying a duty on firewood and timber which brings us Rs. 1.90 lakhs and it is likely to be a growing income. When the Corporation proposes other small duties, the Government propose to take away the existing taxes. What are the resources left to the Corporation to develop the city with and to improve the city, a city with the Cooum and the Buckingham Canal which the Government have not taken care of and which we are to do for the city with our special works?

In 1907 our revenue was Rs. 20,99,808 and our expenditure Rs. 17,88,520		
1909-10	22,89,038	23,16,572
1911-12	24,92,100	24,84,672
1912-13	26,10,360	30,43,370
1913-14	27,01,990	29,54,540
this year	31,45,650	35,74,580

"Within the eleven or twelve years our expenditure has doubled and we are trying to develop our existing resources. Is it enough to throw the burden on the land and houses? The people are not for throwing the burden on the owners of houses and land. Are not there other sources? Are not other people enjoying the benefits of the Corporation all over the Mount Road and other places? Who complain most that the Corporation does not maintain the roads? Is it the poor people who own the properties? Why should not these other people pay the taxes? You must throw it according to the benefit you confer and according to the capacity of the people to bear. The Corporation is taking a heavy tax from the houses; we have taxed the houses enormously. If we are to increase our recurring expenditure, the special works are being increased and recurring expenditure on pumping stations has to be incurred, which comes to 40 lakhs—where is that money to come from? Is it to come from the houses? With the prices going up and taking the condition of the people, is it right to expect the Corporation

14TH AUGUST 1918.]

(Mr. Ranga Achariyar; Mr. Thonger.)

to make themselves so unpopular as to be a burden on the poor house-owner? The Corporation will find it impossible to discharge its functions with the resources which exist at present. We should have more power to improve our resources. Why should we not be allowed to levy a small duty on goods arriving at Madras? It will be spread on the consumers, it will not be a burden felt by anybody. There are other ways. The port is in very good order, thanks to the ability of the Hon'ble Sir Francis Spring. Merchants find it easy to land their goods very easily, at quays, instead of in barges and boats. The terminal tax will be an easy burden. When there are obvious resources they are neglected and we are thrown back on our original resources. The third point is the large interference in the affairs of the Corporation. There should be less outside control. There are sections in the Bill which give powers to the Governor in Council which are no less than those in the old Act. Section after section gives power to the Governor in Council. That is also a matter to which I wish to draw the attention of the Council.

"Again the Government have taken power to define what is public land. We are getting revenue from lands; the Government will take away all the land as public land and we shall lose that revenue. Again there is one other obvious source to which we are entitled by right, namely, the excise revenue. By the old Act we had a tax on liquor shops; in the Act of 1884 we had it. When the revenue was small they gave us a compensation of about Rs. 13,000. That we had it. The excise revenue has quadrupled but they still give us left the Government Rs. 29 lakhs. The excise revenue suggested that a definite portion should be assigned. Rs. 13,000. That is why the Corporation suggested that a definite portion should be assigned. It is a well recognized rule that local bodies should be given the benefit of a portion of that revenue. As I have already taken up the time of the Council, I do not wish to trouble it any further. These are some of the principal matters to be remembered in connexion with the Bill."

At this stage the Council adjourned for a short interval and re-assembled at 3 p.m.

The Hon'ble Mr. J. H. THONGER:—"Your Excellency, the Madras Trades Association and the Chamber of Commerce appointed a joint Sub-Committee to examine the provisions of this Bill, and I need hardly say have given the subject very careful consideration. They made notes of several points which in their opinion it was desirable to bring to the notice of Government, and possibly the principal of these points was that in their opinion the perpetuation of the Standing Committee in its present form, despite the fact that powers had been taken to enlarge it with a view to facilitating the formation of Sub-Committees at discretion, was one of the greatest weaknesses in the whole scheme. Naturally in examining a Bill of this description it was the business point of view which interested the associations most. The legal aspect they felt could be left to others more interested therein.

"In matters of business there are always fundamental principles to be observed, and three of such principles I might enumerate in connexion with the Standing Committee. In the first place the organization of a business must fit in with its requirements, secondly individual responsibility must be defined, and thirdly, individual responsibility must be confined within reasonable limits. In the opinion of my association the Standing Committee from a business point of view does not conform to any of these principles. So far as the first principle is concerned, the basis of an organization is undoubtedly there, but it has not been organized. In regard to the second and third points, it might not be possible in the matter of the Corporation to bring the control down to the basis of individual responsibility, but we can certainly bring it within narrower limits than at present. The present Council consists of 37 members, and from this number they elect eight to form a Standing Committee. Upon the shoulders of these eight men is thrown the whole responsibility for the working and control of the Corporation. This control may be mainly financial, but it is not solely so. Collective responsibility is no responsibility, for if anything goes wrong it is impossible to place responsibility on the right shoulders. Were the departments of the Corporation divided between these eight men and they were made individually responsible, each for, say, one department, then I should say that an organization was in existence, but this is not the case. The remaining 29 members of the Council have practically no responsibilities whatever, and their duties are extremely limited. In fact it appears to me that their principal and possibly only duty is to attend meetings join in discussions when they are inclined to do so, and vote, very often upon subjects with which they are only indifferently acquainted. The Standing Committee consisting of eight men are responsible for such varied matters as education and drainage, taxation and house lighting, town improvements, water and so forth.

"The proposal which the joint associations desire to bring before the notice of Government is that the Standing Committee in its present form should be scrapped, and a series of small Committees consisting of 4 or 5 members be created, who should have definite responsibilities in regard to definite departments in the Corporation, the result being that each of these Sub-Committees under its respective Chairman would be responsible for the control and working of a definite department. This is a suggestion which the joint associations brought to the notice of the Government in a memorandum, dated September 1917. It would be very easy to divide the work of the Corporation into departments. It is in fact already so divided up, and of these departments I would mention the most important as follows:—

- (1) Finance and Taxation.
- (2) Water, Lighting, Drainage and road.
- (3) Sanitation, Public Health and Nuisances.
- (4) Building and Housing, and Town Improvement.
- (5) Education as concerned with Municipal schools, etc.

(Mr. Thonger; the Rev. Pittendrigh.) [14TH AUGUST 1918.

These departments might be added to or taken from as occasion arises. The result would be that instead of having the benefit of the brains and intelligence of twelve men, which is the size of the new standing Committee, the City would have the benefit and abilities of the whole 43 councillors.

"Another suggestion which I should like to bring forward is that it is highly desirable in the interests of the City as a whole, that these various Sub-Committees should have powers to co-opt outside expert opinion, under definite conditions, to assist them in their deliberations. We must not forget that the members of the Council are elected for various reasons, some because they are leading citizens, others because of their business abilities, others because they have made their mark in law or journalism. In fact they have been elected as members of the Council for every conceivable reason except that they understand Corporation work. For expert knowledge and advice they are absolutely dependent upon the paid expert executive, and I do not think there is any one who will deny that it would be highly advantageous for the general working and efficiency of the Corporation if outside expert opinion could also on occasions be called in.

"The most important of these committees would of course be the Finance Committee, for the whole of the Corporation work is based upon finance and therefore at the head of that Committee should be a man of recognized sound financial ability. In fact whether the Government adopt these suggestions in connexion with the new Act, or whether they do not, I am of opinion that it is desirable in the interests of the City that a Special Finance Committee should be formed immediately even under the old Act, for there is a growing feeling of uneasiness that the Corporation have been committed to an expenditure beyond their means. In this connexion there is undoubtedly a nettle to be grasped, and the sooner we grasp it and the more tightly we hold it, the less likely are we to be stung.

"We are striving after increased efficiency, and I feel assured that if these suggestions are in the opinion of your Excellency's Government an advance in that direction, they will be given most serious consideration.

"There are several other points which the joint associations thought it desirable to bring to notice, but I must admit that in this matter I feel myself up against a difficulty, and that difficulty is that, probably owing to my inexperience, I find it very difficult to determine where 'principle' ends and 'detail' commences. Even matters of comparatively small detail at times seem to border upon principle. I have decided, however, to consider most of these subjects as matters of detail, but I would express the hope that when this Bill comes into Select Committee the Honourable Member in charge of it will give favourable consideration to my desire to make further representations on various matters (*the Honourable Member nodded assent*). That being the case there is only one other subject that I need mention at this meeting, and that is the principle involved in the property tax. This tax is a most elastic one, and has been made more elastic by the fact that no definite percentage of tax has been mentioned. I have not had very large experience in these matters, but I must admit that never previously in my experience have I ever come across either an Imperial or a Municipal tax the amount of which has not been stated, or if it was a variable tax where the maximum and the minimum were not stated, and I am inclined to challenge the correctness of a principle which allows the imposition of a tax the amount of which is not stated. The tax in its present form has already been the subject of fairly general condemnation, and is worthy of further consideration. I consider that property tax in its present form will be a disadvantage to business. It is the basis of a business transaction that the seller should know what he is selling and the buyer should know what he is buying. In this case the seller certainly knows what he is selling, and the buyer knows what he is buying at the moment of the transaction, but he has no guarantee that the property which he is buying and upon which the taxes may be at the time of purchase 2½ per cent may not be taxed almost immediately afterwards to the extent of 25 or 50 or even a higher percentage of taxation. In the case of very many small property owners who have bought property for their own personal occupation, it may mean a very great hardship, for whereas a man in the purchase of a property may have given very serious consideration to the question as to whether he can afford an 1½ per cent tax and may have decided in the affirmative, he may on the other hand be absolutely unable to keep up his house on a higher rate of taxation, and might have the further hardship of finding difficulty in selling the same. In the same way, badly as houses are required in Macras, builders will be chary of building with taxation liable to an increase at short notice and the probabilities of being able to sell correspondingly reduced.

"I would commend the property tax in its present form to the further consideration of the Government."

The Hon'ble the Rev. G. PITTENDRIGH:—"Your Excellency, I may perhaps be permitted to touch upon a subject which I dealt with in another connexion. I wish to speak on the general principle of taxation. I fail to understand why for example in this Bill the buildings vested in the Port Trust should be exempted from taxation while educational buildings are not. Why again should hospitals be exempted, when educational buildings are not? Educational buildings do not bring profit to the owners. In the vast majority of cases the managers have to put very large sums of money into education for the support of it, and therefore I fail to see why in the Madras municipality a tax should be levied upon educational buildings. I am speaking under correction; but I believe the municipalities in the Presidency do not tax their educational buildings. I am not sure that Bombay impose such a tax, again I speak, under correction. It seems to me that the Madras municipality should recognize that

14TH AUGUST 1918.] (The Rev. Pittendrigh ; Mr. Venkatapati Raju ;
Mr. Yaqub Hasan.)

the educational institutions are worthy of the greatest care of the Corporation. Even from the lowest point of view, viz., that of trade, of the increase in material resources, education does a great deal for the town. These educational institutions bring in large numbers of people to the city. But I am not arguing from that material standpoint. From the standpoint of moral gain, these educational institutions are a great asset to the Corporation. The fact is that managers in most cases have put money into these institutions for their support and in no cases are these money making institutions. I fail to see therefore why when they were exempted in the draft Bill, that exemption has been struck out. I wish to press upon the Select Committee to consider this matter carefully and endeavour to have exemption granted to all educational institutions."

The Hon'ble Mr. B. VENKATAPATI RAJU :—“ My Lord, the Hon'ble the Rev. Mr. Pittendrig's suggestion that educational buildings ought not to be taxed is a very reasonable request, which ought to be considered by the members who will be on the Select Committee. In the districts, educational institutions are specially exempt from taxation. I find under the District Municipalities Act Government buildings are taxed; but in the City Municipality they are not. That is an anomaly. Instead of taxing educational institutions they ought to have taxed all Government buildings. As it is pretty certain, that the whole Local self-Government would be popularly managed hereafter, in the appointment and in the arrangement of the Select Committee a large number of popular members ought to be allowed to sit in order to bring in their views so that the Bill that may finally emerge from the Select Committee may differ very much from the Bill now being referred to it.”

The Hon'ble Yaqub Hasan Sahib Bahadur :—“ I have many observations to make on the various provisions in this Bill but I do not think I shall be able to go through them all, within the limit of time allowed for speeches. I will therefore confine myself to one or two observations which I think are very important from my point of view. Having failed to get the consideration of this Bill postponed, the next best thing that we can now do is to appeal to the Government to allow its revision in a way that may satisfy the new angle of vision from which we are looking at everything now. And that can only be possible when suggestions made by the non-officials are heeded to by the Government members and they try to help us as much as possible. The very first thing, viz., the constitution of the Corporation or the Council, as has been pointed out by the Hon'ble Mr. Ranga Achariyar, is unsatisfactory, because the proportion of peoples representatives is not enough; it is not adequate. There should be more councillors elected directly by the people and less to be brought in or appointed through other means. I think that there are only two alternatives in the case of the representation of the people that can be adopted. Either you should lay down that the members elected by a majority in the various divisions shall represent all sections of the population and all communities, and that no nomination of councillors of any particular section or community will be made. Either that policy should be declared or the principle should be recognized that certain communities shall be represented on the Council and that the body will not be completely representative unless there are on it representatives of all those particular communities. So far it has been recognized in practice, if not in theory, that certain communities should be represented on the municipal mind nomination by Government is undesirable for sectarian representation either of communities or classes. Neither the Government nor the Indian nation at large can say that it is immaterial whether Mussalmans are adequately represented on municipal or local bodies. The representation of Mussalmans cannot be placed on a par with any other communal representation. Ideal democracy is no doubt the Government of the people by the people through the representatives of the people elected by the majority of the people. Where a nationhood consists mainly of one people, such minorities as have settled in the country for trading or other avocations, as many foreigners are settled in London for example, or minorities that have taken shelter in a country from oppression in their own land, for example, immigrants in England in olden days, the Jews, or the Parsees in India from Persia, such minorities of course cannot claim separate representation. The country belongs to the people at large; the affairs of the country are the affairs of the people at large and the people at large should be represented through the usual course and minorities have no business to claim any separate representation. But where a nation consists of more than one people, as for example, in Switzerland or in Austria-Hungary, no Government can be strictly popular, unless it is composed of all the peoples that form the nation. The Indian nation we are aware consists of two peoples, the Hindus and the Mussalmans. No body, no public body, can be truly Indian, unless these two peoples of the Indian nationhood are adequately represented on it. The representation of Mussalmans as a people is not on a par with the representation of any other minorities or any section of the Hindu people. Recently, there has been much talk of communal representation and people are in the habit of mixing up the question of representation of certain sections of the people with the representation of Mussalmans. That is a fallacy. Just because communal representation is not considered desirable, that the different sections of a people, for example, sections of the Hindu people, should not claim to be represented separately,—if there is any objection to that, that objection cannot apply to the representation of the Mussalmans. Government want, our Hindu brethren want and everybody wants that the Mussalmans should be represented on the municipal bodies. And yet there is nothing in this Bill to provide for our representation. How can we come into this municipal council? Here we have got 20 electoral divisions. All divisions will have non-Muslim majority and we cannot hope of succeeding in being returned by means of these divisional elections unless it were by sheer chance. And should our representation remain a

(Mr. Yaquub Hasan ; Mr. Ahmad Tambi Marakkayar.) [14TH AUGUST 1918.]

matter of mere chance and not be specially provided for? You may say that if sufficient number of Muhammadans are not elected then the deficiency will be made up by nomination. I say that we do not want nomination. If we deserve any representation, our representation should be made through election and not through nomination. You may say that under clause (e) it is provided that representatives might be elected or appointed by such other association or bodies or class of persons as the Governor in Council may direct. Perhaps a Muhammadan association may be asked to appoint a Mussalman representative. I say that would also be a very faulty system. The ideal system should be that all councillors should be elected directly by the people. If you take hold of any association and give it the privilege of returning a person to the Council,—I am talking generally whether a Mussalman or a Native Christian, or any other association and ask the association to return a representative to the Council, you are doing a great injustice to the other electors to the Council. Generally a man has to pay a large sum of money by way of tax to the municipality to become an elector. If members of an association who may be paying a subscription of four annas for membership are allowed to elect a councillor, they are given the privilege denied to many other rate-payers of the city. Another thing is that when once you have provided for the representation of certain communities through certain associations then a member of that community cannot stand in the general electorate. His opponent may go round and say 'here this man belongs to that association. He can get elected through that association or get nominated by Government: why do you vote for him?'. On the other hand, he may not have any means of getting elected through that association. Another thing is that associations would exist either specially for the purpose of electing a councillor or for some other purpose. If it is for the purpose of electing, why should the members of that association be given the privilege which they cannot have through other means. If it is for any other purpose then it is not right and proper that an educational or a social institution or a religious association should be asked to return a member to the municipal council. You are giving a sort of encouragement to such associations which may not be desirable. You say that all those people who agree with the objects of the particular associations or who belong to the party dominating in them will have the privilege of electing councillors. In such associations only those people who follow the creed of the majority will be elected. I point out these things to show the difficulty of securing the representation of any large community through these associations. Classes or communities whose representation is considered necessary on the Council should have special provision made for their representation. I shall give notice of an amendment to what I think should have been incorporated in this part of the Bill.

"Another objection that I had was that the qualifications of the Commissioners are to be higher than the qualifications of the electors. That was the defect of the old Act; but I believe that in this Bill that has been done away with. Any person who is an elector can become a candidate for election. I should suggest that the qualifications should be lowered, so that franchise may be exercised by a larger number of people.

"The third thing that I should like to point out is this; that the sources of revenue that have been provided are not sufficient for the growing needs of the municipality with the result that on certain sources of revenue greater strain will be put, for example, the property tax. I am not in favour of any leniency being shown to the holders of property. I think that everybody who has property must pay for the management of the affairs of the town in which that property is situated. But at the same time we must recognize that if the tax becomes too heavy on property it is not the owners that pay it but it is the tenants. Already in Madras, rent has gone up fearfully high and on account of that many people cannot now remain in Madras—because they cannot afford to pay the enhanced rent. My own experience is that within recent years—within less than 12 years—rent has almost trebled and if property taxes are increased to the maximum provided for, the result will be that the rent will still go up and it will not be possible for people to live decently according to their position. So we must find out some other sources of income. Some sources were suggested by the Corporation, but they were all rejected by Government and are not included in this Bill. I hope that when the Select Committee sits on this Bill it will see its way to bring in more sources of income, for example the one suggested by the Hon'ble Mr. Munga Achariyar that goods imported into Madras should be made to pay something to the municipality. Of course, that is custom duty on the principle of which some objection perhaps may be made, that it is the Government of India revenue with which the local Government or any municipal body cannot interfere. Of course, that would be a valid reason if we ask the Government of India to pay the Council some of the revenue that it gets through this source; but if additional amount is added to the tariff already existing and the same be also levied on goods on which there is no tariff at present, I do not think that it would be objected to, simply because it does not come within our province. So I hope that the Select Committee may be able to revise the Bill in the directions I have suggested. After all it depends upon the members of the Government to help our views being incorporated but I hope the Bill will be amended suitably."

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR:—"Your Excellency, I am not a representative of the Madras Muhammadans in this Council. Still I consider that when a question affecting the Muhammadans comes up, I think it my duty as I always do—often my Honourable Friend the Raja of Ramnad points out that I am a religious fighter—to say a few words on Muhammadan representation. On going through this Bill, in section 5 it is said that out of 43 councillors distributed, I see there is nothing given to the Muhammadans to elect separately. I therefore thought of saying a few words on this subject to see whether

14TH AUGUST 1918.] (Mr. Ahmad Tambi Marakkayar ; Mr. A. S. Krishna Rao ; the Most Rev. Aelen ; Mr. Richmond ; Mr. K. R. V. Krishna Rao.)

the Government would see its way to set apart some seats for Muhammadans, to be competed for by election. As your Excellency is aware the Muhammadans find it very difficult to succeed in elections while competing with the other sister communities. I see, of course, a certain number of seats have been reserved to be nominated for those failing in the general election. But from my own experience I can say that the Divisional Officers and the Collectors are not satisfactory in carrying out the wishes of the Government in this respect. No doubt the intentions of the Government are very good, but the officers in charge are not carrying them out. I can quote many instances in which great injustice was done in this respect by not nominating respectable and responsible representatives. And so it is only proper that as stated in the constitutional reforms published, that the question of Muhammadan separate electorates must be left undisturbed, as they are. In this respect the Minto-Morley reforms were quite reasonable and that circumstance is due greatly to the fact that Muhammadans continue to be as staunch and loyal as they are. When we have enjoyed such rights in the Legislative Council and in the Imperial Council, I do not see the reason why we should not have similar rights in the local bodies as well to which I have often referred in this Council. As the Madras City Municipality Act is now to be amended I strongly recommend that separate election for Muhammadans be set apart in clause 5."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I did not want to take part in the debate, but the remarks of the two Muhammadan representatives in the Council have made it necessary for me to make one or two observations. It is quite true and right that there should be a proper representation of all communities in the local bodies. They should be assured of proper representation. I do not think there is any reasonable objection so far as this position is concerned, but they have raised the other thorny problem as to whether the representation ought to be by separate electorates formed for that purpose. Reference has been made to the report on constitutional reforms presented by Mr. Montagu and Lord Chelmsford. It may be remembered that they dealt with this question at considerable length and pointed out that that was not a correct principle. To quote their words, they regard communal representation as a serious hindrance to the development of self-governing bodies. They however admitted it that in the case of the Muhammadan community—and later on extended it to the Sikhs—they have been enjoying this privilege, and there has been almost unanimity of opinion in this country with regard to it and that position ought not to be disturbed. That position is practically accepted throughout the country. It was not suggested by them or by any others for the matter of that that the question of communal representation ought to be made applicable to local bodies. It will be found I think that in the latest resolution on Local Self-Government it is stated as follows: 'As regards the special representation of minorities where this is necessary the Government of India prefer that this should be effected by retaining the practice of nomination rather than by introducing some system of communal or proportional representation.' While we are all willing that Muhammadans or any other community should have fair and proper representation the question of separate electorates for that purpose ought not to be extended to the case of local bodies. The sphere of action of these bodies is essentially different. The field of the Legislative Council is wider. So far as local bodies are concerned there is no necessity or justification for extending it."

The Hon'ble the Most Rev. J. AELEN:—"Your Excellency, I wish to say a few words supporting the position taken up by the Hon'ble the Rev. Mr. Pittendrigh regarding the taxation of educational buildings. It is only fair that the private-managed institutions which are run at a loss for the purpose of imparting education should be exempted from taxation. I trust the Select Committee will take up this question for consideration."

The Hon'ble Mr. T. RICHMOND:—"Your Excellency, in the first place I desire to say that there is no provision made for the effective representation of the Anglo-Indian community in the constitution of the Council as set forth in the Bill. No doubt there is a provision for appointing representatives by such associations or bodies as the Governor in Council might direct. Perhaps it will be possible under this clause to give a representative to the Anglo-Indian Association, but it will give us greater satisfaction if provision is made for election or nomination by the Association as a matter of right. I also see that there is provision for nomination of members; but we should like to get into the Council by election rather than by nomination. Another point to which I want to draw attention is that the statutory maximum for property tax has been abolished. There is a belief, rightly or wrongly, that without a statutory limit to guide the expenditure of the Corporation, the Corporation might get extravagant and therefore there is no knowing to what extent they may raise the house-tax. I think it is a salutary principle to have a statutory maximum for property tax. As regards the settlement of election disputes I should have preferred the City Civil Court rather than the Small Cause Court for deciding such matters."

The Hon'ble Mr. K. R. V. KRISHNA RAO:—"My Lord, seeing that the Muhammadans and the Anglo-Indian community and several others are desirous of having a separate representative on the Corporation I am tempted to stand on behalf of the zamindars of this Presidency and ask for a representative for them on the Corporation. Most of the zamindars of this Presidency own buildings in this city and I think it is but fair that they should claim to be represented on the municipal Corporation."

(Mr. Kavalappara Muppil Nayar ; Mr. Rajagopala Achariyar ; [14TH AUGUST 1918.
Mr. Ranga Achariyar ; the President.)

The Hon'ble Mr. K. K. R. Kavalappara Muppil Nayar :—"Your Excellency, I can understand the Hon'ble Mr. Yaquub Hasan asking for separate representation for Muhammadans, but I cannot understand why he should say that the other communities do not require representation."

The motion that the Bill be read in Council was then put to the Council and agreed to.

The Secretary then read the title of the Bill.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“ I beg to move that the Bill be referred to a Select Committee for report.”

The Hon'ble the Advocate-General seconded the motion.

The motion was put and agreed to.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“ I move that the Select Committee do consist of the following gentlemen :—

The Hon'ble Khan Bahadur Muhammad Aziz-ud-din Husain Sahib	The Hon'ble Mr. J. H. Thonger, Mr. T. Richmond, Diwan Bahadur A. Subbarayalu Reddiyar,
„ Mr. T. Ranga Achariyar, Rao Bahadur V. K. Ramanuja Achariyar,	„ the Advocate-General, „ Mr. R. A. Graham, and
„ Yaqub Hasan Sahib, Sir Gordon Fraser,	„ Diwan Bahadur P. Rajagopala Achariyar.

The Hon'ble Mr. T. RANGA ACHARIYAR :—" I propose that the Hon'ble Mr. Venkatapati Raju be added to the committee."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I am against it ; it is not usual to make a suggestion like this."

His Excellency the President:—“We had much difficulty in constituting this committee. We have the advantage of the presence on this committee of two gentlemen with municipal experience outside the city of Madras. We have included the names of the Hon'ble Mr. Ramanuja Achariyar and the Hon'ble Mr. Subbarayalu Reddiyar, both gentlemen with vast municipal experience. It will call for some sacrifice of time and trouble on their part. That is how the committee is constituted. For the time being let it be as it is.”

The Hon'ble Mr. T. RANGA ACHARYA:—"There is none to represent the Andhras on the committee and hence my suggestion."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" It is a long way. You must see the practical difficulty. It may be next said that a West Coast man is needed to represent Malabar."

The Hon'ble Mr. T. RANGA ACHARIYAR :—" I do not want to divide the Council on this matter."

The original motion was then put and agreed to.

Resolutions on Matters of General Public Interest.

RESOLUTION *RE* A COMMITTEE TO ADVISE ON THE PROVISION OF
HOUSE-SITES FOR PANCHAMAS IN TANJORE.

The Hon'ble Mr. T. RANGA ACHARIYAR:—“ I have the honour to move the following resolution, of which I have given notice :—

'I. This Council recommends to His Excellency the Governor in Council that, before taking any further steps and incurring any further expenditure in the matter of G.O. No. 3559, Revenue, dated the 10th November 1917, regarding the provision of house-sites for Panchamas in the Tanjore district, a committee of officials and non-officials be appointed to investigate the question and make suitable recommendations with detailed schemes and that all further action in pursuance thereof be suspended pending such report.'

“Your Excellency, my object in moving this resolution is not so much to divide the Council or to get a vote in favour of the resolution as to have an opportunity of placing before your Excellency's Government matters which seriously affect the welfare of the district of Tanjore, a matter which affects not only the department concerned, but I am afraid affects the whole Government of that district. I hoped that we would have had an opportunity to present the matter in deputation to your Excellency, but on account of the unfortunate circumstances prevailing in Tanjore—the Cauveri having failed, and there being anxiety about the state of the agricultural operations there—people were unable to leave their places. I speak with first-hand knowledge in this matter, and I hope the fact that I am a landlord in that district will not colour my views in this connexion so far as it is humanly possible. But at the same time I

14TH AUGUST 1918.] (Mr. Ranga Achariyar.)

wish to assure your Excellency, in bringing this matter before your Excellency's Government I speak not only for myself but for the thousands of pattadars who are landlords in that important district.

"In May and June as chairman of the executive committee of the Madras Ryotwari Landholders' Association, it was my duty to go round the district and attend meetings of several mirasidars in various taluks in the district. It is their wish that I am now placing before your Excellency's Government. With regard to this Government Order I have to take some pains to explain to the Honourable Members both official and non-official, more probably to the non-official, than to the official members, the nature and the genesis of this matter contained therein. I will briefly trace the genesis of this Government Order. My non-official colleagues will notice that this order was issued in the Revenue Department. It is an order not of the Municipal department. It is important that I should draw the attention of this Council to this aspect of the question. For I know for the last two or three days the special Deputy Collector who is in charge of the duties under this order has been here, giving a colour to the working of this order and making it appear that it is a question of relieving congestion and improving the sanitary surroundings. If it is a question of relieving congestion or improving sanitary surroundings one would expect the order to emanate from the Local and Municipal Department; one would expect that the taluk boards and the District Board would have been consulted, one would expect a sanitary grant to be given for the purpose. But that is not the case. I must first of all point out what this question is not, before I say what it is. It is not a question of sanitary measures as I have already stated, it is not a question of housing the houseless. We know there are many hundreds of families who are living under trees and on channel banks and river banks and on road sides without even a shelter, excepting the heaven above. It is not such a case with which we are now dealing. This order deals with providing houses for those who are now living in houses. That is the object of this Government Order. The genesis must be traced. In the year 1913 when His Excellency the Viceroy visited Madras, a temperance deputation waited on him and made suggestions, four in number for curing the drink evil among the Panchama community. The four suggestions were that there should be open parks, and there should be hotels and two other suggestions which I need not trouble the Council with.

"His Excellency the Viceroy referred the matter to the Madras Government and the Madras Government to the Collectors for opinion. The Collector of Tanjore, then Mr. Wood, thought that he would go further and suggested a further remedy. The Government disapproved of three methods, but they approved of the opening of tea and coffee shops; and that was tried. The Collector of Tanjore said 'I have got an excellent idea in my head. The Panchamas in Tanjore are living in houses which do not belong to them. They do not own land. Now let us give them something to live for and therefore take the houses of the owners and make these Panchamas their owners and also let us give them some land.' He suggested that the Small Holdings Act, and rightly enough. In England, of course, the question of small holdings is very material. Here we are all small holders. Who are the big holders here, except the zamindars? The large number of ryotwari holders are small. Therefore without reading the Act, he suggested that and thought it would be a panacea for the drink evil. What about the other Panchamas in other districts? And the Board of Revenue in paragraph 8 of their order said: 'Well here is something suggested as a radical remedy worthy of consideration. The Madras Government deputed Mr. Srinivasa Achari who was then working in connexion with the extension of village sites in Guntur in December 1916, to go to these places in the Tanjore district and to investigate what the situation exactly is as briefly as possible. My Honourable Friend Sir Fairless Barber his report have read it. In Tanjore and in the neighbouring districts I wish now to explain what the situation exactly is as briefly as possible. We are all owners of agricultural land and we want labourers to do our agricultural business. One of the facilities which we afford to our labourers is houses and on our property which consists of three kinds—we are not now concerned in dealing with them—on property which is admittedly our property, and on our site, we permit our labourer to live; we give him the materials to build houses and the condition is that so long as he tills our fields he may remain there; if he does not we send him away or if he does not want to work he goes away.

Tanjore, South Arcot and Trichinopoly. This matter came up recently in the case of 27 Madras. They

“This is peculiar to Tanjore, South Arcot and Trichinopoly. This matter came up recently before the High Court—Benson and Subrahmanya Ayyar, JJ.—in the case of 27 Madras. They sent out an issue whether there is a custom like that in Tanjore with reference to agricultural lands and evidence was taken from all parts of the district. I will just trouble the Council with a few citations. In 27 Madras, page 516 this is what one of the witnesses said:—‘Mirasidars own lands and manaikats appertaining to them. On these manaikats dwell their kudiyanavan, i.e., such as cultivate their land. These cultivators have occupied them from generation to generation and cultivated the lands of their landlords. If the cultivators default to cultivate their lands, they used to be ejected at once and other cultivators introduced into the manais they occupied and moneys also recovered from them’. They go into various other matters. “They quote the authority of Dr. Burnell and Mr. Sewell who had to deal with this matter. They quote not only judicial officers but also Mr. Cotton and some other Collectors and also from their reports dealing with this matter. Now this is an ancient thing. We are only

100 RESOLUTION RE A COMMITTEE TO ADVISE ON THE PROVISION OF
HOUSE-SITES FOR PANCHAMAS IN TANJORE.

(Mr. Ranga Achariyar.)

[14TH AUGUST 1918.]

concerned with house-sites belonging to the mirasidars. Under this Government Order, under this panacea for the drink evil, they say that Panchamas must be made the owners of house-sites they live in.

"I will just briefly explain how the position will be. Labourers to whom we have given houses are to be made the owners of the houses whether they cultivate our land or not. They may even go to the neighbouring estate and work and yet my house in which he lives will be made over to him. That is the object of the Government Order. One planter puts his coolies there and because he has been kind enough to allow him for years to live there, this coolie may go and work on the neighbouring estate. The Government come and say that in order to prevent the drink evil, these coolies must be given help and therefore they must be made the owners of coolie huts although they may go to a neighbouring estate and work there. That is the problem with which we are concerned. I may assure the Council at once I am in full sympathy with any efforts that may be made by this Government to elevate the position of these Panchamas but don't rob Peter to pay Paul. The very first question is, is it our property or is it not our property? If it is our property your very acquisition is wrong. You want to apply the Land Acquisition Act, acquire the ownership and change it. That is the point with which we are relieving congestion. The problem of provision of house-sites for Panchamas in this district is different from that in other delta tracts in that (1) it is not one of relieving congestion in the already existing hamlets of the Panchamas and (2) it is closely intertwined with that of their economic conditions."

"In most delta districts the Panchamas live huddled together in small huts in a portion of the village-site surrounded by wet cultivation which often extends right up to their doors. The village-site is Government poramboke, land allotted to them under house-site rules and permitted to be held by them as private property so long as it is used for the purpose for which it was granted. As wet cultivation increased and as the Panchamas multiplied, the sites available were not enough for the influx of additional labourers and increase of population. The result was the occupation of all kinds of waste lands and porambokes and an increase of congestion."

"In Tanjore district the land-owning classes are not usually the cultivators of the soil. The former either lease their lands to tenants called purakkudis whether Sudras or Panchamas or cultivate them themselves with the help of their Panchama farm servants and they are thus indispensable to the land-owning classes who employ all the means in their power to keep them to the cultivation of the soil."

"The first noteworthy point in connexion with the housing of the Panchamas is that, in the great majority of cases, they live in sites which are the property of the landholders. He points out 'Often times, the Panchamas claim ownership of the sites on which they live. This is specially the case where the influence of Christian missionaries is a predominant factor in their lives. In a good many villages the Panchamas honestly believe that as they have had uninterrupted possession of the sites, this is tantamount to ownership. The general principle by which the Civil Courts seem to be guided in these manaiakat suits is that laid down by the Madras High Court in Indian Law Reports 27 Madras 517, that there is a judicially recognized custom in Tanjore district by which purakkudis or artisans are allowed to occupy manaiakats belonging to mirasidars free of rent, so long as they cultivate the land of the mirasidars or render them service in other ways.' Recourse to the Civil Courts is, however, the last weapon in the hands of the landholders. 'It is a recognized duty that he should provide dwelling accommodation for his Panchama labourers and, of late, the latter have had so many attractions drawing them away from the cultivation of the land that the former in sheer selfishness are learning to ameliorate the conditions of life of the Panchamas. They have shown a readiness to find living accommodation for the Panchamas by renting it for them from some neighbouring landholder with a spare site, by setting apart his dry land conveniently situated for the purpose, or by even raising the level of his wet land. Not only is the site provided, but also materials for the construction of the katcha hut, such as is usually put by the Panchama and also straw every year required for keeping the roof in repair. A certain amount of backyard is also usually attached to the hut, on which the Panchama raises the kitchen, garden (vegetable, chillies or plantain) or a crop of ragi or turmeric for which, if irrigated, the charges are borne by the landholders. 'Before proceeding further however, it has to be borne in mind, that the problem of providing house-sites is not one peculiar to the Panchamas. It may be stated that as a general rule all house-sites in a village wherever situated whether in the paracheri or in the Sudra quarters—are owned by the land-owning classes and that the landless labourers do not own any of the sites in which they live. The only difference is that the caste labourers, being more thrifty and less addicted to drink, have, in a large majority of cases, acquired sites of their own by purchase. The problem however is common to both the classes and any remedy that may be suggested for the case of the Panchama will apply to the caste labourer also.' 'The fact that the site does not belong to the labourer is a frequently articulated grievance on public platforms and in conferences of the depressed classes.' 'At the same time, we cannot ignore the fact that evictions from house-sites are very rare and that in most villages individual Panchama families have been living in their old house-sites from generation to generation. There is no doubt that generally very kindly feelings exist between the Panchama and his master who is quite aware that it is to his own interest to treat the former sympathetically. Except where his sensibilities have

RESOLUTION RE A COMMITTEE TO ADVISE ON THE PROVISION OF 101
HOUSE-SITES FOR PANCHAMAS IN TANJORE.

14TH AUGUST 1918.]

(Mr. Ranga Achariyar.)

been roused by contact with Christian missionary influence or by emigration, the Panchama is usually content with his lot which, where he has an ordinarily kind master, is not a bad one after all.' He then points out the difference between this man and the casual labourer. He says he interviewed hundreds of Panchamas. As regards wages, Mr. Gray says that the wages given are much higher in Tanjore than in any of the neighbouring districts. He says 'in Tanjore district more especially in the deltaic taluks wages both of padiyals and of daily agricultural coolies are considerably higher than in Chingleput or South Arcot.' 'The cash-wage predominates in the case of daily coolies. The male adult labourer's daily wages ranges from As. 4 to As. 8 or from 2 to 5 Madras measures of paddy.' 'That is the nature of things. We are the owners of the houses in which the labourer is housed; and so long as he tills our lands he can live there. Of course if he wants to change, he goes to a neighbouring mirasidar. That seldom happens. Another thing is there is what is called the irrecoverable advance. It ranges from Rs. 20 to Rs. 150. All that is pointed out here, and I have not got the time to go into it at length. The report tells us that we give him varam and we give him round the manaikat land ranging from 4 to 10 cents which he cultivates freely very close to the house-site and he enjoys it. That is their condition. Now I ask, what is wrong with this system? Is it wrong for a planter to build houses for his labourer and insist that so long as he works for him he will live in that house and the moment he goes to a neighbouring estate, he must quit the house? In the case of planters, I am sure, the children and grand-children of coolies will be allowed to live in the houses of their fathers under the planters. Now may I ask what is wrong in that system, and what is unreasonable in that system? What is the reason, on what ground do the Government interfere with this relationship between the owner and the labourer. Has there been an intolerable burden felt by the people? Has there been any complaint from the people? No reference is made to this either in Mr. Gray's report or Mr. Srinivasa Achari's report. On page 83 of his report, Mr. Srinivasa Achari points out: 'Generally very kind feelings exist between the Panchama and his master.' Again he points out: 'Where the Panchamas are so largely content to let things alone it would be unstatesmanlike to interfere. It may no doubt be a moral duty on the part of social organizations to educate them and create in them the craving for owning their house-sites. But where such feeling does not exist, it would be mischievous to interfere and create a friction where none exists.'

"We thus arrive at the conclusion that, in the matter of provision of house-sites for the panchamas, no immediate action on a large scale is called for at present as no widespread discontent exists." That is paragraph 14 of his report.

"The order is, as I already stated, to provide house-sites for those who are now living in houses. But there are other matters also to be considered in this respect. I am objecting to the Government acquiring the only valuable properties belonging to the mirasidars. The only properties valuable to them are house-sites and seed-bed lands. It is not easy to create seed-bed lands. It is very difficult to substitute seed-bed lands. So long as the mirasidars' house-sites are not interfered with, so long as their seed-bed lands are not interfered with, the mirasidars are quite willing to co-operate with the Government to give Panchamas house-sites or anything else. What they do object to is to taking away the house-sites which belong to them and giving their ownership to others. That is how this business was started. That is the object of this Government order. And that is how they began with their notification of 30th April. Now the Land Acquisition act is relied upon to convert a paracheri into a paracheri. What is the object of converting a paracheri into a paracheri? By all means if there is congestion, if the taluk boards and the district board agree that there are insanitary surroundings and the Sanitary department requires it, by all means do the needful. We have not gone in that way. We have dealt with it only as a pure economic problem. If it had been the relief of congestion and the improvement of sanitary condition, we have no objection to any such thing. Only let it come through the proper course. The only thing is that they should not interfere with our house-sites, that is the only reservation. I ask your Excellency's Government to consider the seriousness of the situation. The Government are as much interested in the welfare of the mirasidars as in that of the Panchamas. How do you expect us to carry on our agricultural business? We cannot find substitutes. If we find a substitute, where are we to house him? Are we to go and buy house-sites if you take away our houses? Once it is granted him? Are we to go and buy house-sites if you take away our houses? It is only changing ownership. Is that it belongs to the owner, how can you go and take it? It is only changing ownership. Is that a fit purpose at all? People in the district were holding meetings in large numbers protesting against this order and I hold in my hands the proceedings of meetings held in nearly all the taluks of the district from March to August 1918. I hold in my hands copies of memorials and telegrams sent to the Government with reference to this matter. I say from personal knowledge that the landholders are disturbed, perturbed. I do not think that the matter has been considered in all its bearings. I have got a lot more to say, but I shall not say it considering the time I have taken up. It is an order which requires very careful consideration and I ask your Excellency's Government's earnest attention to this matter which is of vital importance to the people. People are much troubled over this and your Excellency's Government may well imagine what their trouble is. In Tanjore people are generally quiet; but they consider this such a vital matter, your Excellency, that already the complaints made by the Special Deputy Collector show that the people are in conflict. If there is a real demand for it, if it is not an artificial thing why begin only in the Christian villages? One would expect they are in better condition. Here we have got a special Indian Christian Deputy Collector with a Christian Tahsildar and Christian clerks and the

102 RESOLUTION RE A COMMITTEE TO ADVISE ON THE PROVISION OF HOUSE-SITES FOR PANCHAMAS IN TANJORE.

(Mr. Ranga Achariyar; Mr. Ramanuja Achariyar; [14TH AUGUST 1918.
Sir Alexander Cardew.]

operations begin in Christian villages. There the missionary influence comes in, there is the danger. Why should the operation begin only in Christian areas? If that is a real and genuine grievance, begin it in the proper places. Why in the Christian places only? I do not think it wise to go and disturb the existing arrangements. I ask your Excellency's Government to consider all these matters. It is likely to lead to trouble; it is likely to lead to a breach of the peace. At this time when we are all concerned about the important issues of the war, why should we rouse up one people against another. Are you going to create disorder? In these times, is it necessary to upset these arrangements and create discontent in one class for securing contentment in another? Have you consulted the district board or the taluk board in this matter, or have you consulted any committee of non-officials on the matter? You have acted on the report of your own special officer. Are you to go and disturb the existing relations on that report? I don't want to raise any trouble, but the matter is too important to raising a controversy or trouble. I do not want a vote. I ask your Excellency's Government to take this matter into your earnest consideration. We are quite willing to help Government for providing suitable house-sites, but by taking away our seed-beds you are taking away our eyes as it were. That is why I ask your Excellency's earnest attention to this matter."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I beg to second this resolution. In doing so, I express my regret that the Hon'ble Mr. Chidambaramada Mudaliyar is not here. He is one of the largest landholders and he feels very strongly on this point. I may say this is not a question of Brahmana or non-Brahmana. In fact, Brahmans hold only a small extent of land. A larger portion belongs to the non-Brahman mirasidars. They are not unwilling to help Government to accommodate these Paraiyas. They have no objection to improving their condition. All they want is that their present house-sites should be left alone. They are ours. If these Pariahs do not work for us, we shall have to get outsiders and we shall have to house them. The Government have got the Land Acquisition Act and they can acquire other lands and give them to these people; but do not take away ours, because we have not got sufficient extent of land to give. I was present at a district conference at which a large number of landholders were present. They all have resolved to request the Government that sites other than those in which the Paraiyas now live should be acquired. To that the landholders have no objection. If the Government accept this reasonable proposal, they will have the landholders' co-operation. If the Government excite discontent in the district, I am quite sure the mirasidars will all join together and resort to passive resistance. They will have nothing to do with these Pariahs for whom these lands are acquired, and their condition will be worse than at present. I think under these circumstances, the Government should take the people into their confidence. They are not unwilling to help the Government in this matter. I know there is a large amount of feeling in this matter and it is my duty to apprise the Government of this feeling and see that it does not lead to serious consequences in the future."

The Hon'ble Sir ALEXANDER CARDEW:—"I share the regret with the Hon'ble Mr. Ramanuja Achariyar that the Hon'ble Mr. Chidambaramada Mudaliyar is not here in order that he might state his case. I know it is a fact that he is a large landholder and should be able to state the position of the landholders better than anybody else in this Council. The Hon'ble Mr. Ranga Achariyar commenced by drawing attention to what he thought was the genesis of the matter, and to some extent his account is correct; but doubtless he is not aware that before Mr. Wood made his suggestion, the Rev. Mr. Andrew, a well-known missionary in Chingleput, had submitted a long memorial to Government on the position of Pariahs, especially in the Chingleput district and one of the points he raised was the question of house-sites. He pointed out the tremendous hold which the landholders had over these Pariahs by the power they had of evicting them. This first led to the inquiry. In consequence of this representation of the Rev. Mr. Andrew, the Government appointed Mr. Gray to inquire into the condition of these labouring classes, not only in Tanjore and Chingleput but in several other districts also, such as South Arcot, etc. Mr. Gray in his report has the following passage on this point regarding Tanjore."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"What is the date of that report?"

The Hon'ble Sir ALEXANDER CARDEW:—"22nd November."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"The Government Order was dated 10th November."

The Hon'ble Sir ALEXANDER CARDEW:—"Mr. Gray in his report deals with this point. He says, 'The padiyal although nominally free to change masters at the end of the year, is, in many villages practically, bound for life to his master. In the majority of the villages in the deltaic part of the district the house-site (and very often, also, the actual hut) of the padiyal belongs to his master whose right he acknowledges in the recital of his service agreement or in a separate kur-chit (rent-deed). It is true that rent is not often actually collected, but the threat of eviction is held out to prevent the padiyal from leaving his master in order to better his position. Although 'mirasi right' in Tanjore has not been recognized by Government in the sense in which it is recognized in Chingleput, the mirasi feeling is fairly strong everywhere except in the dry tracts and the mirasidars in most villages generally act together in all matters affecting their common interests, more especially in the relationship with their padiyals. The result is that

RESOLUTION RE A COMMITTEE TO ADVISE ON THE PROVISION OF HOUSE-SITES FOR PANCHAMAS IN TANJORE. 103

14TH AUGUST 1918.]

(Sir Alexander Cardew.)

the worst evils of the padiyal system as they prevail in Chingleput are found intensified in Tanjore.' That was what Mr. Gray thought. Mr. Srinivasa Achariyar was then appointed, in the circumstances already described to the Council by Mr. T. Ranga Achariyar, that is, Mr. Srinivasa Achariyar, a Deputy Collector, an Indian and a Brahman was appointed to inquire into the position. I may just say in passing, that he was selected for the work because he had been chosen to carry out the acquisition of house-sites in the Kistna and Guntur districts at the particular instance of my Honourable Friend Mr. Ramachandra Rao, who is not now here and because he had carried it out with success. It was in the course of that special duty that he was sent to Tanjore. One of the things he found there was this. He said 'The fact that the site does not belong to the labourer is a frequently articulated grievance on public platforms and in conferences of the depressed classes. There can be no doubt that it is a real grievance. The labourer who has no permanent stake in the village, who is liable to be turned out of the house he lives in and who has nothing to look forward to, has no inducement to save. He sinks into a helpless condition which reacts on his moral character. He becomes reckless of the future, thrifless and seeks his only consolation in the toddy shop where he drowns his miseries in deep potations.' Both those officers after inquiry pointed out the evils which result from this system under which the labourer is liable to be evicted at the whim of his landholder, his employer. I do not wish to go into the ancient history of Tanjore. It is easy, of course, to draw a picture which can be supported by abundant evidence to prove that until within recent times the labourer in Tanjore was a slave. That, of course, is a well-known fact and this is one of the survivals of that fact. The ownership of house-sites in conjunction with the system under which the landholder gives a permanent advance to the labourer, which is never meant to be repaid, which is handed on from father to son, is, Mr. Gray points out, one of the pernicious survivals of the old conditions and actually maintains the servile position of the labouring classes in Tanjore. Honourable Members are aware of this. I do not wish to lay any particular stress upon it, because the condition is so clear. If the labourers are liable to be turned out of their houses at any moment they cannot of course have any freedom of contract with their employers. That is the main point with which we started. Incidentally and as a consequence, many cases are coming to notice of congestion. For instance, in one of the cases which the Deputy Collector has already dealt with, it was found that there were 46 families with 163 people living in 17 houses. It is obvious that that is not decent lodging, and that the landholders of Tanjore have not performed properly their responsibilities in providing for their labourers. Again, these houses are not large and spacious buildings; they are mostly, almost invariably one-room huts; and here in these small miserable dwellings people are congregated in this way; and one of the steps which the Deputy Collector will take, I trust, will be to provide not only ownership but more extensive and adequate rooms for people to live in. At present there is no room to live at all. In many cases they have no room to live. In many cases cultivation comes up to the edges of the houses. I myself remember having seen wet cultivation coming up close to the walls of the houses, soaking into the walls. Surely this alone is an evil which the Government ought to remedy. The Hon'ble Mr. Ranga Achariyar has taken exception to the order being issued by the Revenue Department. I will draw his attention to the Board's Standing Order on the subject. It says that in Tanjore district among others it is customary for the State to provide house-sites. That is Standing Order No. 90 (4). And it is the practice of the Revenue Department to deal with this question. Moreover I would point out to him that, when it was a question of Kistna and Guntur, the Revenue Department, without any objection, appointed Mr. Srinivasa Achariyar to hold an inquiry there and take up the lands and with the strong support of the non-official members of this Council. We appointed a Deputy Collector to do it; he did it and it met with general support. Therefore, I do not see why the Revenue Department should be now reproached, because in this instance they are trenching upon the feelings of Tanjore landholders. And I would put it to the Honourable Member whether he is not really exaggerating this matter. The Honourable Member admitted—it is a vital point—that in other districts and in many villages even in Tanjore house-sites already belong to the Paraiyas. Is it found in other districts necessary that you must have the fellow under your thumb? Is it necessary that you must have the servant in such servile position that you can kick him out when you are not satisfied with him? I really do not think that, if the field labourer is given a house-site, it will upset the whole social arrangement of Tanjore. I do not think experience of villages where they do own houses can be said to support that claim. Of course, a change of this sort at the moment produces some temporary disturbance. The Rev. Mr. Andrew in his memorandum said 'this may at first disturb the economic system of agriculture and raise prices somewhat. But surely this should not be opposed by reasonable men. The great body of landholders and ryots are responsible for the perpetuation of the labour injustice and depression from generation to generation to which the agricultural labouring classes have been subjected and should see to it that such injustice and depression is speedily removed and a better state of things inaugurated.' That is a remark of the Rev. Mr. Andrew and I have no doubt that it is quite true. Many landholders in Tanjore treat their coolies fairly enough. Many do, no doubt; I do not wish to draw a general indictment against the whole class of employers. But a certain class of employers do not treat them with fairness. The trouble is that with a certain number of employers, as Mr. Gray points out, when disputes arise, unfortunately fairness often gives way to oppression and injustice. I cannot help thinking that my Honourable Friend would have been wiser not to have adopted this attitude of opposition. I am quite prepared to discuss the question when the deputation from the landholders of the district comes up. I think intimation to that effect has already been

104 RESOLUTION RE A COMMITTEE TO ADVISE ON THE PROVISION OF HOUSE-SITES FOR PANCHAMAS IN TANJORE.

(Sir Alexander Cardew; Mr. Narasimha Ayyar.) [14TH AUGUST 1918.]

communicated to the landholders of the district. We are quite prepared to consider all special representations of individual cases. But I am quite unable to accept the resolution or to stop the proceedings which have been started. As regards the question whether or not representations had been addressed to Government, there has been a representation made to the Government by a conference of depressed classes, and subsequent representations were made by the Depressed Classes Mission. The Government are only performing a duty in this respect which they ought to have performed long ago. I hope my Hon'ble Friend Mr. Ranga Achariyar will not adopt this irreconcilable attitude in regard to this small measure for improving the condition of the Paraiya or Panchama labourers. He criticized a Christian Deputy Collector having taken up work in Christian villages. He took up that first because he thought there would be less objection in that place. He is starting out in fresh villages. If Honourable Members object to this we should be willing to consider whether he shall be debarred from taking up any Christian village, though I cannot see myself any objection. I think it is a pity that this question has been imported into the matter. I do hope that the Honourable Member will consider what I have said and will see his way to address Government, and send representations on which they can take action. We can meet landholders and consider any particular case of hardship. I am not prepared to bind myself down not to take village-sites or to say we will take only village-sites. Each case must be dealt with on its own merits. We do not want to create ill-feeling between classes. I think that assurance will satisfy the Honourable Member."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"This question probably has application to parts of the Presidency, other than Tanjore; and I congratulate the Government on the attitude they have taken in the matter of the rights of the Panchamas, of the rights of the labourers. I am glad to see that they have adopted a more or less socialistic attitude in their relations with labour. I hope that they will recognize the claims of labour, when they themselves have to deal with labour as parties to a contract. I congratulate the Government on coming forward with material assistance to the Panchama classes to better their position. I hope that their sympathy will not be confined to the Tanjore district, but will be extended to other districts also."

"Therefore, from my observations your Excellency would be able to see that I am entirely in sympathy with the main object of the Government Order now under discussion. But at the same time I may be permitted to offer one or two observations as qualifying the action, which the Government may take in this matter. I wish to point out to Government that there are certain circumstances which might, from prudence, if not from justice affect their attitude. I think it is a pity that the Hon'ble Mr. Ranga Achari should have put forward a resolution which as he rightly expected, does not find support amongst non-officials. Our sympathies are first with the depressed classes, with the Panchamas and everything that the Government might do in order to provide house-sites for these men must find sympathy with the Honourable Members of this Council. I think that false issues have been raised. There is no use saying there is no demand for house-sites or that the Panchamas should not be enabled to hold their own in the economic conflict. But at the same time there are certain other considerations. I hope the Government would realize what they are doing in this matter. In the case of Tanjore the relation between the landholders and the tenants has been unsatisfactory. These Panchamas were originally serfs; still, there are certain customary incidents in the relationship between landholders and tenants. The Government are now interfering with these customs and this relation. I wish they realize what they are about. From socialistic grounds it is quite right that they should interfere. It is a very important principle. I wish the Government will commit themselves to the principle of helping the weaker party in a contract like this and I wish they would be logical on later occasions."

"What, however, are the limitations in point of practice? Two seem to arise for consideration: first, how far can you proceed in the direction in which you have started without doing unnecessary harm, secondly, taking the actual facts, and seeing the amount of irritation which these measures cause, is it wise or prudent to go so far as the G.O. No. 3559 goes. These are the two points. Let us take the first question, that is, is it necessary to cause the amount of injury which is caused? The point is this. The mirasidars met at a recent meeting and sent up a resolution. In that they say 'You had better acquire our land, please do not touch the house-sites.' Government must also notice that mirasidars want house-sites for Panchamas to be employed by them in accordance with the established custom of the landholder providing all his tenants with house-sites. If Panchamas refuse to work for their employers, should they have the latter's house-sites? That is an important consideration, and unless it is absolutely forced upon the Government that they should dispossess any particular owner, the Government ought not to do so. That is a rule of morality—that the Government should not dispossess people of their property without necessity, i.e., that under the plea of acquiring house-sites for the Panchamas they should not do unnecessary harm to the mirasidars. I have recently been in Tanjore studying the question and have suggested a solution. The Government have ample opportunities to find out how far the suggestion is workable. Now here is the suggestion. It is applicable to 95 per cent or 99 per cent of the cases under discussion. A buyer should be granted a loan by the Government through the District Board to help him to purchase the site; and if that is done all hardships cease. I understand that there are hardly any cases where the Panchama cannot be provided with house-sites without touching the house-sites now in the possession of mirasidars. The objection to the acquisition of cultivable land will be that it is more costly; but that is no reason to take away the house-site in the possession of the mirasidar which he wants. The buyer, the ordinary Panchama ryot

RESOLUTION RE A COMMITTEE TO ADVISE ON THE PROVISION OF 105 HOUSE-SITES FOR PANCHAMAS IN TANJORE.

14TH AUGUST 1918.] (Mr. Narasimha Ayyar; Mr. A. S. Krishna Rao; Mr. K. Rama Ayyangar.)

is not able to pay Rs. 300 or Rs. 400 in a lump sum for a plot of nanja land. And in places where the land is very costly, he may have to pay Rs. 300 at least. The ryot can furnish something like Rs. 100. For the balance, the Government should grant a loan. In the Tanjore district it may be that you will be able to start co-operative panchayats and lend money through them to these applicants. So far as the work has gone, it has not been necessary to acquire lands at high prices. I think that a loan of Rs. 50,000 will be more than ample to meet the cost of acquisition. Therefore on the whole, if the Government make an effort to find out in what cases they could acquire land, and what grants will be necessary, the entire solution of the problem will be near at hand. I would suggest the application of the principle that unnecessary harm should not be done."

"And for the other question, that of congestion, I noted, even when Sir Alexander Cardew was stating it, his conscience was pricking him, as the objection is an after-thought. He cannot believe that really there was congestion at the time of G.O. No. 3559. On the other hand, Mr. Srinivasa Achariyar distinctly says that there was no question of congestion at all. That argument ought not therefore to be trotted out. Of course, if the medical or sanitary officers come and say that there is congestion in houses in which Panchamas live, and it should be relieved, we are bound to accept that statement. In point of fact, the case referred to by Sir Alexander is one instance and there may be two or three more. There is no use therefore of referring to congestion. The Hon'ble Sir Alexander Cardew has quoted an instance where 160 members lived in 17 houses. Does that prove that the mirasidars' house-sites should be turned into Panchama huts. How does congestion improve by mere change of ownership? For congestion the best remedy is to acquire the neighbouring land, to dig up a well and throw up the earth on all sides and thus to extend the land for house-sites."

"I refer to one other consideration which ought to weigh with the Government. That is the question of expediency. Now the Government are living in glass houses, and they should not throw stones at others. The Government are large employers of labour. Supposing there are some persons busy creating trouble between them and their employees, what would be their feeling? Government have actually the very best reason for not interfering with the mirasidars who are supplying them with so much grain. Prices of grains are rising already and we should not interfere with the production of grain."

"Mirasidars form a large class and there is a lot of irritation in their mind, and this is hardly the time when we can look complacently at that irritation spreading. I think it is wise on the part of the Government that they do not set a bad example in the matter of relations between labour and capital. We must help labourers but must not stir up labour to mutiny against their employers. What else do you do in G.O. No. 3559? The order is absolutely wrong and should be cancelled at the earliest opportunity as it is against all principles of discipline. I hope that from these two standpoints the Government will change this Order and adopt the principle which I recommended, namely, that all unnecessary hardship should be avoided and loans should be granted to the district board."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I believe that the difference between the views put forward by the Honourable Mover of the resolution and the Hon'ble Sir Alexander Cardew is one of details of procedure rather than of principle. I do not think that there is any one in this Council who would not co-operate with this Government in any measures taken to improve the condition of the labouring classes. I believe that the Honourable Mover has made it clear that it is far from his intention to suggest anything which might detract from that view. I for one would accept the principle underlying G.O. No. 3559, dated the 10th November 1917, in so far as it seeks to provide house-sites for Panchamas. I am even inclined to think that in one or two aspects, that Government Order is not as liberal as it should have been. Having said so much about the acceptance of the principle underlying the Government Order, it is a matter for consideration whether it could not be modified in some respects so as not to cause unnecessary hardships to the landholders. Government Order suggests that an 'endeavour should be made to secure to them (Panchamas), as well as to others the ownership of the sites of the houses in which they live.' It does not proceed to consider any other phases. It does not suggest the possibility of there being other places available for providing them with house-sites. The Hon'ble Mr. Ranga Achariyar has stated to the Council that if only their seed-bed lands and house-sites were excluded, the mirasidars would be willing to co-operate with Government and help them in this direction. I would ask the Government to consider the possibility of directing a full inquiry into the matter of providing house-sites which may not reasonably be objected to by the landholders. If it is found impossible to procure lands in other places I would certainly say that the Government may go along this line, but if, on the other hand, it is possible to provide other places, so as not to cause inconvenience to the landholders, it is the duty of the Government to provide them. Under these circumstances, I think the Government Order should be modified."

106 RESOLUTION RE A COMMITTEE TO ADVISE ON THE PROVISION OF HOUSE-SITES FOR PANCHAMAS IN TANJORE.

(Mr. Rama Ayyangar; Mr. Ahmad Tambi Marakkayar; [14th August 1918. Mr. Ranga Achariyar.]

But let the principal point be that, where a landholder who holds a certain amount of property with house-site, much more than what may be required for him to keep for the purpose of his labourers, let that portion which is extra be acquired. And even there if, without extra cost, it is possible to acquire sites just near which will relieve the congestion, the landholders' property ought not to be interfered with. And in all cases a fair margin for fair occupation by a number of tenants should be allowed. I think in the course of the reply given by Sir Alexander Cardew—I was not able to follow that—he was inclined to treat it as a question that will be considered in each case on its merits. Of course he said that he would hear representations; but I think that, so far as this point goes, the Government may make their position clear that they do not mean to deprive landholders of house-sites needed by them for housing their own labourers. Of course, if any particular landholder has got too much of house-sites, not necessary for him, then the question may be treated as one in which the Government ought to interfere. I think a clear position of that kind may be taken by the Government."

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TANBI MARAKKAYAR:—"Your Excellency, as a man from Tanjore, though I am not representing here the agricultural classes of the people I should say from what I have heard, and from what the mirasidars of Tanjore, a large number of them have represented to me, that they have some grievances on this question. I also hear from the Deputy Collector who is in charge of the acquisition the real thing he has been doing. As a matter of fact, I had been to a place Rapencoil (?) where I inspected along with the Deputy Collector and he put to me his own case and also that of the labourers, the Pannials of that place. Whatever it may be, I am not here to object to the action that Government have taken. On the other hand, the Honourable Mover of this resolution is not also objecting to the principle of it. The only objection he makes is that the Government need not touch the seed-bed lands or the wet land that really belongs to the mirasidars and there will be no objection to Government acquiring lands other than those, to give the Pannials every comfort. Your Excellency will admit that it is the duty of every mirasidar to look after his servant, especially Pannials as far as possible in their own interests; and I do not see there is any reason that they will ill-treat. At the same time as the resolution now stands, it is not objecting to the whole procedure that the Government have taken in this respect. The only thing is that sufficient inquiries have not been made and therefore it is suggested that a committee of officials and non-officials should be appointed to go into the question carefully and get a suitable recommendation on which final orders may be passed. I do not see there is any objection in doing so, and, as a matter of fact, the present Deputy Collector who is already on the spot doing the work may also be appointed as one of the committee to go into the question thoroughly."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"My Lord, as I said already I am not going to divide the Council over this proposition. I am asking merely for the consideration of this question. I do not want to commit the Government to any particular view. I wanted to have an opportunity of saying what I had to say. I quite recognize the social difference of both of us, the Government and the people. I for one would assure every one in the Council my support to what is necessary to elevate the condition of these people. But that condition is not peculiar to Tanjore? Here in our midst how many people are living under trees? What about the various coolies and Panchamas without houses? In whose houses do they live? What you provided for them? It is a much larger question affecting the town, the depressed classes and other classes. But that is not the question with which we are concerned. As I have said already, the Government want to acquire lands for the purpose of making house-sites; we do not object to that; our only objection is that we do not want that our house-sites should be made over to them and our seed-bed lands should be given to them. Mr. Gray's report was later than the Government order. But after all what does he say? He says that on account of this system the employer makes his coolies work. Which employer does not make his coolie work? Is it a crime to insist on work? He is a free man to go away when he likes and wherever he likes. Regarding Mr. Srinivasa Achari's report I wish to know which of us do not wish to own other people's property if possible, if we can legally acquire it. The question is: is there any justification for interfering in this matter? That is the point of view from which I ask the Government to consider this question. Has a case been made out for their interference for the burden of proof rests with those who started this question? The matter requires very careful consideration and I dare say the Government will bestow that consideration, because they are as much interested in the welfare of the agricultural population, whether they be pattadars or labourers, because, after all, the Government of this country depends upon these people for their revenue and must be very careful in dealing with these people. All agricultural operations are carried on not only for the benefit of the landholders but for the Government also. Government are co-owners with the landholders with reference to the property. You are as much interested in it as the landholders are; and that being so, I ask that this existing mamul should not be disturbed, unless a strong case is made out. From the report of the Government no strong case has been made out except on sentimental grounds. They say 'we are anxious to provide them with property; of course we are not able to buy lands for them. Only we are able to take away another man's property and give him money compensation, which means nothing. Now there is another suggestion which I will make. If we take away house-sites from these people, give them lands where they can put up their coolies, land compensation will be the proper thing in such cases and no money compensation is proper. People are content to be under the old system and there is no serious discontent. When there

RESOLUTION RE A COMMITTEE TO ADVISE ON THE PROVISION OF HOUSE-SITES FOR PANCHAMAS IN TANJORE. 107

14th August 1918.] (Mr. Ranga Achariyar; Mr. Narasimha Ayyar; the President; Mr. Rama Ayyangar.)

is no serious discontent with the existing state of things, is it necessary to interfere? After all the question of congestion is an afterthought. Mr. Srinivasa Achari himself says 'it is not a question of congestion in this district.' The Hon'ble Sir Alexander Cardew has given us one instance of over-crowding. Out of how many villages was it? By all means relieve the congestion. Whoever stands against it? In such a case, the taluk board will come forward and there will be the question of acquiring other property. When such is the case, you should not interfere with the existing system. It is only when you interfere with the existing system you create trouble. We are not standing against the extension of house-sites, but we do stand against changing the ownership of house-sites, changing the ownership of seed-bed lands. Therefore the Government will see that our attitude is not unreasonable in this matter. The Rev. Mr. Andrews' report has also been referred to in this Council. He has no experience of Tanjore; he belongs entirely to Chingleput. Mr. Gray points that experience varies from district to district. It is said that in other districts where labourers themselves own houses they work properly. Probably they do; but here in Tanjore the present state of things has existed all along. That is the connexion between the owner and the employee; that is the state of things under which they have been working. In other places they have been working without that connexion. Now here you disturb that connexion. You disturb an existing state of things here, whereas in other districts it does not exist; there it has become a mamul, here you create a mamul. It is not an easy thing. I ask the Government to take that aspect of it into consideration; why change those conditions under which we now live unless imperatively called for. Then, again, it is admitted that there has been generally good treatment by the land-owning classes. In fact, it has been pointed out that wages are good; and in the Tanjore district it is well-known there is much emigration. Therefore, we are already labouring under that difficulty. That is a very serious question and that added to the disturbing of the existing state of things will be a very serious thing indeed. Therefore, after all these aspects of the case are dispassionately considered, I hope the Government will take the right course. When the condition of agriculture in the district is better, the people will form a deputation to wait on your Excellency and I do not want to press the Government now to any particular attitude. I do not want to press the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

At this stage, the Hon'ble Mr. A. S. Krishna Rao intimated to the Secretary to the Council that he wishes to move the following amendment to the resolution; and that the Hon'ble Mr. B. V. Narasimha Ayyar will second it:—

"For the words commencing from 'before taking' to 'such report' the following words shall be substituted, viz., 'that G.O. No. 3559, Revenue, dated the 10th November 1917, be so modified as not to unnecessarily interfere with the vested rights of landholders'."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I want to know why the amendment of the Hon'ble Mr. A. S. Krishna Rao has been disallowed."

His Excellency the PRESIDENT:—"It is too late."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Why?"

His Excellency the PRESIDENT:—"I have called upon the Hon'ble Mr. T. Ranga Achariyar to reply and he has replied that he does not wish to press the resolution."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"It is only just now."

His Excellency the PRESIDENT:—"Yes, it is only just now."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"It is open to any member to press an amendment, if the original mover does not wish to press his resolution. I would like to know under what rule the amendment was disallowed."

His Excellency the PRESIDENT:—"I will find out the rules for the Honourable Gentleman. Page 102, rule 20, of the Council Rules says: 'When in the opinion of the President, a resolution and any amendment thereto have been sufficiently discussed he may close the discussion by calling upon the mover to reply and the member in charge to submit any final observations which he may wish to make.'

'Provided that the President may in all cases address the Council before putting the question to the vote'."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"But the amendment has not been discussed."

His Excellency the PRESIDENT:—"I must leave the Honourable Gentleman to consider the rule at his leisure."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I propose an adjournment. It is already 5 p.m."

His Excellency the PRESIDENT:—"The next resolution will not take much time."

108 RESOLUTIONS RE MODIFICATION OF THE ORDER REGARDING HOUSE-SITES FOR PANCHAMAS AND MADRAS CITY SPECIAL WORKS.

(Mr. Ranga Achariyar; Mr. Rajagopal Achariyar.) [14TH AUGUST 1918.

RESOLUTION RE MODIFICATION OF THE ORDER REGARDING HOUSE-SITES FOR PANCHAMAS.

The following resolution of which notice had been given by the Hon'ble Mr. K. Chidambaramudaliyar was not moved as he was absent:—

'II. This Council recommends to His Excellency the Governor in Council that G.O. No. 3559, Revenue, dated 10th November 1917, be so modified as not to allow of any interference with the existing Panchama and other similar house-sites or the rights and liberties of landholders in them as well as in the village common.'

RESOLUTION RE MADRAS CITY SPECIAL WORKS.

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Before moving the next resolution against my name I understand that the Honourable Member in charge of the department has got some communication which he sent to the Corporation, to make. This communication may facilitate the discussion in the matter.

"The following was the resolution:—

'III. This Council recommends to His Excellency the Governor in Council that pending restoration of normal financial conditions both of the Corporation and of the Government, they may be pleased to order the closing down of the Special Works Department of the Corporation of Madras.'

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The Honourable Member is aware that the Corporation sent us some time ago a letter with reference to the loan of Rs. 9 lakhs proposed to be given to them from Provincial funds. The Corporation then said that while accepting it they wished to make it clear that they would not be able to continue the financing of the drainage works and that the responsibility for this work should be taken up by the Government. With reference to that we have sent a reply to the Corporation. I do not want to trouble the Council with reading the whole of it, but I will read only the relevant portion of it.

'The general rule with regard to the financing of water-supply and drainage schemes is that not more than half the cost shall be contributed from Provincial funds. Out of a total of Rs. 124 lakhs which the works contemplated under the restricted programme are estimated to cost, Rs. 75 lakhs have already been granted by the Government. The standard contribution has thus been largely exceeded. In view, however, of the magnitude of the work necessitated by the special conditions of Madras, and of the argument that as a Presidency town it should obtain exceptional treatment, the Governor in Council is prepared, subject to the condition named below, to recommend to the Government of India and the Secretary of State that the Imperial contribution of Rs. 25 lakhs shall be excluded in calculating the half share of the total cost with which Provincial funds may legitimately be burdened and that the Government may be allowed to undertake liability for further grants aggregating Rs. 12 lakhs, so as to make the total contribution from Provincial funds up to Rs. 62 lakhs. The condition is that the Corporation undertakes liability for the remainder (about Rs. 7 lakhs) of the expenditure necessary to complete the programme. If, owing to an increase in the cost of labour or other unforeseen cause, the estimate is exceeded, the Governor in Council will be further prepared to consider the question of bearing half of such excess. The Corporation is requested to report at a very early date whether it agrees to the arrangement proposed above.'

"So this matter will come up before the Corporation and it seems desirable that the discussion of this resolution should not be taken up now. Let the proposal made by the Government be considered. I think the Honourable Member will not under the circumstances press this resolution."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Speaking for myself I thankfully accept the position and I dare say I will be able to induce the Corporation to accept it. And under the circumstances there is no necessity to press the resolution. I withdraw it."

With the permission of His Excellency the President, the resolution was withdrawn.

At this stage the Council rose for the day to re-assemble at 11 a.m. on Thursday the 15th August 1918.

N. E. MARJORIBANKS,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Thursday, the 15th day of August 1918.

P R E S E N T :

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.S.I., Governor of Madras—Presiding.

The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.

The Hon'ble Mr. H. F. W. GILLMAN, C.S.I.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O.

The Hon'ble Mr. L. E. BUCKLEY, C.S.I.

The Hon'ble Mr. A. BUTTERWORTH, C.S.I.

The Hon'ble Mr. M. E. COUCHMAN.

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble Lieut.-Col. G. G. GIFFARD, C.S.I., I.M.S.

The Hon'ble Mr. R. A. GRAHAM.

The Hon'ble Mr. W. J. J. HOWLEY.

The Hon'ble Mr. A. R. KNAPP.

The Hon'ble Mr. S. B. MURRAY.

The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.

The Hon'ble Mr. S. SRINIVASA AYYANGAR (Advocate-General).

The Hon'ble Mr. J. H. STONE, C.I.E.

The Hon'ble Mr. C. G. TODHUNTER.

The Hon'ble Mr. T. RANGA ACHARIYAR.

The Hon'ble the Rev. G. PITTENDRIGH.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.

The Hon'ble Mr. P. SIVA RAO.

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.

The Hon'ble Mr. B. V. NARASIMHA AYYAR.

The Hon'ble Mr. K. SADASIVA BHAT.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.

The Hon'ble Mr. K. RAMA AYYANGAR.

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU.

The Hon'ble B. RAJA RAJESWARA SETUPATI alias MUTTURAMAMINGA SETUPATI Avargal, Raja of Ramnad.

The Hon'ble Mr. B. VENKATAPATI RAJU.

The Hon'ble Mr. K. KUMARAN RAMAN KAVALAPPARA MUPPIL NAYAR.

The Hon'ble YAGUB HASAN SAHIB Bahadur.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TANJI MARAKKAYAR SAHIB Bahadur.

The Hon'ble Sir GORDON FRASER, Kt.

The Hon'ble Mr. J. H. THONGER.

The Hon'ble Sir FAIRLESS BARBER, Kt.

The Hon'ble Sir GHULAM MUHAMMAD ALI SAHIB Bahadur, Khan Bahadur, G.C.I.E., Amir-i-Arcot or Prince of Arcot.

The Hon'ble the Most Rev. JOHN ALEN, D.D.

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR Avargal.

The Hon'ble Mr. T. RICHMOND.

The Hon'ble Sir FRANCIS SPRING, K.C.I.E.

The Hon'ble Diwan Bahadur K. B. SUBTANAHAYANAMUSTI NAYUDU Garu.

The Hon'ble Sri SOSHA CHANDRA SINGH Deso, Zamindar of Serugada.

110 RESOLUTION RE ENCOURAGEMENT OF AYURVEDIC AND UNANI SYSTEMS OF MEDICINE.

(Mr. Ranga Achariyar.) [15TH AUGUST 1918.

The Council re-assembled at 11 a.m. when the discussion of the resolutions on matters of general public interest was resumed.

RESOLUTION RE ENCOURAGEMENT OF AYURVEDIC AND UNANI SYSTEMS OF MEDICINE.

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Your Excellency, I have the honour to move—

IV. This Council recommends to His Excellency the Governor in Council that the Government may be pleased to give substantial grants-in-aid annually to the Madras Ayurvedic College and other similar institutions for the encouragement of the study and practice of indigenous systems of medicine and also be pleased to take steps through that institution or otherwise

(a) for the encouragement of the translation or publication of Oriental medical texts;

(b) for instituting a research into the value of indigenous drugs and indigenous medical science;

(c) for starting schools for teaching Ayurvedic and Unani systems of medicine and affording facilities for the training of Ayurvedic and Unani students in anatomy and physiology in Government Medical schools and colleges.

"This resolution consists of four parts, and I am encouraged to bring up this resolution by a change in the angle of vision towards the study and practice of indigenous systems of medicine. I find that in the triennial reports of the civil hospitals and dispensaries in the Presidency for the year 1914, it is recognized that the great need of the hour is research—the present fashion is for research—and it is also stated, in this connexion, I am happy to report, that the Government are instituting a research into the value of indigenous drugs. The report says: 'We are sometimes told that the average western doctor is not in sympathy with indigenous medical science; nothing can be farther from the truth. The man of science knows no distinction between eastern and western science; but is willing to take advantage of whatever good he finds in either. What the western doctor insists upon—and rightly so—is, that all things should be proved before they are accepted, that nothing should be believed on mere authority and blatant quackery, which does so much mischief in India, should be exposed and replaced by that which is proved by experiment to be true and useful. The western doctor has already taken a number of the indigenous drugs of all countries into his pharmacopoeia and nobody will be more glad than he if the research contemplated bears fruit in this direction.' It is this encouragement that is given to the matter which has induced me to bring up this resolution, though this question has been before us for the last four or five years.

"As I stated, the resolution consists of four parts. In the first part, I ask that where there are institutions both for the study and the practice of indigenous systems of medicine such institutions may well be encouraged by substantial grants-in-aid. I know that there are such institutions in Madras—for instance the Madras Ayurvedic College and the Venkataramana Dispensary. Both these institutions are serving a real need; and recognizing the good work done by them the Corporation of Madras have been pleased to give them an annual grant from their funds. I may point out from the figures furnished to the Corporation that this Ayurvedic College treated 29,482 out-patients in the year 1917, 5,905 patients in January 1918 and 1,322 patients from the 1st to the 5th February 1918. I have not got the later figures, but I know that it is really serving a great need. As to the Venkataramana Dispensary the average number of patients treated is 26,350 and as regards the Sri Kaannika Parameswari Dispensary, the average number treated is 35,759. These results are due to private effort and private charity on the part of Indian citizens. Appeals have recently been issued for the upkeep of these institutions and the charitably disposed citizens are helping them. At the same time as they are serving a public need, and as the Government themselves are unable to keep up the requisite number of hospitals on western lines, it is but right that they should help such hospitals as these. In our budget we have a provision of Rs. 50,000 for helping hospitals; and as the institutions that I have mentioned are hospitals which give medical relief and also provide instruction, they may be rendered some substantial help. If we give grants-in-aid to these institutions that will be done under suitable conditions so that there may be inspections by our medical officers, who will thus be brought into contact with the practice of the indigenous systems of medicine. This Ayurvedic College turns out 20 students every year. They have to undergo a very long course of studies. I notice that in the year 1913, 14 students were turned out of the college; in 1914, 18 students; in 1915, 20; in 1916, 21; and in 1917, 21.

"That being the nature of the institution, I should think that it deserves Government help. But much money need not be spent upon it, and anything that the Government are pleased to give will be a welcome contribution. The management of the institution is in excellent hands; it is in the hands of a registered society, of which several of our leading citizens are

RESOLUTION RE ENCOURAGEMENT OF AYURVEDIC AND UNANI SYSTEMS OF MEDICINE. 111

15TH AUGUST 1918.] (Mr. Ranga Achariyar; Mr. Yaqub Hasan.)

members. The managing board consists of Diwan Bahadur Krishnaswami Rao, Diwan Bahadur Bajaratna Mudaliyar, Rao Bahadur P. Theagaraya Chetti, Mr. P. V. Krishnaswami Chetti and Rao Sahib C. Cunnau Chetti. This being a combined institution educational and medical, has every claim upon us for help. It is one of the prerogatives of Government to encourage such institutions. If we had an Indian Government this will be the first thing they will do; and as this department is in the transferred list, I dare say that the minister in charge will give effect to it at once when the change in the administration is brought about; but let it not be said that this Government have not done what they ought to do.

"The second part of the resolution is that the Government be pleased to take steps to encourage the translation or publication of oriental medical texts. I do not want to commit the Government to anything definite, because they may consider that private effort will achieve the object better in that direction as suggested by the Hon'ble Sir Alexander Cardew in this Council. I merely suggest that encouragement be given for the translation or publication of oriental medical texts. I do not think I need say much about the advisability, desirability and necessity of publishing and translating such medical texts. In fact, the Government have already appointed an officer to make an inquiry into the value of indigenous drugs and he will be helped to do it at once when the change in the administration is brought about; but let it not be said that this Government have not done what they ought to do.

"The third part of the resolution is that the Government be pleased to take steps to encourage the translation or publication of oriental medical texts. I do not want to commit the Government to anything definite, because they may consider that private effort will achieve the object better in that direction as suggested by the Hon'ble Sir Alexander Cardew in this Council. I merely suggest that encouragement be given for the translation or publication of oriental medical texts. I do not think I need say much about the advisability, desirability and necessity of publishing and translating such medical texts. In fact, the Government have already appointed an officer to make an inquiry into the value of indigenous drugs and he will be helped to do it at once when the change in the administration is brought about; but let it not be said that this Government have not done what they ought to do.

"Then as regards clause (b) 'for instituting a research into the value of indigenous drugs and indigenous medical science,' the main portion of it has been accepted. At the time when I gave notice of this resolution one officer was appointed for the purpose, but very soon after he was appointed, he was sent away to Bombay. I am glad that the Government have appointed a very eminent and popular doctor who will be able to properly conduct a research in this matter.

"In clause (c) of the resolution I propose that steps be taken for starting schools for teaching Ayurvedic and Unani systems of medicine and affording facilities for the training of Ayurvedic and Unani students in anatomy and physiology in Government Medical schools and dispensaries. One of the great complaints against our vaidyans and those who practise the indigenous systems of medicine is that they are ignorant of anatomy and physiology and therefore their treatment cannot be relied upon. I was encouraged to bring up this portion of the resolution, after seeing what had taken place in the Madura Municipality. I notice that under the advice of Major Ganpat Rai, the Madura Municipality has afforded facilities for Ayurvedic students to attend the medical school to learn physiology and anatomy. Other municipalities will follow suit, if the Government will be pleased to hold out the inducement of financial help. If the Government themselves are not prepared to start such schools, they might encourage local bodies to start some schools.

"It is recognized that the medical relief afforded to our people is wholly inadequate. The old system is dying out and we are not able to replace it by the new system. In remote villages and in corners of the Presidency people are unable to obtain medicine for the ordinary ailments and it cannot be said that the systems of medicine that prevail in the country are not useful. When we ourselves are unable to give scientific relief to the people and when there is a system availed of by people very largely—medical relief being a necessity to the human system—we cannot do something ourselves, let us see that something is done which is capable of being done by the old system. It may not be as good as the western system. I do not admit it myself and I am merely granting it for the sake of argument, because where the western system has failed, the eastern system has effected a complete cure. We cannot look upon the present addition of the people without concern. People cannot at present get the medical relief they require. With regard to the recent outbreak of Bombay fever which spread throughout the Presidency with such rapidity, people were unable to understand what it was; and it struck great terror into the minds of people as they could not get much relief. Therefore, when even the case of ordinary ailments our people are not able to obtain in remote parts relief from eastern science, it is our duty to help the old system which is practised all over the country. We must therefore take early measures and see that the indigenous systems are placed on a proper basis. I have refrained from making any express suggestion; I have made suggestions on a general as possible with the intention of giving a free scope to Government. The only thing that I point out is that action is needed and it is left to the Government to decide as to what they should do. I, therefore, hope that Your Excellency's Government will be pleased to accept the resolution."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Your Excellency, I have much pleasure in endorsing this resolution. I am sorry that there are no Unani Colleges in this Presidency which could be utilized for the purpose of encouragement and study of the Unani system of medicine, just as the Madras Ayurvedic College is recommended to be utilized for the

(Mr. Yaqub Hasan; Sir Alexander Cardew.) [15TH AUGUST 1918.]

encouragement of the Ayurvedic system of medicine. There are some Unani schools of medicine and the best amongst them is that maintained at Triplicane by Mr. Kaddas Badsha Sahib. That is a private school maintained by a private gentleman. The fact that four or five years ago the school was brought into existence shows that the need was felt for an institution of that kind; and an attempt was made by a private gentleman to meet that need. There is a great necessity for bringing aided schools into existence instead of leaving them entirely in private hands. There is a great future for aided schools. If the Government will take measures to carry out the purpose of this resolution, it will encourage Mussalmans to come forward and found a college for the study and practice of the Unani systems on lines similar to the Ayurvedic College. The Madras Ayurvedic College I have visited once. I know it is well equipped for the purpose of collegiate education; and if encouragement is given, as suggested in this resolution, a number of schools will come into existence and they will become affiliated to the college so that the whole system of education in the indigenous systems of medicine will be regularized throughout the Presidency. Resolutions for the encouragement of the indigenous systems of medicine have already been moved and discussed at great length in previous years and it is not necessary for me to go over the whole ground again to establish the necessity for taking measures like those suggested in the resolution. I can only appeal to the Government to do their best to encourage the systems. I know they have already done something. They have appointed an officer to conduct a research into the value of drugs, which forms a part of the resolution. But a good deal remains to be done. Though I would like that private agency should undertake all this work, yet it cannot attain much progress without encouragement from the Government. With these remarks I beg to second the resolution."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, I find I have been under a complete misapprehension regarding the Hon'ble Mr. Ranga Achariyar. Judging from his attitude on various matters, I always regarded the Hon'ble Mr. Ranga Achariyar, the mover of this resolution, as a progressive of the progressives. I always thought that he was a red-hot reformer, belonging to the new school of progress in India. But we find him here yesterday adjuring all of us 'to maintain a namul'; and to-day he is urging us on similar lines to go back several thousands of years, to dig up this archaic institution, this survival from before the Christian era and asking us solemnly to patronize it.

"Your Excellency, I am glad in some ways that he has moved this resolution, because although I thought that I had made the attitude of the Government on this question fairly clear before, I understand that it has not been made sufficiently clear. For instance, the Madras Municipality to which the Honourable Member referred, has its venture in the system of Ayurvedic medicine. I am told that it was led to do so by the activities of a political body in this Presidency which addressed all local and municipal bodies and urged them to take up this pre-scientific system. It is rather an unfortunate subject for a political body to interfere with, but that is the genesis of the matter. Did they really understand that the Government would approve of their proposal? Did they really think that it was a thing in which the Government would themselves take a part? On a previous occasion, we defined the part which we are prepared to play in connexion with Ayurvedic medicine, that is to publish the medical lore as contained in ancient medical works, mostly Sanskrit. As the Government would encourage any other matter of antiquarian interest, so they were prepared to help in the publication of these texts on antiquarian grounds, just as the Government in a western country might help the Christ. The Government have also agreed, in order that there should be no charge of want of sympathy in the matter, to endeavour to ascertain what are the drugs which are valuable in the usage and practice of Ayurvedic doctors; and we have lately, at great inconvenience to the administration, taken away from the Medical College one of our trusted Indian Officers, Mr. Koman, and put him on special duty to carry out that undertaking. Those are the lines on which the Government have repeatedly stated that they would work but it must not be supposed from that, that the Government have in any way recognized it as a possible system of medical relief on which public money could be spent—I mean the practice of Ayurvedic medicines. That system, as the Council is no doubt aware, is an old survival. It is interesting as an old survival, just as the dodo was an interesting survival in the island of Mauritius when that bird was still alive. As an archaic system it is of interest. It treats of principles advocated in the early part of the Christian era when writers like Celsus and other classical doctors flourished. But unfortunately it has stopped still at that stage and the enormous progress which science has made in the last century has been a closed book to it, just as to Japan it was like working with the Ptolemaic system of Astronomy. I cannot understand why the Honourable Member should want to go back and make himself the laughing stock of the civilized world, not merely England, not merely Europe, but America, Japan and every other country which claims to be civilized. Is it to be supposed for a moment that these books which were written centuries ago—and which showed a wonderfully high standard of medical knowledge when they were written—can be considered now to be up to date with all the progress that we have made in that science? They were written long before our field of knowledge in medicine was widened. How is it possible to suppose that a system which dates from before the Christian era, from before the sixteenth century when the microscope was discovered, can hold the field as regards the causation and therefore the treatment of disease? It was only in the seventeenth

15TH AUGUST 1918.] (Sir Alexander Cardew; Mr. A. S. Krishna Rao.)

century after the invention of the microscope that medical science began to make progress; and I do not understand how the ancients could have understood the elementary facts in biology without the aid of that instrument. Honourable Members may remember the passage in 'The Critic,' 'The Spanish fleet thou canst not see—because it is not yet in sight.' In the same way they could not see the microscope, because before the days of the microscope it was not in sight. How can you ask now it after the microscope has been invented, that the Government should go on spending public funds on promoting a system so totally out of date?

Your Excellency, the honourable mover is perhaps looking at it from a different point of view—from the point of view that it is an old Indian system; and because it is an old Indian system he would like to see it promoted. I do think it is the duty of the educated men in this country not merely to advance perpetually in one direction, namely, politically, but to advance all round. We are told that the first thing that the Indian Government would do would be to promote this system. I am very much afraid that it is true and it is heart-rending to think that the clock is going to be set back as soon as this becomes a transferred subject. As the Honourable Member yesterday himself said, let him wait till that day comes; because I will not be a party to such reactionary conduct.

"The view that I have put forward is not merely the view of Europeans. I should like the honourable mover to read the debate in the Bengal Legislative Council last March. First of all one honourable gentleman got up and said that he wanted a provision of one lakh of rupees for the development of the Unani system of medicine. The Hon'ble Moulvi Abdul Kassim knocked that on the head by saying 'if we have got money we have got many important matters for which funds are wanted and we could not take up this useless subject.' The Honourable Member replied that this was the unkindest cut of all. Then came another Honourable Member, a Hindu, who wanted Rs. 9,000 as a grant for an Ayurvedic College at Calcutta. He too got a knock out blow from Doctor Nilratan Sircar who made a very interesting speech and who referred to the great progress India has made in medical science. He spoke about the beginnings of eastern science and said:

"From the historical point of view, all the accumulated wisdom of the races which has culminated in different kinds of art has its roots in some instinct, and in the case of the healing art these instincts—hygienic, sanitary or medicinal—have their roots deep in the pre-historic times. This is common with many other biological and sociological instincts which have their roots in the instincts of the past. Our ancestors did not stop at these instincts; they advanced to empirical recipes based upon extensive observation and generalizations. These empiricisms are the empiricisms of a pre-scientific era. Then, they further proceeded by methodical observation to inductions and classifications mixed, of course with inevitable errors and superstitions; and next there came an era of hypothesis and speculation embodied in comprehensive sutras, that is enunciations, each of which covers with formal precision a vast assemblage of observed facts. Thus a stage of provisional science was reached. This is all that I can claim for the splendid system of therapeutics that was brought into existence by our ancestors, but no more. I dispute the claim of such a system to positive science, because it is wanting in that precision of a quantitative measurement and that experimental verification based upon quantitative measurement which is the essence of all positive science. This is the important element that is wanting in this system."

"I have to press these remarks on the attention of the honourable mover and the seconder of this resolution. Here is one of their countrymen, not wanting in pride for the performances of ancient India and not wishing to decry the cherished notions of his people, as a foreigner might, pointing out that this is not a scientific system and saying that to teach that system is really to put back the hands of the clock.

"Lastly, I do think that those gentlemen who have proposed and seconded this resolution have not the slightest intention of profiting by the provision that they propose to make. They think that the Ayurvedic system is good enough for common people. While they themselves go to the western practitioner, whether Indian or European, I really think they have no right to foist upon the illiterate masses an antiquated system when they are just as much entitled as the Honourable Members themselves to scientific medical relief. If the medical relief that we provide is not enough, let us by all means increase it. Let us increase our colleges and admit a larger number of students. I have tried to do a little in this direction during the past two or three years and let us go on with our efforts. But let us not waste any public money upon this old system, interesting no doubt though it is, but not up to date. I hope that my honourable friend Mr. Ranga Achariyar would like to be up to date all round in future."

The Hon'ble Mr. A. S. KRISHNA RAO:—"The speech of the Hon'ble Sir Alexander Cardew has literally taken my breath away from the strong condemnation he has made of the Indian system of medicine. At the risk of being stigmatized by him as an unprogressive and as being out of date and as trying to go back to the old Christian era, I have no hesitation in supporting the resolution moved by the Hon'ble Mr. Ranga Achariyar. This question of affording encouragement to the indigenous system of medicine has been before this Council for the last five years, and I am glad that some steps have been taken in that direction. As has been pointed out, an assurance was given for helping towards the translation of oriental medical books and also an officer has been deputed for the purpose of investigating the indigenous drugs. All the attempts during the last five years have led to this conclusion, that it is only on account of some archaic interest that some attempts were made to investigate into the indigenous system.

114 RESOLUTION RE ENCOURAGEMENT OF AYURVEDIC AND UNANI SYSTEMS OF MEDICINE.

(Mr. A. S. Krishna Rao; Mr. Narasimha Ayyar.) [15TH AUGUST 1918.]

of medicine, but that the system itself is not to be encouraged and that public funds ought not to be wasted on that system. The Hon'ble Sir Alexander Cardew treated us to some remarks made by some Honourable Members of the Bengal Legislative Council, and it would have been better if the attention of the Council had been drawn to the whole of the discussion. On a former occasion I drew the attention of the Council to the remarks of Sir Pardy Lukis who expressed his admiration of the Indian system of medicine in no unmistakable terms. Is it to be suggested for a moment that simply because in the case of some text-books they require, for their publication, to be unearthed from forgotten shelves, that the system does not deserve serious attention? The system has to be judged by the results it has achieved. Simply because no new discoveries have been made and no new publications have been made, the system ought not to be discouraged. Have the Government taken the trouble to ascertain from Indians whether there are not many among them who freely take medicine from Indian doctors who practise the Indian system? Has it ever struck the Government to take a census of the Indians who avoid western hospitals and dispensaries established at so much cost and who resort to Ayurvedic doctors for treatment? I do not think my honourable non-official friends will be ashamed to admit that we have recourse to this day to Ayurvedic doctors for treatment. Is it not a fact that we have recourse to them, because we are convinced of the success of the system and its practice? A more comprehensive inquiry should therefore be undertaken before such a strong condemnation is pronounced, such as the one to which the Hon'ble Sir Alexander Cardew has given expression. I would state for the information of the Hon'ble Sir Alexander Cardew that the educated Indians would prefer to go back a century if only for the purpose of utilizing Ayurvedic doctors. Seeing for a moment that the Indian system requires further investigation, is it a task from which the Government should shrink? I am not suggesting that the system is incapable of improvement. It is not perfect; and it is not as perfect as it ought to be. When it is realized that a major portion of the people who resort to this system of medicine are being treated by those men whom you call quacks, is it not your duty to see that those men are improved and are placed on a better footing?

"When this resolution was moved by the Hon'ble Mr. Ranga Achariyar I was expecting opposition from the Government not on the ground of the want of advance by the system, but on the ground of financial limitations. I thought it would be urged by the Finance Member that, being careful about the finances and holding the purse-strings, he found much difficulty in giving grants to help the Ayurvedic college or to start schools for teaching Ayurvedic and Unani systems of medicine. I was thinking that the only difficulty could be the allotment of funds for the purpose. I remember that when a resolution, to a similar effect, was moved in this Council in the year 1913, it was pointed out by the then Member for Government that to support an Ayurvedic college or to start a really useful institution would cost as much as the Madras Medical College itself; and he asked whether the Government could be expected to embark upon such a costly institution. I am therefore surprised that the opposition to this resolution is not on financial grounds, but the opposition is raised because the Hon'ble the Finance Member discredits the whole of the Ayurvedic system. I would therefore ask your Excellency's Government to re-consider the whole situation and take the necessary steps to improve the existing indigenous system of medicines by giving facilities to those who are now practising it to enable them to practise it under better conditions."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I am perhaps in the opinion of the Hon'ble Sir Alexander Cardew a fossil. But before I have done with the speech that he has delivered, I would place some facts before Honourable Members to show whether the speech made by the Hon'ble Sir Alexander Cardew is not out of date and whether he is not the fossil. The point that he has made most of is that the Ayurvedic and Unani systems are ancient. To parody Kalidasa,

‘नवीनमित्येव न साधु सर्वम्

पुराणमित्येव न चाप्यवद्यम् ।

सन्तः परीक्षयन्त्यतरङ्गजन्ते

मूढः परप्रत्ययनेयबुद्धिः ॥’

‘A thing is not good merely because it is modern ;
Nor is it worthless merely because it is ancient.
The wise scrutinize the merits of both and prefer the better.
The fool is led away by the opinions of others.’

"I may say for the benefit of Sir Alexander Cardew what Professor Max Muller stated. Professor Max Muller started the study of the ancient system of religion and philosophy prevailing in India and his first impression was that it was the expression of an infant mind emerging from a savage condition; but he lived to learn that this philosophy contained a sublimity of thought and knowledge which was a solace in old age, especially to himself.

"So far as I know, the Hon'ble Sir Alexander Cardew has not had any opportunity of going deep into the subject. I must congratulate him on the fact that he has begun the study of the Ayurvedic and Unani system of medicine. He has just now begun with the study of Doctor Nilratan Sircar's speech. I do not think that he has had any opportunity of going to

RESOLUTION RE ENCOURAGEMENT OF AYURVEDIC AND UNANI SYSTEMS OF MEDICINE. 115

15TH AUGUST 1918.] (Mr. Narasimha Ayyar; Mr. Ramanuja Achariyar; Mr. Siva Rao.)

Mysore and seeing there how these institutions are working and how the Ayurvedic institutions are being encouraged in Cochin and Northern India and what great good they are doing. If he sincerely studies our systems, I am sure that some day he would, like Professor Max Muller, live to learn that he was too rash in the utterances that he has given expression to to-day. He has proceeded, I am afraid, too far in his denunciation of everything connected with the Ayurvedic and Unani system of medicine. But if he will carefully examine clause (c) he will note that what is recommended is that those students who are studying the Ayurvedic and Unani system of medicine should be given facilities to learn physiology and anatomy. His horror of the Ayurvedic system cannot go much farther than when he says that he will not allow the Ayurvedic students even to study physiology. I am afraid he seems to think that to give grants to Ayurvedic institutions is like encouraging idolatry. I do not see why grants-in-aid to institutions in which Ayurvedic medicines are distributed should be condemned as an attempt to resuscitate a system as extinct as the Dodo. I am afraid that the Hon'ble Sir Alexander Cardew is not conversant with the existing state of affairs among the masses. What does he mean when he refers to the system as extinct as the Dodo? Does he mean that the people have no belief in the Ayurvedic system and therefore do not take to that treatment? If he will only study the life outside his own residence, he will discover that practically the whole Indian population including persons of the highest education resort to these systems and these alone and have come to the conclusion that these indigenous systems are not the despicable systems that he makes them out to be; that the practitioners of these systems have knowledge which is worth being availed of. Knowledge is not the monopoly of any one nation or any one individual. As regards the western system of medicine which the Hon'ble Sir Alexander Cardew advocates, that system is in as pitiable a condition as any system can be. At one time, you come forward with one theory about fever and at another time with another kind of theory. Western practitioners who practised it 15 years ago had a notion different from that which the present-day practitioners have. I have no doubt that Ayurveda and Unani will live down the remarks of the Hon'ble Sir Alexander Cardew. Experience of ages cannot be condemned and the knowledge enshrined in our ancient books cannot be condemned and consigned to immediate oblivion at his behest. To look down with supreme contempt on these argues a narrowness of mind on his part. Instead of trying to quote Doctor Nilratan Sircar, who might have imbibed too much of the west and whose Indian birth has not stood him in good stead, the Hon'ble Sir Alexander Cardew might try to tackle facts as they are. Doctor Nilratan Sircar was an Indian; but his opinion of things that are Indian is not worth accepting merely on that account. For what says the Tamil poet—

‘உடன் பிறந்தார் கற்றத்தார் என்றிருக்க வேண்டா
உடன் பிறந்தே கொல்லும் விபாதி.’

‘Fancy not that he is your kin who is born (of the same parents) with you.
Disease born with you kills you.’”

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I am not surprised at the way in which the Hon'ble Sir Alexander Cardew has dealt with this resolution. He knows only the western system and he does not want any other system. It is only human nature to think well of what one knows. But I may assure him that the Indian system is not a dead system, but a living system. It is not a system which is enshrined only in old text-books; there are numerous medical practitioners who practise the system and there are Indians, large numbers of educated men, who resort to this system. I am sure that the Hon'ble Mr. Ranga Achariyar does resort to that system and recommends it to others. So far as I am concerned, I must say that I resort to the practitioners of the indigenous system and I also go to hospitals. I know for what cases I should go to hospitals and for what cases I should go to Indian practitioners. I know, for some cases, the western system can never replace the Indian system; but there are cases in which the Indian system must give way. We are therefore anxious that the Indian system should be improved. That is why I have risen to support this resolution. We are anxious that the Indian students who are studying the Ayurvedic and Unani systems of medicine should be given instruction in anatomy and physiology, and I should have no objection if they are also taught the theory of germs. We want the Indian system to be retained and improved. I therefore beg to support this resolution."

The Hon'ble Mr. P. SIVA RAO:—"I wish to support this resolution moved by the Hon'ble Mr. Ranga Achariyar, even at the risk of being told by the Hon'ble Sir Alexander Cardew that I am a reactionary, anti-diluvian, and antiquarian and antiquated. I do not know what impression I made upon him—whether I am a progressive or not. I do not mind if I am told I am a reactionary, but I heartily support this proposition. I wish that the Government should come forward to actively encourage the so-called system of Ayurvedic and Unani medicines—I call it so-called because it is not admitted by the western practitioners to be a system.

"I must say that it is a mistake to suppose that the Ayurvedic and Unani systems of medicine are dead. I might remind the Hon'ble Sir Alexander Cardew that they are living systems giving relief, I must say, to millions of people. It is a notorious fact that under the western system the medical relief that is now being given is totally inadequate. It is equally notorious that the system of medical relief on the western lines now administered is very

116 RESOLUTION RE ENCOURAGEMENT OF AYURVEDIC AND UNANI
SYSTEMS OF MEDICINE.

(Mr. Siva Rao ; Mr. Venkatapati Raju ; [15TH AUGUST 1918.
Lieut.-Col. Giffard.)

costly. In many cases, indigenous drugs may be allowed more freely than the foreign drugs in affording medical relief to the people. Foreign drugs are more costly and the western system of treatment is also very costly. That being so, it behoves us to consider whether we must not resort to a system which would be cheap, a cheap system of medical relief which can be extended to rural areas.

"Now the proposal of the Hon'ble Mr. Ranga Achariyar comes to this: that the western system of medicine now practised should be supplemented by the Ayurvedic and Unani systems of medicine. It may be that the system of Unani and Ayurvedic medicines cannot be quite scientific and up to date; but that is no reason for throwing away the experience of centuries and throwing away the opportunities for benefiting ourselves by the experience of old Indian sages and doctors. It may be that the English system of medicine may have nothing to learn from the indigenous system in regard to the antiseptic surgery or in regard to physiology or anatomy. In spite of it, I would respectfully ask whether the western system of medicine could not be usefully supplemented by the eastern system. All that I claim for the eastern system is that there are books which give a correct description of diseases and prescribe certain medicines and give certain recipes. Why not we look into these books and try to prepare these medicines as laid down in those books and experiment them on patients and try to see whether they are really efficacious? I know of personal instances wherein patients have been benefited by the Indian medicine when the western medicine failed to give relief. In that light, the whole subject has to be considered—not in the light of there being one system of anatomy for the western system and another system of anatomy for the eastern system. As far as the treatment of particular diseases is concerned, we have books which give details of treatment and recipes; and there is no reason why we should not imbibe what is stated in these books and try to profit ourselves. The suggestions contained in this resolution are threefold. The first suggestion is to start schools and if the Government are not willing to do so, let them aid the schools started with private enterprise and then in the case of dispensaries and hospitals, if the Government are willing to open them, well and good; if not, let them give grants to those already opened with private enterprise. Then, there are these ancient textbooks which have to be translated and carefully sifted and attempts should be made to find out whether there is anything useful in those books. Is it fair to condemn these works as being antiquated without any scrutiny whatever? Is it likely that people who have contributed the most sublime thoughts to the world have not got anything to teach in the matter of medicine? I, therefore, heartily support this resolution that the eastern medicine must be made to supplement the western medicine and people must be enabled to resort to whichever system they like,—the western or the eastern system. In regard to surgery, nobody would go to Ayurvedic practitioners to get his wounds incised; but in the matter of medicines I can personally testify to the fact that in the eastern system there are medicines which are far more efficacious than are known to exist in the western system."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"The attitude adopted by the Government is adding insult to injury. It is bad enough to refuse to give us any money, but to say that our system is bad, and to attack it is not right. There were last year nearly over 2,000 applicants for admission into medical schools established by the Government, but the Government were able to admit only 300 students and as many as 1,600 aspirants after medical knowledge were denied the opportunity of profiting by medical education. Again we find that as regards in-patients, only a fraction of the people were treated, while a large number could not gain admissions into hospitals on account of limited accommodation. Does it mean that the rest of the world does not want any treatment? When our medical schools and colleges are not enough in number to produce a sufficient number of doctors required for our hospitals and dispensaries and while the number of hospitals and dispensaries themselves is absolutely inadequate to provide relief to all the people who have to resort to them, are we not to find some means of providing medical relief to the people at large? There is one circumstance which I have to bring to the notice of the Member of Government in charge of the department and of which he may not be aware. If he will refer to Ayurvedic and Unani doctors and also educated Indians, he will find that several people are being benefited by Ayurvedic and Unani medicines and there are several who are giving up practically western practitioners. If a person has not got ready at hand medical relief, afforded by the western system, are we not to give him something else to alleviate his suffering? Again, there are certain diseases which are considered incurable under the western system but which are cured under the eastern systems. For instance, lunacy and leprosy have been given up by the western practitioners as beyond cure, whereas under the eastern system, these diseases are being cured. I know there are doctors who are trying to cure them. I know that there are western doctors who recommend their patients to go to the eastern doctors to get themselves cured. Are we therefore justified in saying that it is an archaic form of treatment and therefore should not be countenanced? If you are unable to find out the rationale of this treatment, it is due more to your ignorance than to the inherent defects of the system; it is due to our long neglect of the system that we are unable to understand its rationale."

The Hon'ble Lieut.-Col. G. G. GIFFARD:—"I hope it is not too late for an expert to enter into this debate. It is quite true that people are suspicious of experts. I find myself in a particularly unpleasant position as being the only medical man in this assembly. I am to a

15TH AUGUST 1918.] (Lieut.-Col. Giffard ; Mr. Ranga Achariyar.)

certain extent glad that this subject has come up again and hope that it has come up for the last time. I am also sorry that it has come up, because when I spoke in a similar debate at the beginning of this year, I said that I was afraid that debating this sort of question in this Council must lead to friction in the Profession which I hoped would disappear during my Surgeon-Generalship and would be allowed to die down.

"It is very difficult for me to stand here and explain the Profession's attitude towards the so-called systems of Indian medicine, because I am talking as a single professional man to men of other professions and it is only in the profession of medicine that such a thing could occur. I do not think that any reasonable lawyer would suggest that the complexities and difficulties of modern days could be satisfactorily dealt with by the chapters of the *Magna Carta*; nor do I think that any Engineer would be prepared to start with the formulæ used by Archimedes; nor would you consider that a navy would be fully equipped to go out to sea without a compass or even without an astrolabe on the ships. I doubt if a modern army would succeed with only bows and arrows and a battering ram. I want to try and explain to you the position of a doctor in this assembly. Your Excellency—the well-known lines of Sir Walter Scott are familiar to Honourable Members:—

'Breathes there a man with soul so dead,
That never to himself hath said,
This is my own, my native land.'

I think that there must be some such feeling in the Honourable Members—this is our 'native medicine.' I believe that there must be some such patriotic or pseudo-patriotic feeling which impels them to press the ayurvedic and unani medicines in the twentieth century.

"I do not yield to any man in this country in my desire to help the sick and the poor; but I do object to a large number of laymen trying to decide which is the best way to help the sick and the poor in the matter of medicine. There is a proverb that every man is, as regards his own body, a fool or a physician at forty. As regards other people's bodies everyone seems to feel capable of effecting cures before forty or indeed at any age. This feeling is a peculiarity of the profession of medicine. Whether the 'doctor' be a B.I. Captain or a missionary's wife, or a planter he can point to a large number of cures in his own practice. But I never heard them suggest that they had special systems of medicine. The point that I wish to make clear is this—there are not three or four systems of medicine. There is only one system of medicine; it is cosmopolitan and universal. You cannot expect me to believe that there are several systems of medicine any more than you expect me to believe that there are several systems of engineering or astronomy. It is not of the slightest use for me single-handed, starting to bandy words about the success or failure of medicines or of medical practitioners in this country. I do not propose such a thing for a moment. I only wish to correct one or two misstatements or wrong impressions which have got about as regards the attitude of the profession of medicine towards this question. I admit at once that the need for doctors in this country is very great. It is quite obvious that 1,200 practitioners cannot supply the need of 42 millions of people. I quite agree with that; but I do not consider that because of that incapacity or want of numbers of professional men to deal with the sick of whole Presidency, that therefore you should supplement them by the practitioners of the so-called native system of medicine—I call it so-called, because I do not admit that there is such a system of medicine. The practitioners of this country undoubtedly use many good drugs. Undoubtedly they know (many of them have had long experience with sick people), they know how to manage and how to give medicines, to sick people. But let me remind you, please, that all that they claim is a knowledge of medicines—drugs—medicine and not Medicine as a profession; medicine in the sense of giving medicaments. The most stalwart advocates of unani and ayurvedic systems admit that their standard works were written somewhere about the days of Pericles. Home added practically nothing to the works of those days. Those who know Hippocrates' books know that he was the first of the clinicians. He tried, even in those far off days to struggle away from the unintelligible mysticism and the cloud of words which was already beginning to interfere with the profession of medicine.

"Hippocrates did this by actually writing aphorisms as true to-day as then, of which I may give you an example. 'No injury to the head is sufficiently severe to be despaired of or sufficiently trivial to be neglected.' That is as true to-day as it was then. If ayurvedic writings had contained this sort of truth, as the result of clinical experience they would have gained far more fame and been accepted without any question nowadays. I need not give you a long history of Medicine in this country, but I may tell you that it became as time passed more formal, more false and more wrapped up in some form of priestly mysticism. The doctors who know what has been written in the Sanskrit text tell me that it is quite unintelligible. To go back to Vedas for professional teaching at the present moment is practically useless."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Did I hear the honourable gentleman say 'Veda'?"

The Hon'ble Lieut.-Col. G. G. GIFFARD:—"It may be Ayurveda. I do not pretend to pronounce it properly. This is the attitude of the Profession. The Profession is not antagonistic in the sense of its being jealous of the indigenous systems of medicine. People who practise these indigenous systems are rather to be pitied than anything else. When you present them with the results of modern science they deliberately shut their eyes. I am only now talking of what medical professional men think about it. Mr. Komau has been put under Government

(Lieut.-Col. Giffard.)

[15TH AUGUST 1918.]

Orders on an inquiry as to whether something could be got from the ayurvedic medicines. We have always accepted the fact that good medicines, as apart from any system of medicine, no doubt exist in India. This is no new inquiry. In 1860 Doctor Wise of the Bengal establishment made a thorough inquiry, examined all the books and then translated some of them. The results of his experience are to be found in his book on Hindu medicines and his commentary on Hindu medicine. I would advise anybody who is still hankering after the indigenous systems of medicine and who considers that there are two systems of medicine, to read his book. Then in Bombay the Government took up the question in 1890. They encouraged a chemical examiner who, in conjunction with an Indian gentleman, brought out a book in which every known plant of India was mentioned and all the knowledge that could be gathered about it; and it contains a great wealth of knowledge. There are very few really efficient drugs existing, which are not known; and thousands of drugs exist in India which are of the same natural order or class as the drugs which have come into our pharmacopœia. I mean the British pharmacopœia which we call the pharmacopœia. There is the French pharmacopœia and the American pharmacopœia which are exactly on the same footing. I doubt whether any great results will come from any further examination of the drugs. Anyway, Mr. Koman is making an inquiry and if he is able personally to induce Indian doctors to give him any assistance, we may find something useful. The great profession of Medicine never shuts its eyes to anything useful. Medicine has, within my memory, seized upon Crooke's discovery of electrical discharges in vacuo and also upon the discoveries of Pasteur who searching for the cause of diseases in mulberries and in sheep was able to start the wonderful science of bacteriology which is now so useful to us.

"It does seem to be extraordinary to me as a professional man, that I should be asked as Surgeon-General to advise the Government to spend public money upon a form of medicine which entails no knowledge of anatomy or of only a knowledge of anatomy which is obviously bad and which even Indians who read Sanskrit tell me it is impossible to follow, because the idea of these days was to let the whole body rot in water and see what it contains. They did not do what the anatomists of the Alexandrian school did, give living people to the doctor to see what there is to be seen, by dissecting the body of the criminal to see what is going on. There is no physiology among them. As regards midwifery, they had no knowledge. I would do anything to advocate its encouragement if there is anything about midwifery in that system. Why should you ask me as a professional man to advocate that public money should be spent upon this sort of thing? I regret that I cannot advise Government nor will I ever advise anybody to spend any money on it and anybody who advises the Government to do so does wrong."

"Talking to lay gentlemen who are not doctors, I would say: 'Why do you ask us to do in medicine what you will not do in regard to any other matter? Would you ask us to do the same thing in regard to engineering? You ask us to start an ayurvedic college and subsidize dispensaries. I am on perfectly good terms with those who now conduct the existing ayurvedic institutions. I have seen their schools and I have discussed the whole thing with them. They admit that they confine their teaching of medicine and the use of drugs which we consider to be a small part of the whole profession of Medicine. I appeal to you who are not medical men to say whether you would ask me to start an engineering school without tools, testing machines or laboratory. Would a trader be content to start his business on Baylonic lines, on the lines of the petty shopkeeper in Syria about two thousand years ago? That is why I have risen to make myself quite clear. Why should we throw away the advantages gained by several centuries of invention?'"

"Did Harvey whose discovery of the circulation of the blood revolutionized the profession of medicine and upon which discovery physiology is largely based, did Harvey, I ask you, live in vain? Did Virchow work and write in vain? Is Pasteur to be worried in the next world with the feeling or the knowledge that his wonderful discoveries and the whole of modern bacteriology which is based upon them is to be rejected in India in 1918 in favour of ayurvedic writings more than two thousand years old? Are we to take to the surgery of the days before Lister's glorious invention made it possible for aseptic surgery to be performed and made it possible for the surgeons in this great war to save the thousands if not hundreds of thousands of lives which they have saved? Do you expect us, medical men, to give up our life-long habit of examining carefully into the secrets of nature and to learn from the ayurvedic text rather than to follow the example of Troussaud and the other famous clinical observers who have taught us how to observe? Have all these men lived in vain? Are the stethoscope, the ophthalmoscope and the laryngoscope to go on to the scrap heap? I ask you as a professional man—'why do you ask me to spend money on a so-called system of medicine which has stood still while the centuries have passed and which has known none of the great names of history'? It is suggested by several members that it is best to pour the new wine of modern science into the dried up old leather bottles of ayurvedic medicine. I am certain that if you try that experiment, you will burst them. I must appeal to you, gentlemen—if I were addressing my brother members of the Royal College of Physicians, I would find it an easy task—I would appeal to you to consider what I have said, before you try to make a dreadnought by putting a petrol engine into a trireme. Can you light a city by electricity by merely putting coconut-butties on electric standards? Can you improve the practice of medicine in this country by the ways that you suggest? I say that after giving much thought to what this country has done and even though I have sympathy with the objects aimed at—I tell you with the long experience of thirty years that the thing cannot be done and therefore to attempt to do it would be to waste money. Let us look forward and admit that there are not enough doctors. My whole endeavour has been to make more. Since the Hon'ble Sir Alexander Cardew has been the minister for Medicine, we have made a great advance and I am sure that we will have still greater advance. Honest people do believe that there is

15TH AUGUST 1918.] (Lieut.-Col. Giffard; Mr. Rama Ayyangar.)

something in the ayurvedic medicines but medicines by themselves are only a small part of the medical profession. Everybody has an aptitude for medicine. There is a Tamil proverb—excuse my Tamil—which says:—

‘ஆயிரம் பேரை கொல்லுகிறவன் ஒரு வைத்தியன்.’

'He who kills a thousand men becomes a good physician.' It is considered that that is the best way to learn medicine. I do not want to detain you in this hot atmosphere, but I hope that I have made it perfectly clear in my speech as to what opinion is held by the medical profession. I am perfectly willing to admit that being the officer to advise the Government, I cannot advise them to spend any money on it. Because spending any money on this matter would not help to improve the practice of medicine. Suppose you give money to the ayurvedic and unani professions; to whom would you give it? There is no such thing as an ayurvedic or unani profession; the people who practise this medicine, vary from the well-educated gentlemen of good Sanskrit learning down to anything at the bottom, in fact, it is said that the tail is so long that instead of the dog wagging the tail, it is the tail that wags the dog. If we give money to dispensaries, we must take care that this is well spent and for this purpose somebody must inspect them. There are very few people who are competent to inspect the work done by those people. There are a good many who claim to be ayurvedic doctors. I know there are many ayurvedic doctors; there are some who are the best and the most respectable. But the list goes down to the dismissed ward boy, the quack itinerant pill-monger, and a man marching down from Benares to Rameswaram with a potent nostrum in his pocket, the cataract coucher and the obvious charlatan: all come under the title of ayurvedic and unani practitioners. Please do not take me as unsympathetic. I will ask any one to show me if there is anything to inquire about. If those who advocate such an inquiry can show that it would be profitable, I will have the money spent on the inquiry; but I am not sanguine of the results of any inquiry that may be conducted, because the ground has been well-covered by much more competent persons than Mr. Koman. One individual man cannot conduct an inquiry into the utility of the practice of the indigenous systems, but if the inquiry is to be in the shape of what Americans call team work, a number of men will have to join together and divide themselves into little knots, each group inquiring into a particular thing thoroughly and the results collated. If you really think and I am sure you honestly believe that there are good medicines in the ayurvedic and unani systems, the proper thing to do is to press for a really comprehensive inquiry with the help of a professional toxicologist, a pharmacologist, a biologist and a number of ayurvedic physicians and others who will be prepared to carry on the team work. If that is done, something useful might be brought about; but to say that one or two individual men can do anything important is not correct. I wanted to make the position of the profession clear so that this sort of discussion, where there is only one side of the argument, should not recur again."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I am rather surprised at the remarks made on the subject. The subject has been discussed for the last five years and I think the attitude taken up by the Hon'ble Sir Alexander Cardew is much stronger than the attitude he had taken up on previous occasions when the subject was discussed. After hearing the Hon'ble the Surgeon-General, I come to know what strange notions are being entertained about the indigenous systems. No doubt, the Surgeon-General has in his usual straightforward way explained his position and the reasons which influenced him to take up that position, and he has placed before this Council his view of the matter. As an expert opinion, I do not think it possible for any one of us to challenge it. After all it may not be necessary to challenge it. But I do not know whether even he has not given away the case of the Government in the matter of this resolution. I think he said that he had only 1,200 doctors to look after the interests of forty or forty-one millions of people. This number is only enough for about one million people. What about the rest? We know that in the past one or two years the Hon'ble Sir Alexander Cardew has been doing his very best; and I know in what way the Government have been adding to medical relief on the lines they considered best; but as Government, it is their duty to see that the remaining forty millions of people are treated properly and the Hon'ble the Surgeon-General who keeps watch and ward over this population is bound to give advice to the Government to see how best to regulate the treatment given in hospitals and dispensaries so as to make it available to the remaining people also. He is bound to exercise the greatest care in seeing that what is administered to the people is administered in the best form and that as much care is taken by the Government as possible to protect the people committed to their charge. That is a portion of the Surgeon-General's duties and it cannot be said that simply because he feels strong that the Hindu system of medicine is not a system by itself, therefore forty millions of people need not get any treatment. It will not be impossible for me and I do not think it is necessary for me, to contest the position that he has taken up that it is not a system of medicine. If he tells us that the Western system is already perfect, I should respectfully dissent from him; but he does not. With regard to the unani and ayurvedic systems as they are practised—he need not call them systems if he does not like them—he will find that with the use of certain drugs by themselves or various drugs combined, there is a system which deals so far as the medical portion is concerned, with certain diseases better than the Western system. And that is especially so in the case of the diseases of infants and longstanding diseases. If he denies that position, I must respectfully submit that he should examine the whole question further, in which case he will find that the diseases of infants and chronic diseases are better brought under control by the use of ayurvedic and unani medicines than by the Western treatment. If on examining the question and by discussing it with the leading members of the educated community,

(Mr. Rama Ayyangar; the Rev. G. Pittendrigh; [15TH AUGUST 1918.
Mr. Ranga Achariyar.)

people that have been respected by the Government and the public at large, he finds that satisfactory results could be obtained by practising the system in the way laid down by Dhanvantari and that medicines properly prepared under careful supervision in the shape of lehiyams and churnams are capable of effecting a cure in complicated cases—if such should be the result of the inquiry. I really do not see why Government help should not be given in the matter. I believe that has been the feeling at the back of the Hon'ble Mr. Ranga Achariyar's mind and that is why he has referred to the Venkataramana dispensary. That is the object with which he mentioned the Venkataramana dispensary; what he has said is the collective opinion of people who have been thinking over the matter and have come to the conclusion that the Eastern system can effect cures and can be more successfully employed than the Western system in complicated cases. If that is so, there is no reason why it should not be helped. When a proposition like this is urged before Government, it is their duty to see what the existing state of things is and how the existing institutions should be controlled. Nobody says that the forty millions of people ought not to be treated according to the Eastern system; but it is not open to the Surgeon-General to say that he will sit quiet and do nothing until he is able to find more doctors to cope with the remaining people. While human life is in danger, is it not his duty to see that the people are helped? No doubt as he put it, there is a saying that he who kills one thousand people is half a vaidyan; but are we to allow people to kill one thousand persons before they become half vaidyans? Are we to see that forty millions of people die under our very nose for want of treatment? He is to advise the Government to see that a proper system is practised and the main portion of the expenditure is incurred on it; but at the same time, he should see that the medicine that is practised amongst the bulk of the people is not practised wrongly, and that the quacks practise the system in a manner so that life is not in danger. When we know that 99 per cent of the people of the Presidency have to be treated in this manner, we might take steps to see that people who practise the indigenous systems in rural areas are sufficiently educated and have some real knowledge, as may be evidenced by the possession of a diploma from a recognized institution. This is what the Government should do—to see that only those who have some kind of diplomas practise this medicine. If these people take a diploma at some of the institutions already established, then you will find that instead of each one of them being responsible for 1,000 deaths, they will all be responsible for 200 deaths. It is in that way the people will be greatly helped. It is that function of the Government that has to be tackled. The Hon'ble Mr. Ranga Achariyar does not say that the present system is one on which all expenditure should be stopped; but he has only asked for an infinitesimal portion of the expenditure now incurred on medicine and sanitation being set apart to be spent upon Eastern medicines that are being actually given to the people at large. The Government as Government cannot shut their eyes to what is going on around them. The Surgeon-General has said that he has talked to learned pandits and has been told what is written in our ancient books. But what should be done is to make a real effort at understanding the real meaning of our text-books. The Government are conferring titles such as Vaidyaratna and Mahamahopadhyaya. While that is so, it is their duty to encourage the indigenous systems of medicine by starting institutions like the one suggested in the resolution. I do not think that it can be said that the attitude taken up by this Government is in accordance with the attitude taken up by the Government of India. The attitude taken up by this Government for some time indicated that they were willing to do something in the matter of the encouragement of the ayurvedic and unani systems of medicine, but now they have come to the conclusion that they should drop all attempt to see that the ayurvedic and unani systems are put on a proper footing. I am sure that if the present Surgeon-General is asked to take up this question and see that something is made out of it, he will do it."

The Hon'ble the Rev. G. PRIENDRIGH :—“ I do not wish to say anything on the merits of this resolution, but I cannot help saying that the Hon'ble the Surgeon-General's speech is quite conclusive. Those who are more or less detached like myself have felt that this debate is singularly illogical. The Government have appointed Mr. Koman to inquire into the merits of the system and at the same time the Government are now being asked to subsidize these institutions. It seems to me that it would be wiser to withdraw this resolution and in the meantime leave the matter to future development, until we know clearly what Mr. Koman's conclusions are.”

The Hon'ble Mr. T. RANGA ACHARIYAR :—"My Lord, I least expected that a debate on this innocent resolution would take the turn it has taken. I may remind the Hon'ble Sir Alexander Cardew, notwithstanding his idea that I am a progressive, that I am after all an Indian, and he is after all an Englishman. I had hoped by this resolution to combine the East and the West. I had hoped that I would give an opportunity to the Western scientist to investigate into the Eastern system before he condemned it; and I had hoped by this resolution to give the Eastern practitioner some knowledge of Western science. These are the two main objects I had in view in moving my resolution; but for some reason or other, both the Honourable Members who have spoken against this resolution have chosen to misapprehend the scope of this resolution and they seem to have thought that I have moved this resolution in this Council for the substitution of the Eastern system for the Western system. That, as Honourable Members know is far from my idea. My idea was that whereas you are spending lakhs and lakhs on the Western system, you might spend a few thousands on the Eastern system, specially considering that the Indians have not yet lost faith in the Eastern science. I would ask the Government not to prejudge or condemn the system without anything like an inquiry. The Hon'ble Colonel.

15TH AUGUST 1918.] (Mr. Ranga Achariyar.)

Giffard who has spoken in behalf of the profession has betrayed his ignorance. Even where he professed to find knowledge, he spoke of the Vedas, as if one goes there for any knowledge of medicine. I refuse to take such condemnation. I keep an open mind; I would ask you to keep an open mind also. I ask you, practical people who are charged with the health of the lives of 43 millions of people to take stock of the situation. What is the present situation as described in the official reports? We have 668 hospitals serving a population of 1½ millions of people out of 43 millions of people. There are also 25,000 people who do not belong to the western medical profession, but who practise the eastern science. I ask that they may be given an opportunity to acquaint themselves with modern knowledge. I am sorry that after the Government of India accepted the resolution on similar lines in the year 1916, this Government should in the year 1918 choose to say that they will have nothing to do with the Indian system. I know that the Surgeon-General has told us in the last portion of his speech that he is willing to be convinced. I know Surgeon-General Giffard very well; and I know that he is a great friend of Indians; and I know that he is not one of those prejudiced Anglo-Indians. But I am only sorry that his honest conviction should be what it is, sorry because truth is not going to be found out. If, after investigation, Surgeon-General Giffard should tell me that the system is unsound I would be the last man to come forward and say it is sound. I know his ignorance of our system and that is why I refuse to take his verdict. I rather take the view expressed by Sir Pardy Lukis in March 1916.

by Sir Fardy Lukis in March 1916.

“The motion now before us deals with a subject to which I have devoted considerable thought during the 36 years of my residence in the east, and as I said the other day at Indore, the longer I remain in India and the more I see of the country and its people, the more convinced I am that many of the empirical methods of treatment adopted by the *vaid*s and *hakeems* are of the greatest value.

I may say also that I do not recognize any fixed line of demarcation between the eastern and western systems of medicine. The main difference between the two is, that whereas one has advanced the other has remained stationary.”]

"I ask that the science may be made more progressive. I ask the Government to help in this matter. I ask that the Government may perform their function by making it progress—that which has remained stationary. Then he goes on to say: 'and that is why I am an advocate for thus increasing their usefulness.' The system is already useful and he wants you to increase its usefulness. Then he says—

to increase its usefulness. Then he says—
‘Why then should the Allopath, arrogate to himself the right to appropriate for his individual benefit all new discoveries, denying these privileges to the practitioners of other systems of medicine? This appears to be especially unfair when it is borne in mind that 90 per cent of the Indian population live in rural areas where the *vaid*s and *hakeems* are—and will be for many years to come—the chief attendants of those dumb millions alluded to in recent speeches in this Council. It was in view of this, and in the hope that something might be done to raise the status and improve the education of *vaid*s and *hakeems* that I insisted on a definite standard of education for the new type of vernacularly trained village practitioners which it is proposed to create, for I am strongly of opinion that, in the interests of the masses, the improvement of the education of those who profess the indigenous systems of medicine is quite as important as the invention of a lower grade of Allopathic practitioner. Personally if I were ill, I say frankly that I would prefer to be treated by a good *vaid* or *hakeem* rather than by a bad doctor. I resent strongly that spirit of medical trades-unionism which leads many modern doctors to stigmatise all *vaid*s and *hakeems* as quacks and charlatans. and I shall always be proud of the fact that I was privileged to have the friendship of two such learned men as the late Mr. Ferozabad and Kaviraj Bijay Ratan Sen of Calcutta.

"I will not take up your time by quoting more from his speech, as my time is short. Speaking as an Indian, I am not ashamed to go back. All that I say is : to bring out all that is best in the east and combine it with all that is best in the west. As a progressive Indian, I want the best of everything whether it be the best of the east or the best of the west or the best of anything wherever it may be found. What is it that I have asked ? I have asked that the Government may give a grant-in-aid of a few thousand rupees, in the place of several lakhs, to well-known institutions and not to anybody and everybody as the Hon'ble the Surgeon-General assumes. He asked "to whom are we to give it?" I carefully defined it. I said that grants-in-aid might be given to institutions for the encouragement of the study and practice of the indigenous systems. I did not ask that grants should be given to those who practise the system. That is the first portion of my resolution. Misapprehension of my resolution has led to a patriotic speech from the Hon'ble the Surgeon-General. Let me also be patriotic and I believe any of my countrymen will take the same attitude. I think that steps may be taken for the encouragement of the transla-

speech from the Hon'ble the Surgeon-General. I am sorry that the countrymen will take the same attitude. "What did I ask? I asked that steps may be taken for the encouragement of the translation or publication of oriental medical texts. Is that a wrong thing in itself? Will you condemn it simply because the system is 2,000 years old? Won't you look at it and see if there is anything in it? I have asked that steps should be taken 'for instituting a research into the value of indigenous drugs and indigenous medical science.' I express my thanks to the Government for having appointed Mr. Koman, but I pity poor Mr. Koman. I doubt whether he will have the courage, after the Surgeon-General's speech and after the speech of the Honourable Member for Government to come forward with any view of his own if he really believes that the system requires encouragement. It will certainly require a great deal of courage, faith and hope to come forward with one's own view. I am sorry I brought forward this resolution but I am glad also that I have done it, because the Government have defined what the present angle of vision is. I do not know if it is possible to correct it; possibly it may

122 RESOLUTION RE ENCOURAGEMENT OF AYURVEDIC AND UNANI
SYSTEMS OF MEDICINE.

(Mr. Ranga Achariyar ; Sir Alexander Cardew.)

[15TH AUGUST 1918.]

be corrected from above, because the Government of India have faith in it, and they have asked the Local Governments to take steps to see and make it more useful. I should like to know whether, in obedience to that command, this Government will take any steps. What did I ask? I simply asked that the Government be pleased to take steps. One of the steps that has to be taken may be to appoint a committee to investigate the system—a committee consisting of people with whom the Hon'ble Surgeon-General is willing to associate himself, to see if it is practicable to do what I have asked for in the resolution. There is Major Ganpat Rai who has not lost faith in the indigenous system of medicine. Let us investigate the system of medicine. If it were possible, My Lord, by spending Rs. 20 lakhs, you can have 6,000 hospitals, instead of 600 hospitals, and I think I am not far wrong in this statement. But I do not want the Government to spend one pie less on any one of the western hospitals. Let the Government spend all the money they can spare on western hospitals scattered all over the country. But in doing so, let us not lose sight of the actual condition of things. There are millions of people who are admittedly in need of medical relief. There are some medical men serving them and we cannot prevent them from killing these people. If one person has to kill one thousand people before he could become a vaidyan, between the 25,000 vaidyans the multiplied: and the vaidyans practising in the country have not succeeded in killing the people. Let us not therefore be afraid of that bogey.

"I do not see how my resolution, humble as it is, has been understood as implying that I wanted to compare the eastern with the western systems, while I deliberately refrained from doing so. As a layman I also know what value to attach to the opinion of an expert. I do not want to be dragged into such controversy. I ask the aid of the Government and of the Surgeon-General in seeing that this small step which I advocate, be taken, which will not cost the Government more than Rs. 10,000 to encourage these institutions. With these words, I again appeal to the Government that they will not stick to the attitude which they have taken up."

The Hon'ble Sir ALEXANDER CARDEW:—"There is one remark to which I would like to invite the attention of the Council because it exemplifies the standpoint of Honourable Members. One Honourable Member said to the Council that he did not suppose that any one contended that the western system was perfect. That just shows the point of view which the Honourable Members are taking. How can any science in any direction be regarded as perfect? Where is perfection ever to be attained in a science which is necessarily growing and progressive? Of course, the western system is not perfect. It is a living organism which is perpetually advancing and progressing. The idea that it should be perfect, that it should cease to expand in its supply of knowledge shows what idea some people have of science. Then there is the point which the Honourable Mr. Narasimha Ayyar took. He told us that Professor Max Muller who began his study of eastern philosophy and religion by depreciating it, came to recognize its great worth and fundamental merits at the end. But I ask whether philosophy and religion stand on the same basis as a science which is advancing. What is there in philosophy and religion to advance? It was the great speculative minds of the Hindus, the Hebrews and the Greeks that developed philosophy and religion. Psychic speculation cannot be measured in the same way as an experimental science. That is why Indian philosophy demands the respectful study of every man, who professes to know something about philosophy. But can you say the same thing about engineering? Can you ask the Hon'ble Sir Francis Spring to derive his knowledge of engineering from the engineering precepts of a century ago? The Hon'ble Surgeon-General in his exhaustive speech has clearly put all these points before you. There is, however, one misapprehension expressed by the Hon'ble the Rev. Mr. Pittendrigh. That was that Dr. Koman has been appointed to examine the Ayurvedic system. That is not so, he has been appointed to see what drugs are in use in it, to see whether they could be of such value as to be included in the pharmacopoeia of the world. To inquire into the ayurvedic system would require a whole team of workers, as stated by the Hon'ble the Surgeon-General, who would have to take it up and divide it among themselves. But Mr. Koman will only examine the drugs. That is what I promised to the Council. He will not go into the whole system, as it would be a prodigious task, which would require an enormous amount of labour."

"I understand the Hon'ble Mr. Ranga Achariyar's attitude in this matter. This is an Indian system; he is an Indian and therefore he is naturally interested in it. I can understand that. But in such a matter we cannot be guided by patriotism. This is a case of science. We cannot have an Indian mathematics, any more than you can have French or Japanese mathematics. In the same way, you cannot have an Indian system of medicine. On that point, I may quote what Surgeon-General Edwards said:—"There are really no separate systems of medicine. The art of medicine should know no boundaries. We do not want one medical system for India, another for China, a third for France and so on; what we want is one school teaching and assimilating the best from all over the world." When you go to Japan you do not find a separate system. There, they have made very remarkable discoveries in the last thirty years in the sphere of medical science. I think therefore that, with that example before you, the true line of advance must be that science must be cosmopolitan and all-embracing."

The Hon'ble Mr. Ranga Achariyar has asked me in this resolution to give Rs. 20,000 or 30,000 to these schools. It is a small sum. What can it do? You say there are 40 millions of people who depend upon ayurvedic practitioners and there are 25,000 ayurvedic practitioners. What can a sum of Rs. 20,000 do? The idea of doing any good by setting apart a grant-in-aid of Rs. 20,000 is impracticable. If you are going to do anything useful for the 40 million people you will have to spend not Rs. 20,000 but Rs. 20 lakhs; but I submit that that sum would be better spent on the extension of medical instruction on scientific lines.

RESOLUTION RE ENCOURAGEMENT OF AYURVEDIC AND UNANI 123
SYSTEMS OF MEDICINES.

15TH AUGUST 1918.] (Sir Alexander Cardew; the President; Mr. Ranga Achariyar.)

Therefore, I would appeal to Honourable Members not to look upon this question as one of patriotism, but as a really scientific question in which we want to do our best for India by devoting all the money we can to a system in which the rest of the world would share. For these reasons, it seems impossible to depart from the attitude which the Government have all along taken up and therefore they must refuse to aid these particular schools of instruction."

His Excellency the PRESIDENT:—"If I may say so, it is a thousand pities that on a subject which is really not one in many ways appropriate for discussion in this Council, and on which we have had so many discussions during the last few years and towards which the Government have shown, as a matter of fact, a most considerate and sympathetic attitude—it seems to me a thousand pities that we should have to go to a division on this question for this practical reason. There is no good saying that we are not going to substitute, that we do not desire to substitute by this motion for the present Local Government medical institutions, medical institutions engaged in the practice of ayurvedic and unani medicines. What you spend on the one you must take away from the other, if you are to encourage institutions practising the ayurvedic or unani medicines. As a responsible institution, is this Council going by its vote to encourage every local body throughout the country to adopt this view, or are we going by such action really to alleviate the sufferings of humanity in this Presidency? Apart from any question whether we desire or do not desire to alleviate that suffering it is common ground that everybody is anxious to do his utmost for the sick and the suffering—the Government have shown their desire to extend medical relief during the last few years in the most significant manner. I have not got the file of figures with me, because I never intended to intervene in this debate. The estimate for medical relief in 1916-17 was Rs. 18 lakhs, but this year it is Rupees 26 lakhs. Is that not proof of the desire on the part of the Government to do their utmost to extend the provision for medical relief throughout the Presidency? You may say that it is insufficient. Are you therefore justified in taking away a portion of the money now spent on it and utilising it on some other purpose? There is no obstacle or objection whatever to private and philanthropy undertaking this work and private munificence being spent on any kind of medicine. But so far as the Government are concerned, it seems to me that we are all more or less responsible for the medical relief that we give. But if we divert our funds to some other purpose, then it may be that every local officer will have a certain kind of hesitancy about this matter. That is what it will be taken to be. I therefore venture to put that practical difficulty on the administrative side to the Council. Does the Honourable Gentleman wish to divide the Council?"

The Hon'ble Mr. T. Ranga Achariyar replied in the affirmative."

The resolution was put and lost.

The Hon'ble Mr. T. Ranga Achariyar and the Hon'ble Mr. B. V. Narasimha Ayyar both claimed a division.

His Excellency the PRESIDENT:—"Who wants a division?"

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I ask for a division."

His Excellency the PRESIDENT:—"That is the general right of the mover."

The division was taken with the following result:—

For	Against
The Hon'ble Rao Bahadur V. K. Ramanujar	The Hon'ble Sir Alexander Cardew.
Achariyar.	Diwan Bahadur P. Rajagopala Achariyar.
" Mr. P. Siva Rao.	" Mr. L. Davidson.
" Mr. K. Rama Ayyangar.	" Mr. A. R. Knapp.
" Mr. B. Venkatapati Raju.	" Diwan Bahadur R. Ramachandra Rao.
" Mr. K. Sadasiva Bhat.	" Lieut. Col. Giffard.
" Diwan Bahadur K. B. Suryanarayanamurti Nayudu.	" Mr. A. Butterworth.
" Rao Bahadur S. R. M. Annamalai Chettiyar.	" Mr. L. E. Buckley.
" Mr. K. R. V. Krishna Rao.	" Mr. M. E. Couchman.
" the Raja of Ramnad.	" Mr. C. G. Todhunter.
" Diwan Bahadur A. Subbarayalu Reddiyar.	" Muhammad Aziz-ud-din Husain Sahib.
" Mr. T. Ranga Achariyar.	" Mr. T. Richmond.
" Mr. Yaqub Hasan Sahib.	" the Rev. G. Pittendrigh.
" Khan Bahadur A. T. G. M. Ahmad Tambi Marakkayar.	" Sir Fairless Barber.
" Mr. A. S. Krishna Rao.	" Sir Gordon Fraser.
" Mr. B. V. Narasimha Ayyar.	" Mr. J. H. Thonger.
	" the Archbishop Aelen.
	" Sir Francis Spring.
	" Mr. J. H. Stone.
	" Mr. S. B. Murray.
	" Mr. W. J. J. Howley.
	" the Advocate-General.
	" Mr. H. F. W. Gillman.
	" Mr. R. A. Graham.

The resolution was lost, 15 voting for and 24 against it.

124 RESOLUTIONS RE A SEPARATE SECRETARIAT EXCLUSIVELY FOR
WORK CONNECTED WITH THE LEGISLATIVE COUNCIL AND
AMENDMENT OF THE MADRAS CITY CIVIL COURT ACT, 1892.

(Mr. Narasimha Ayyar; the President; Mr. Ranga Achariyar; [15th August 1918.
Mr. Gillman.]

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I beg to draw the attention of your Excellency to rule 24 (3) which says that any one can call for a division."

His Excellency the PRESIDENT:—"It is the usual practice that some courtesy should be shown to the Honourable Mover of the motion. Therefore it was I wished to make it clear as to who asked for the division. It is the ordinary practice in all assemblies of this kind to show some courtesy to the mover of the motion and it is my duty to protect the rights of the Members. Therefore, I suggested that the mover might be consulted."

RESOLUTION RE A SEPARATE SECRETARIAT EXCLUSIVELY FOR WORK
CONNECTED WITH THE LEGISLATIVE COUNCIL.

The following resolution of which notice had been given by the Hon'ble Mr. T. Ranga Achariyar was not moved:—

"V. This Council recommends to His Excellency the Governor in Council that the Government may be pleased to consider the desirability of having a separate Secretariat of the Government exclusively to deal with the work connected with the Madras Legislative Council, so as to afford greater facilities to promote legislative work and to non-official members of that Council in the discharge of their duties."

RESOLUTION RE AMENDMENT OF THE MADRAS CITY CIVIL COURT
ACT, 1892.

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I beg to move—

"VI. This Council recommends to His Excellency the Governor in Council

(a) that the Government may be pleased to take steps to obtain the necessary sanction under section 79 of the Government of India Act, 1915, to amend section 3 of the Madras City Civil Court Act of 1892 by substituting the words "five thousand" or at least "three thousand" for the words "two thousand and five hundred" occurring therein;

(b) that the Government may be pleased to exercise their power under section 4 of that Act by appointing one of the Puisne Judges of the Presidency Court of small Causes as an Additional Judge of the Madras City Civil Court; and

(c) that they may be pleased to recommend to the Government of India to take into consideration the desirability of their amending the Madras City Civil Court Act, 1892, by empowering the City Civil Court to try also any suit not exceeding Rs. 10,000 in value which may be transferred to it by the High Court."

"You will notice that clause (b) has become unnecessary in view of the notification already issued. But I wish to suggest that an additional Judge who has been appointed only for three months ought to have been appointed for a year at least, so as to give relief to the Judge in that Court."

The Hon'ble Mr. H. F. W. GILLMAN:—"Do you mean to say that a second Judge should be appointed permanently?"

The Hon'ble Mr. T. RANGA ACHARIYAR:—"If my other proposals are accepted, it may be necessary to do so; but otherwise it may be for a year. As regards clauses (a) and (c) it may appear contradictory on the face of it; but I will explain why I have put it in that way. This Council, after the previous sanction of the Government of India, has power to amend the City Civil Courts Act, so as to increase its jurisdiction. That Act itself says that it does not affect the jurisdiction of the High Court on the original side, so that people who have suits to file may go either to the City Civil Court or to the High Court. All people can go to the High Court and in the case of those who go to the High Court, the punishment will be by way of costs. I say that the original jurisdiction of the City Civil Court may be raised by allowing suits not exceeding Rs. 5,000 in value to be filed in that Court. The present jurisdiction of the City Civil Court is Rs. 2,500 and this jurisdiction was fixed when the district munsif had jurisdiction up to Rs. 2,500. It will be within the recollection of the Council that in the year 1916 we raised the jurisdiction of the munsif to Rs. 3,000. The idea underlying the original limit, so far as the City Civil Court is concerned, was that it should be the same as the limit of

RESOLUTION RE AMENDMENT OF THE MADRAS CITY CIVIL COURT ACT, 1892. 125

15TH AUGUST 1918.] (Mr. Ranga Achariyar; Mr. Gillman.)

the district munsif. I do not think I need trouble the Council with any elaborate remarks. There may be various difficulties that might arise if the original jurisdiction of the City Civil Court is not raised, so as to make it concurrent with that of the district munsif. For there might be questions as to which Court is the superior Court for the purpose of trial and whose decision will have a binding effect—whether that of the district munsif or that of the City Civil Court. Undoubtedly the City Civil Court presided over by a judge of a greater standing should not have forced upon it the *res judicata* with regards to decisions of district munsifs; whereas if the limit of the City Civil Court is not raised, the decision of the district munsif might have a binding effect.

"The object of the City Civil Court Act was to take small cases away from the High Court so as to give relief to the High Court and also to the litigant public to whom litigation in the High Court is costly. The suits in the City Civil Court are suits mainly concerning houses. A house worth Rs. 2,500 in the year 1892 is now worth much more, as the value of property has risen. While the value of the rupee has gone down, the value of houses has gone up. What was worth Rs. 2,500 in 1892 is now worth Rs. 5,000. It is the market value of houses that is the basis for the valuation of suits in Courts, and therefore we are not doing anything wrong, if we give effect to the resolution that I have moved. We will be simply restoring the jurisdiction of the City Civil Court, by raising the value of suits to Rs. 5,000. That is really on account of rise in the value of house property which has been going on. Therefore, we are not doing any violence, if we raise the pecuniary limit of suits filed in the City Civil Court, because by so doing we will be simply restoring the limit which was fixed for the City Civil Court in 1892. I may at the same time say that it will give considerable relief to the High Court. Suits which would have been filed in the City Civil Court are now filed in the High Court. At I find that about 100 suits are filed in the High Court—suits of the value of Rs. 5,000. At least half of them would have been filed in the City Civil Court if the market value of houses had not risen. Therefore, by giving effect to the resolution that I have proposed, we will be giving relief to the High Court. Moreover, litigants cannot afford to have the costly machinery provided in the High Court; they have also to face the delay in the High Court, as the duration of contested cases in the High Court is nearly three or four times that of the City Civil Court, and they do not get that speedy justice which they should get. By taking away the small cases from the High Court, it will not be necessary to keep up the same number of costly judges. We will be giving relief to the poor litigants also; we will be restoring the jurisdiction of the City Civil Court and we will be reducing the expenditure of the High Court. It will be feasible for the Government not to continue the doubtful practice of appointing temporary judges. As regards clause (c) which relates to suits from Rs. 5,000 to Rs. 10,000 in value, the High Court, as it is now constituted, has no power to transfer its suits on its own motion, except those cases which are brought up in the Court of Small Causes; it cannot transfer its own suits to other courts. Therefore, I say that the Government may be pleased to recommend to the Government of India to take into consideration the desirability of amending the Madras City Civil Court Act. It may not be possible for this legislature to amend the Act, to give that power to the High Court, because the High Court's power is derived from an Act of Parliament and it is only the Government of India who can do it. That is why I make the suggestion in clause (c). The High Court is not bound to transfer its suits; it is only a permissive provision that I suggest. If we have an enabling clause, enabling the High Court to transfer simple suits to the City Civil Court, it will relieve the High Court. It will save the unnecessary expenditure to the litigants and will enable them to get speedy justice, because the trial in the High Court is very prolonged for some reason or other, while the trial of suits in the City Civil Court is speedy. I suggest that both these amendments may be accepted. I only ask the Government to make a recommendation. I am not proposing any violent change; I am, on the other hand, asking, by the first clause, by clause (a) to restore the jurisdiction of the City Civil Court and by clause (c) to give relief to the High Court. As regards clause (b) the principle of it has been already accepted."

The Hon'ble Mr. B. Venkatapathi Raju seconded the resolution.

The Hon'ble Mr. H. F. W. GILLMAN:—"Your Excellency, the resolution proposed by the Hon'ble Mr. Ranga Achariyar covers a pretty wide field, and the questions raised by him are not of equal interest or importance. So in dealing with it, I propose to take up first the suggestions which seem to be of lesser import, and having disposed of them, I will deal with the issue raised in clause (a) which deserves greater attention."

"The Hon'ble Mr. Ranga Achariyar apparently does not wish to press the question raised in clause (b) except to say that the recent appointment of a Judge of the Court of Small Causes to do work in the City Civil Court only for three months seems to be hardly an adequate relief. That point was carefully considered by the Judges of the High Court. It was on their recommendation that the appointment was made for three months, and judging from the state of arrears in the City Civil Court, the Government anticipate that the appointment of an additional judge for this period will probably restore the work of the City Civil Court to its normal condition; but if it does not, we will either continue the term of the appointment or later on make a similar appointment whenever it is necessary."

"The proposal made in clause (c) is to give power to the High Court to transfer to the City Civil Court any suit not exceeding Rs. 10,000 in value. I would first of all like to impress upon Honourable Members of this Council that the object with which the City Civil Court was originally established was 'to relieve Judges of the High Court of such petty cases as they do

(Mr. Gillman; Sir Gordon Fraser; Mr. Ranga Achariyar.) [15TH AUGUST 1913.]

not think it desirable to call up for trial themselves.' These are the words used. I am not aware of the details of the original cases coming before the High Court. I should think that a great majority of them would be below Rs. 10,000 in value on the original side. Anyhow, it seems to me that we can hardly call cases between Rs. 5,000 and Rs. 10,000 in value petty cases. This suggestion made by the Honourable Member contravenes the original intention with which the Court was established. It seems also to be inconsistent with the ordinary principle that a higher Court may transfer suits to the lower Court which are within the pecuniary limit of the lower Court's jurisdiction. The High Court is given power under section 16 to transfer suits to the City Civil Court. But those suits must be within the pecuniary jurisdiction of the City Civil Court, which is Rs. 2,500. The proposal made in this clause seems to be rather inconsistent with that made in clause (a) because it really connotes that the jurisdiction of the City Civil Court would have to be raised according to the ordinary principle to Rs. 10,000. The proposal has never been suggested by the High Court with whom the Government have from time to time discussed various suggestions with regard to the jurisdiction of the City Civil Court. I do not think it is likely to commend itself to the High Court or to the public or possibly to the Bar as a whole. I am rather surprised to hear the argument of the Honourable Member advanced in favour of the suggestion that litigants do not get speedy justice in the High Court and would probably have their cases more promptly disposed of in the City Civil Court. That argument seems to be directly opposed to the argument put forward not only by him but by other non-official members in the debate on the resolution to reduce the number of Judges in the High Court when they complained that the Judges of the High Court were doing their work a great deal too quickly.

"Having disposed of clauses (b) and (c) I now come to clause (a), which suggests that the jurisdiction of the City Civil Court should be raised to Rs. 5,000 or at least to Rs. 3,000. I may say that both these suggestions have been seriously examined by this Government in consultation with the High Court, with the result that neither of them has been adopted. There are two main considerations which weighed with the Government in coming to this decision. In the first place, it seems to us that the public would not appreciate being driven to any inferior forum unless there was compensating advantage such as cheapness in litigation. We are advised that, on the average, having regard to institution fees in the City Civil Court, the cost of suits between Rs. 2,500 and Rs. 3,000 would be greater in the City Civil Court than in the High Court.

"The next point is that the file in the City Civil Court is as heavy as a single judge could manage. We have had, as I have already observed, to appoint an additional judge for a short term. It is pretty clear that if we are to add further to its file either by raising the jurisdiction to Rs. 3,000 which will involve about 70 extra suits, or to Rs. 5,000 which will mean 150 or file of the Court, which now stands between 500 and 600 suits a year, and involves a great deal of extra work in the way of execution petitions. The appointment of a second judge is not in our opinion likely to have any effect in appreciably reducing the work of the High Court on the original side and would not enable us to effect any reduction in the number of judges in the High Court on that account, so that that arrangement would not tend to any economy.

"It seems, therefore, that the proposal of the Honourable Member would neither be popular nor would it be in the interests of economy. I am perfectly well aware that the jurisdiction of Rs. 2,500. The Honourable Mover suggested that certain difficulties may arise, if the jurisdiction of the City Civil Court is not brought into harmony with that of the district munsif. He has raised the question of *res judicata*. I may tell him that we have already considered that matter. I do not pretend to be a lawyer—I have been advised by the Advocate-General that the rule of *res judicata* requires that the first Court, the trying Court, should be competent to try the second suit, in which the question in issue was raised; and he has also advised us in regard to this matter that the decision of the district munsif would be *res judicata* in the City Civil Court; and the decision of the City Civil Court in suits up to Rs. 2,500 and of the High Court in suits between Rs. 2,500 and Rs. 3,000, which the High Court alone are able to try, would be *res judicata* in the district munsif's court, so that there will be no difficulty as apprehended by the Honourable Mover. I may say in general that the question of the jurisdiction of the City Civil Court is one of which the High Court is thoroughly cognisant and the Government have discussed it with them on more than one occasion and gone over all the matters which have been raised by the Honourable Mover, except the last. So that we may leave it to the Honourable Judges to come forward with any proposals which they may consider necessary. In the circumstances I have stated I do not think it is advisable for us to press them to consider the proposals which have been suggested by the Honourable Mover."

The Hon'ble Sir GORDON FRASER:—"Your Excellency, I think that this is a resolution which will have a very far-reaching effect in connexion with the commercial community. I would certainly not appreciate suits up to Rs. 10,000 being referred to the City Civil Court for disposal. I would suggest that, before any step is taken in this direction, the proposal should be submitted to the Chamber of Commerce, the Southern India Chamber of Commerce and the Madras Trades Association for their views before this Council makes any attempt to legislate on this matter. I therefore suggest to the Honourable Mover to withdraw his motion for the present; it is only fair that he should allow such bodies to have their say."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I am quite willing to accede to the suggestion of the Hon'ble Sir Gordon Fraser, especially in view of the fact that the Honourable

15TH AUGUST 1918.] (Mr. Ranga Achariyar; Ahmad Tambi Marakkayar; Mr. Narasimha Ayyar.)

Member in charge of the portfolio doubts whether the idea contained in the resolution would be popular. I am glad that he attaches great faith to the opinion of the High Court, and also he thinks that, if there is anything in it, the High Court will move in the matter. I dare say that all wisdom is not centered in the High Court; there may be some wisdom left elsewhere. I will certainly take an early opportunity of ascertaining the opinion of the bar on this matter. I am only asking in clause (a) for the restoration of the original jurisdiction of the City Civil Court. If the Government consider the matter from the standpoint I have put forward, they will see that, owing to the rise in the market value of houses, suits in regard to houses which would be ordinarily tried in the City Civil Court are now being tried in the High Court. A number of suits up to Rs. 5,000 filed in the High Court is about 250, and the number of suits between Rs. 5,000 and Rs. 10,000 is 115. As regards suits between Rs. 1,000 and Rs. 2,500, it will be less than 100. I think, therefore, we will be affording greater relief to the High Court. I am also sure that the people will welcome my proposal generally, though not unanimously. I am glad that I have had this opportunity of ventilating this matter. Out of deference to the suggestion of my Honourable Friend, I do not press this resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE STEPS TO PREVENT IMPORTATION OF INFECTIOUS DISEASES FROM CEYLON.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR:—"Your Excellency, the resolution that stands in my name runs as follows:—

"VII. This Council recommends to His Excellency the Governor in Council that necessary steps be taken to prevent the importation of plague, small-pox and other infectious diseases from Ceylon."

"In this connexion I beg to make a few observations.

"The Honourable Members of this Council will doubtless remember that the question of restrictions imposed on Indian passengers proceeding to Ceylon and the inconveniences and hardships they are put to at the Ceylon quarantine camp at Mantapam has been the subject of lengthy discussions in this Council on various occasions. In spite of the repeated representations made, the Ceylon Government have not been kind enough to withdraw or relax the restrictions imposed on our Indian passengers proceeding to Ceylon. The Honourable Members will also remember the remark made by the Hon'ble Mr. Gillman during the debate on my resolution brought in April last. 'I have not heard of any case of plague,' said the Hon'ble Mr. Gillman, 'brought from Ceylon at India and if the Hon'ble the Raja of Ramnad has any precise information on the subject I shall be very glad to consider it.'

"At that time I brought to the notice of this Council instances of two imported cases of plague from Colombo, one at Tanjore and another at Dhanishkodi. Now my Lord, I have authoritative information from Ceylon that 22 cases of indigenous plague and 29 cases of smallpox were recorded in one particular place called Nawalapatiya. On the whole, 114 cases of plague were recorded in the last three months from April to June and in the island itself the number of plague and smallpox cases recorded during the said three months are 141 and 147 respectively. From this the Council will observe that Ceylon is not the paradise that it is so often represented to be and that unfortunately the place has become infected. At this stage I am sure the Council will agree with me that there is no necessity for the Government of Ceylon to make any fuss in keeping the Indian passengers under strict observation in Mantapam quarantine camp. It is all well and good to do so if their place were free from infection. When both the places are infected, where is the necessity for quarantining the Indian passengers going to Ceylon? If I am not out of the way, I should like to express my regret that, even though the Government promised to relax to a certain extent the restrictions imposed by permitting the Tahsildars and Deputy Tahsildars to grant certificates of identification for passengers proceeding to Ceylon, no advance has been made in that direction as yet.

"To return to the subject proper, I beg to suggest that necessary arrangements should be made with the Government of Ceylon to construct a quarantine camp at Talaimannar and get the intending passengers to India to undergo observation in the camp before they embark for India in the same way as the Ceylon Government do in the Mantapam quarantine camp, as it seems to me that while the Ceylon Government are so very anxious to prevent the importation of plague and other infectious diseases from India, it is but right and proper that our Government also should take such steps as may be necessary to prevent the importation of infectious diseases from Ceylon. With these few observations I commend my resolution with the full hope that the Government will give its best attention to protect its subjects."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, I rise to second the motion; but before doing so, I wish to congratulate the Honourable Mover on the bold stand he has taken for his brethren and sufferers in the Madras Presidency. He was referred to

RESOLUTION *RE* STEPS TO PREVENT IMPORTATION OF
INFECTIOUS DISEASES FROM CEYLON.

(Mr. Narasimha Ayyar ; Mr. Rajagopala Achariyar ; [15TH AUGUST 1918.
Mr. Rama Ayyangar.]

yesterday as a religious fighter. I find that he is a fighter for the self-respect and the general rights of the people—a fighter for the relief of the people. He has put his claim for the relief mentioned in this proposition on two important grounds. The first is a sanitary one—that we must escape from plague and other diseases which may be imported from Ceylon and elsewhere. Incidentally, he has pointed out that, by enforcing quarantine measures, we give an opportunity to the Ceylon Government to get wiser. Indians have still some idea of self-respect left. If the Ceylon Government can put our passengers to indignity and trouble the Indian Government can retaliate. The Hon'ble Mr. Ahmad Tambi Marakkayar manfully advocates a process of retaliation and I congratulate him on his taking such a bold stand.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“Your Excellency, the resolution on the paper says ‘that necessary steps be taken to prevent the importation of plague, smallpox and other infectious diseases from Ceylon.’ I expected the Honourable Mover and the Honourable seconder to give the Council some information about the volume of the importation of plague, smallpox and other infectious diseases from Ceylon into India and how they considered that the arrangements in force in this Presidency were not enough to prevent such importation and how these arrangements could be improved. The Hon'ble Mr. Ahmad Tambi Marakkayar has devoted the greater portion of his speech to the measures which the Ceylon Government are taking for preventing the importation of infectious diseases from this country. I am not here to defend that Government. Assuming that the Ceylon Government are putting vexatious restrictions on our people going into Ceylon, am I to understand that that is any justification for our imposing equally vexatious restrictions upon people coming from Ceylon.”

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—“Yes.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“I knew you would say that. That would be all right, if it is the Ceylon people that come to India. Ninety per cent of the people who go to Ceylon or come from Ceylon are our own people. The real Ceylon people that come and go are very few. Most of the people who suffer and about whose suffering the Hon'ble Mr. Ahmad Tambi Marakkayar is complaining are people from southern India who go to Ceylon. When they come back, they are all right. They come in easily; we do not impose restrictions when they come back. In order to ease the situation, the Hon'ble Mr. Ahmad Tambi Marakkayar says: Let us increase the vexatious restrictions upon our people by putting on a second set of over to Ceylon for livelihood will have vexatious restrictions to undergo when he goes to Ceylon, and again, when he comes back. The Honourable Member suggests these restrictions not for the purpose of safeguarding the health of southern India, but as a sort of reprisal. This is very much like cutting off one's nose to spite one's face. I am, however, prepared, if it is very great, and the existing rules are not enough—I am prepared to make the rules as rigorous as may be necessary for the purpose. But no such information has been given. I find that people coming from Ceylon, come in two ways; they come in by the sea route to Tuticorin or by the Talaimannar route. Those who come by sea are governed by rules that apply to all ships. Those rules provide for the isolation of ships when there are infectious cases on board. In regard to those who come in by Talaimannar, not only do the Ceylon Government examine them at Talaimannar, but our medical officers examine them at Danushkodi, and anyone suffering from a contagious disease is detained. If it could be said that these rules of ours are insufficient and that diseases are imported into southern India, I will have the Surgeon-General inquire into the matter and make the rules more stringent. But I would not advocate the rules being made more stringent by way of reprisal because it will make the hardships of our people greater than they are. This point was brought to my notice at the Mandapam camp when I had a talk with a countryman of mine. There were several Muhammadans detained there; they admitted that they were treated kindly and that the Ceylon Government had to detain them for four days more. I asked them whether it would do if we imposed similar restrictions on our own side. But they said ‘no, we hope that you won't detain us one week both when we go and when we return.’ These are the people that go and return. I would not advise a policy of reprisals in this matter; not that I consider that *per se* a policy of reprisals is bad. I have no objection to see whether the rules in force at our end of the border to prevent infection are satisfactory or not. If they are not satisfactory let us, for the sake of public health in southern India, make them more satisfactory. I hope my Honourable Friend will agree to my point. I am prepared to do it in the interests of public health if he wants it.”

At this stage, the Council adjourned for a short interval and re-assembled after the interval at 3 p.m.

The Hon'ble Mr. K. RAMA AYYANGAR :—“I want to say only one word in connexion with this resolution. Of course, the Hon'ble Mr. Rajagopala Achariyar said why should we trouble our own men in this matter? But what I wanted to place before the Government was there was a statement made sometime back by the Hon'ble Sir Alexander Cardew that the system would be revised by the Ceylon Government after a certain time had elapsed for which they had bound themselves to abide by certain arrangements. This opportunity is taken to see that relief is given to the people that go from here. If as a retaliation it will be only additional

RESOLUTIONS *RE* STEPS TO PREVENT IMPORTATION OF INFECTIOUS
DISEASES FROM CEYLON; OMISSION OF STANDING ORDER *RE*
REPRESENTATION OF DIFFERENT CLASSES IN THE SERVICE;
AND ADMISSION OF STUDENTS INTO THE INTERMEDIATE
COURSE.

15TH AUGUST 1918.] (Mr. Rama Ayyangar ; Mr. Ahmad Tambi Marakkayar ;
Mr. Rajagopala Achariyar.)

trouble put upon our own men, it is time to see that the ordinary precautions that we take here are enough to prevent any importation of plague and other diseases, and to urge that the same measures ought to be enough for them.”

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBİ MARAKKAYAR :—“Your Excellency, I noted carefully the remark made by the Honourable Member in charge of the portfolio. I am not unmindful of the effect of this resolution. It will be a double penalty to the Indians only, if it is accepted by the Council. The Indians going from here are punished by the Ceylon Government and on coming back they will get another punishment. It is not my intention that I should get my own people double punishment. My object in bringing this resolution is due to a certain principle. It is a great sanitary principle. We will find after all very few people going from India to Ceylon as merchants and coming back. If a disease is imported from Ceylon, the Honourable Member in charge of the portfolio will agree with me that it will spread throughout the whole of India and it will be a serious loss to India if the disease spreads. Secondly I have my grievance, as the Honourable Members of this Council will feel, in regard to the injustice done by the Ceylon Government in insisting upon the Indian passengers proceeding to Ceylon being kept under quarantine and being put to all sorts of hardships at the Mandapam camp by the Ceylon authorities. We have been clamouring against these arrangements and asking this Government to get the hardships relaxed; but nothing is forthcoming. As I said in last April, there was some suggestion made by the Hon'ble Mr. Gillman. It is nearly four months now and no remedy yet. Another point is why not we take retaliatory measures in getting a camp constructed at Dhanushkodi and getting the people coming from Ceylon detained under quarantine whether Indians or Ceylonese. That was my intention in bringing this resolution. If I brought the same old resolution to relax the restrictions at Mandapam, perhaps I may be out of order, because I brought it up only in last April. As the Honourable Member in charge of the portfolio said that he would inquire carefully into the question and do what he could in the matter, I am sure that what he said will not be, as it is has hitherto been, overlooked, and I hope that by his inquiry he will also see that the restrictions the Ceylon Government imposes are unjust.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“I beg the Honourable Member's pardon; I did not say anything about inquiry into the matter of people going to Ceylon, but I will certainly inquire into the rules we have in force to prevent diseases coming in, to see that they are adequate; if not we will strengthen them. I am sure the Honourable Member will excuse me for this correction.”

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBİ MARAKKAYAR :—“I do not press the resolution in view of the assurance given by the Honourable Member.”

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION *RE* OMISSION OF STANDING ORDER REGARDING
REPRESENTATION OF DIFFERENT CLASSES IN THE SERVICE.

The following resolution of which notice had been given by the Hon'ble Rao Bahadur V. K. Ramauja Achariyar was not moved :—

“VIII. This Council recommends to His Excellency the Governor in Council that Standing Order No. 128, clause (2), is ultra vires and should be deleted from the published edition of the Board's Standing Orders.”

RESOLUTION *RE* ADMISSION OF STUDENTS INTO THE INTERMEDIATE
COURSE.

The Hon'ble Mr. K. RAMA AYYANGAR :—“May it please Your Excellency, the resolution which I have the honour to move runs as follows :—

‘IX. This Council recommends to the Governor in Council that the Syndicate of the Madras University be asked to consider that the deficiency in the School Final examination of one mark and less in English or any other subject be treated as not unfitting boys for the Intermediate course when they have taken more than the required marks in the other subjects and that this in any case be made the rule in the case of boys from recognized institutions which have been doing well in English during the last five years.’

“My Lord, I have to premise by saying that the resolution is intended to apply only to the Secondary School Leaving Certificate examination for 1918. I propose to confine the resolution to the results of 1918. That was what was intended by the resolution and the last portion of

(Mr. Rama Ayyangar; Mr. Gillman; Mr. Siva Rao.) [15TH AUGUST 1918.]

sub-inspectors are not posted to the districts in which they are born. They must have naturally relations and must be capable of being influenced and even though there are exceptional sub-inspectors who may stand against all influences and relationships, it is not proper that they should be tried in such places."

The Hon'ble Mr. H. F. W. GILLMAN:—"What does the Honourable Gentleman mean by native district?"

The Hon'ble Mr. K. RAMA AYYANGAR:—"The district in which he is born. It may be very well argued that people should be tried in their own districts to see whether influence affects them, to know whether confidence can be reposed in them. Very well, it is not this kind of officers that should be put to these tests whatever may be the truth of the biblical allusion to Adam and Eve being put in the garden. Whatever it is, here it is a question of securing conviction and imprisonment, and influence may well be brought to bear upon them and it is only proper that these officers are not exposed to such influences. I understand that recently there has been a tendency to post sub-inspectors to the districts in which they are born and the objection raised is not treated as of any value. I only press that the Government may as a rule discourage this and avoid people being tried like that. I beg that the resolution may be accepted."

The Hon'ble Mr. P. SIVA RAO:—"I second this resolution."

The Hon'ble Mr. H. F. W. GILLMAN:—"Your Excellency, the Hon'ble Mr. Rama Ayyangar has moved that the posting of sub-inspectors and higher officers of Police to their native districts should be thoroughly discouraged and he has defined the term native district as the district in which they were born. I think perhaps I had better take the case of the sub-inspectors first. The idea all along has been to group this section of the force by districts. And the Police Commission recommended in paragraph 60 of their report that sub-inspectors should be borne on the district list and promoted within their districts. The Government of Madras have developed this instruction, as it is proved by experience that sub-inspectors get contented when they are serving in their own district than elsewhere. The rules governing the appointment of sub-inspectors have been framed in accordance with these views and men are selected for these appointments by district committees with the help of non-official training to the districts from which they were raised. If the principle of this resolution is adopted, it will be impossible to post a Ganjam man to Ganjam, or a Malayalee to Malabar or a South Kanara man to South Kanara; and I would ask Honourable Gentleman to consider the great difficulty that will be experienced if only outsiders are posted to these districts. I remember the late Mr. Vengail Kunhi Raman Nayanar in this Council protesting against the importation of outsiders to South Kanara because he said they had no knowledge of the language and customs there. I remember a debate in this Council in 1915 which was led by the Honourable Mover himself in which the efficiency of sub-inspectors and the necessity of sympathy between them and the people was strongly impressed on Government by many speakers. After all, it is efficiency we are striving after and we believe that the best way of carrying out the object is the principle which we have adopted. No doubt it involves risks that certain men will abuse the confidence reposed in them on account of their influence in the district of their domicile. But we do not consider that the risk is great and that we need make any amendment in our rules in the manner suggested."

"The Honourable Member has not made much reference to the higher officers of Police, and I do not know whether he intended to press that part of his resolution. Now I will say there are two general points in this matter. One is that these Inspectors and Deputy Superintendents are posted by the Inspector-General and Government respectively and are liable to districts is not very great. Probably it may happen more frequently in the case of Inspectors, but in the case of Deputy Superintendents the number of such occasions is probably inappreciable. I want also to point out that the Hon'ble Mr. Rama Ayyangar's definition of native district is not one that is contemplated by any rule in the Public Service Conduct rules. The fact that a man is born in a district is no criterion that he wields influence in it. We all know there are many cases where owing to family accidents a man is born in a district to which he does not belong and it very frequently happens that he has no relation in that district. The criterion in the rules is the holding of property. That is the only criterion the Government recognize. Now even in regard to officers of the Revenue Department who are on the same grade as Police Inspectors, that is the Tahsildar or Deputy Tahsildar, the only order is that they shall not serve in a taluk in which they own land. The Honourable Member would have it that the policeman should not serve in any district in which he is born. He would impose far more severe restrictions on the Police officers than on the Revenue officers. Besides, the holding of land in a district cannot be put forward as a restriction in the same way in the case of a Police officer as it can be put forward in the case of a Revenue officer because in their ordinary official capacity the Revenue officers have everything to do with the disposal of land. I do not think, Your Excellency, that this is a great evil that has to be remedied as suggested in this motion. It is a question of balance of advantage. There may be some cases in which the privilege is abused, but on the whole it seems to Government that the advantage of not placing any

15TH AUGUST 1918.] (Mr. Gillman; Mr. Sadasiva Bhat; Mr. Rama Ayyangar.)

restrictions on policemen in this respect is considerably more than the disadvantages pointed out by the Honourable Member. In these circumstances and in view of what I have said I hope he will not press the resolution."

The Hon'ble Mr. K. SADASIVA BHAT:—"Your Excellency, I wish to offer a few observations on this resolution. As the Hon'ble Mr. Gillman remarked, after the late Mr. Kunhiraman Nayanar, last year I also protested against the importation of men from other districts into Malabar and South Kanara. We in Malabar and South Kanara especially know the disadvantages that will result if this resolution were adopted. In the first place, the policemen should know the language of the district and Kanarese is spoken only in South Kanara and Malayalam only in Malabar. While Police officers in Malabar come from all other districts, they will not know the vernacular of our districts and necessarily this resolution will tend to lower the efficiency of police work in these districts. It is from that point of view I oppose this resolution."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, so far as the definition of the word 'native' is concerned, I said not only 'born' but also 'having relations in the district.' Of course I referred to cases not of officers circuiting who probably reside in one place and then change to another. I never meant to refer to such people. I meant to refer to people who had relations and close ties in the districts in which they were born. I included relations also in my definition. The observation I made therefore will apply. But I am not going to divide the Council on this matter. What I do say is that so far as the reference made to the Police Commission report is concerned, my humble submission is, and I dare say the Hon'ble Mr. Gillman will go into it, it applies only to the posting of people to districts which may be contiguous or to places where they know the customs and manners. I do not know whether they restrict it to districts where they have relations. That is a matter which deserves to be looked into. I am not myself prepared to make a definite statement on it, but I say it will be too much to expect officers of this class to be posted to districts where they were born. I do not think the observations made by the Hon'ble Mr. Bhat apply in this case. I do not see how a Malabar man cannot be posted to South Kanara, and how a South Kanara man cannot be posted to Malabar. I do not want to divide the Council. I say under the circumstances it will be only proper to consider my suggestion as regards the posting of sub-inspectors. As regards higher officers the Hon'ble Mr. Gillman has said that the Inspector-General is posting them only to places outside their districts. If the principle applies to them, it applies to the others. I do not press the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE EXTENSION OF THE SYSTEM OF NON-OFFICIAL CHAIRMEN AND PRESIDENTS IN CERTAIN DISTRICTS.

The Hon'ble Mr. K. RAMA AYYANGAR:—"The next resolution is as follows:—

'XI. This Council recommends to the Governor in Council that the chairmen of the municipal councils and the presidents of taluk and district boards of the districts of Madura, Ramnad and Tinnevely be all ordered to be non-officials, whether elected or nominated, as the Government may decide in each case.'

"This resolution also does not want much of argument from me for the Government to accept it. The wording is clear and the present circumstances are clear also. And if under the Reform scheme we are very soon to hand over the administration of local self-government to non-official hands, it is time that the matter is taken up immediately and I think this Government should work in this direction till another Government takes charge. Well, anyway, they should try to keep the people absolutely marched up properly to take charge of the Government when the opportunity comes. Of course this is not a question which has been before this Government only now. We have been urging it and though the Government were crying a halt, we have found they were prepared to take steps unexpectedly even to the surprise of this side of the Council, to see that non-official presidents were put in charge of district boards even. My complaint is not that, according to the previous views and opinions, the Government have not been trying to add to the non-official presidents, presidents of district boards and municipal councils. But my submission is this resolution comes at a time when almost the views of all are unanimous in the opinion that local self-government must be pushed as far as possible. Under the present circumstances what I ask them is only a very small portion of that, that in the case of the southern districts of the Presidency all the presidents of taluk boards and district boards and the chairmen of municipal councils may be non-officials. I do not want to fetter the Government's discretion in allowing elected presidents or chairmen or nominated presidents or chairmen."

"It will be too late in the day to place facts and figures before the Government to show that there are people who can take charge of these functions in the district and taluk boards and municipal councils say in districts like Ramnad and Madura. We have got a number of municipal

136 RESOLUTION RE EXTENSION OF THE SYSTEM OF NON-OFFICIAL CHAIRMEN AND PRESIDENTS IN CERTAIN DISTRICTS.

(Mr. Rama Ayyangar ; Mr. Ramanuja Achariyar ; [15TH AUGUST 1918.
Mr. Rajagopala Achariyar.)

councils in Madura and Tinnevely and only one municipal council in Ramnad, of course two now. In the Madura district already more than three municipal councils have the right to elect their chairmen. In the case of Madura municipality, the Government have been permitting official chairmen also to be elected. My request will therefore only be no more to allow officials to apply for these places, so that non-officials and retired officials may come in, may be allowed to be selected by the council. Of course, three more councils have got the right to elect chairmen, like Dindigul, Bodianayakanur and Kodaikanal, and they are constituted in places where there are people to fill the office. There are principal District Munsifs' courts, Divisional offices, etc.; and they will be able to have non-officials who are available to take charge of these offices as presidents. In fact I know the condition of each one of these districts and the areas where these taluk boards and district boards and municipal councils are. I can say with a certain amount of certainty that people will be available to fill the office of president. But I may not be able to assert that with certainty in the sense it would be recommended by the Collectors. People will be available if they are allowed to be elected. And therefore it is I have been very careful about the words, for it may be election or nomination that is allowed for these taluk boards and municipal councils. If the Collectors think that if election is given the proper sort of men may not be available, have recourse to nomination, I do not say that the views of the collector should be crossed or that nomination should not be allowed. Therefore it is that I have worded the resolution carefully. But if it is said that persons are not available I oppose that statement. I ought not to fail to notice that about three years back one taluk board president's place in Tinnevely and one taluk board president's place in Madura were thrown open to nominated presidents. And in these cases the administration reports of the two districts will prove that the people nominated have more than satisfied the Government in their expectations. It may be that not having been given the idea clearly, Collectors have not been finding out the proper persons. And that may be the reason that they did not voluntarily come forward to make a request or proposal to Government or it may be a question of their not moving about to know that there are persons willing or available or they might be indifferent. But I have no doubt that if specific request or order goes from the Government, it will be possible for officers there to find and for the Government also to satisfy themselves that men are available to take charge of these boards.

"What is now being done is: if there is an official president, the franchise that is conferred on the people for election ordinarily is not being exercised as enthusiastically as it ought to be. When non-official presidents or chairmen take charge of these boards, the franchise given to the various people for electing members to these boards and councils is seen to be exercised with greater enthusiasm and care and there is more competition than ordinarily. I know that since the taluk board president of Madura took charge there has been greater activity shown in the election. I, therefore, submit, My Lord, that the question of putting non-official presidents in charge of these bodies ought not to be thought as coming a bit too soon. In Tinnevely, Koilpatti is one of the centres where there is a taluk board and there is no doubt that the landholders, lawyers and others there will be able to take charge of the administration of this body. Similar circumstances prevail in other places also. Therefore, My Lord, I submit it is now time that this step is taken so that there may be a real activity commenced early enough in the matter of local self-government. It may be that this activity is further developed when franchise is extended or when other circumstances happen. But it is now time that people would begin to realize that they have functions to discharge; and to place the local bodies in charge of non-official presidents is absolutely essential to start this idea, to really give them an impetus. And wherever it has been done it is seen in practical working that it has added to the vivacity of the work of rural bodies and municipal councils. Therefore, My Lord, I submit that the Government will be pleased to accept this resolution."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I second this resolution."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I need hardly assure the Council that the Government are entirely at one with the Honourable Member in desiring the substitution of non-official for official agency in the headships of local bodies. But I may point out that this resolution is something more than a recommendation that that policy should be carried out in these two districts. The recommendation is definite, that the chairmen of municipal councils and the presidents of district boards and taluk boards of the districts of Madura, Ramnad and Tinnevely be all ordered to be non-officials, whether elected or nominated as the Government may decide in each case. In other words it is a definite recommendation that in every municipal council where we have no non-official head the council should commit itself to the statement, that a non-official head is available, capable and willing to serve as head, and that we should appoint him. Of course, we have no means just now of judging whether that statement is correct whether in every one of these places there is a non-official available for the purpose; and I am therefore at some disadvantage in dealing with this resolution. The Honourable Mover has closer acquaintance with these districts than I can claim to have. But I would hesitate greatly to commit myself to the view that in every one of these local bodies, in these three districts where there are officials just now, they should be replaced by non-officials. It is not a question of putting the men gradually, but immediately just now, men willing, capable of being put in the place of officials. I think it is a matter for the council to consider whether it should commit itself to that view, on practically no definite information except the assurance given by the Honourable

RESOLUTION RE EXTENSION OF THE SYSTEM OF NON-OFFICIAL CHAIRMEN AND PRESIDENTS IN CERTAIN DISTRICTS. 137

15TH AUGUST 1918.] (Mr. Rajagopala Achariyar.)

Member for whom we all have respect. But after all this is only an assurance that there are such men. He says "Put them in." It is not a question of our inquiring and seeing whether there are.

"Well let us take first, the municipal councils in these three districts. Now I have got here a list of eleven municipal councils in the three districts referred to by the Honourable Member—Madura, Ramnad and Tinnevely. In Bodianayakanur we have got a non-official chairman. It is true he is paid, but still he is a non-official. The Honourable Mover wants only a non-official. Bodianayakanur therefore complies with the Honourable Member's proposition. Dindigul has an elected non-official, Madura a paid chairman, an official. But here I would point out that the official has been chosen by the Municipal Council, that is to say, it is not a matter of Government putting in an official against the wishes of the council. But the council which is a big municipality felt the necessity of choosing somebody with official experience who can run the municipality. Therefore they chose a deputy collector, who has been doing by no means badly in the place. Government approved of it. So in Madura if he is an official, he is a man of the council's choice. Palni has a nominated non-official; Periyakulam has a nominated non-official. In Ramnad district, Srivilliputtur and Viruduppatti are the only two municipalities where there are revenue divisional officers as chairmen. Palamcottah, Tinnevely, Tuticorin, have all of them elected non-officials as chairmen. So out of eleven heads of municipalities in these three districts we have now eight non-officials, we have got one official who has been chosen by the local body concerned. I presume that we all have sufficient deference to the wishes of local bodies. If they want an official, we do not want to deprive them of that choice in a place like Madura, which really wants an officer of large experience. We have only two municipalities left to which the resolution can apply, namely, Viruduppatti and Srivilliputtur. In regard to Viruduppatti I would point out that this municipality came into existence only in September 1915. It has generally been the practice when a municipality is started to have it run by the revenue divisional officer for two or three years to allow it to settle down and gain some experience, and then we transfer it to non-official agency. I have no objection to inquire into the case of these two municipalities and ask the councils concerned whether they would like to have non-official heads, to ask the local officer of the Government, the Collector, who after all is our chief adviser, and under any changes, he will continue so to work—whether he considers that these two municipalities are fit to be allowed to have non-official heads. So far as the municipal councils are concerned the Council will see that we are by no means chary of substituting non-official for official heads, and we are prepared even in regard to the two remaining, to ask them if they would have non-official chairmen. At the same time I may at once inform the Honourable Member that if the councils should say, as some of them said, that they would prefer for the time being to be run by Divisional officers, I think it will be the duty of the Government to defer to their wishes. After all in these matters local bodies should have the preponderating voice in their own affairs. By all means we can have a general policy and try to run it. But it will be our duty also to defer to the wishes of local bodies as far as possible.

"I now proceed to the case of the local boards, the district and taluk boards of these districts. In regard to these I at once admit that we have not proceeded as far in the direction of substituting non-official for official headships of these boards, as we have been able to do in other districts, for instance, the district from which the Hon'ble Mr. Sadasiva Bhat comes. There the district board is presided over by a non-official and all the taluk boards are presided over by non-officials, and only the other day we gave permission to elect the president when the next vacancy arises. Again in South Arcot we have recently appointed a non-official to preside over the district board and two of the taluk boards have non-official presidents. So also can I mention a number of other places like that. If, therefore, we have not been able to go as far as the Honourable Member wishes in his three districts, I submit it is due to the fact that we have not been able, quite successful, in finding suitable non-officials for the purpose as we would wish; but the moment we find them, nothing would give us more pleasure than to proceed to carry out the policy about which there is really no difference of opinion. The difficulty is in finding the men.

"On this subject I will simply mention, just to prove how the Government have been proceeding in that direction—I will give you some figures which will show how things are going on. In the current year out of 72 municipalities in the Presidency, so many as 60 have non-official heads and only 12 have official heads and in two cases the officials were elected by the local bodies themselves, and in two others there are paid chairmen, the choice of the local bodies. So that out of 72 only 8 councils have nominated officials, in which Government bodies. Then again in regard to local bodies have taken up the responsibility of the choice of the head. Then again in regard to local bodies we see in the current year we have got 96 taluk boards of which 48 taluk boards have non-official heads. That is half the number. We have succeeded in substituting non-officials for official heads. That is half the number. We have succeeded in substituting non-officials for official heads in half of the taluk boards, and in regard to district boards the Honourable Member himself said that it was an agreeable surprise to him that the Government all at once put in four non-officials as presidents. It is not a new and sudden thing at all. It was done after considerable deliberation; and we have now added a fifth.

"I am simply mentioning all this to show that there is no question of the general policy at all, and we are carrying it out as far as possible and nothing will give us greater pleasure than to carry it out. When it comes to making changes in particular places, we are bound to satisfy ourselves that non-officials are available who can be put in, first are fit to be put in and secondly are willing to be put in. These two things are not quite synonymous. I have

138 RESOLUTION RE EXTENSION OF THE SYSTEM OF NON-OFFICIAL CHAIRMEN AND PRESIDENTS IN CERTAIN DISTRICTS.

(Mr. Rajagopala Achariyar ; Mr. Rama Ayyangar.) [15TH AUGUST 1918.]

had instances where non-officials about whose capacity there can be no doubt—have said they would prefer not to be troubled in this matter. Again I have had instances of non-officials willing to be put in, but I thought it would be better not to put them in, in the interests of good administration. In the substitution of non-official for official agency in the headships of local bodies, it is a matter for your consideration if the Government are not well advised in proceeding with some care. If the council were now by one stroke to say that in these three districts every local body which has no non-official head now, is, in its opinion, fit to have a non-official put over it, and that the Government should immediately do it, I think, with all deference to my Honourable Friend, that that is a recommendation which it will be unwise for the Council to make. I think it is a matter which has to be left to the Executive Government of the day. It is our duty to substitute non-officials for officials when opportunity arises. I can assure the Honourable Gentleman that this matter is having our continuous attention. One of the things which we continuously bear in mind is this. In several places we have done it already, and I am sure several Honourable Members must now be aware that we are pursuing a pretty rapid policy in this respect. I would say in the interests of the success of that policy 'do not force the pace.' I do not think it will be good. It is only a question of a few years longer. Do not commit the council to any generalisation that a particular tract of country is immediately fit for a complete substitution of non-official agency. Even the Government of India in their latest resolution say in regard to the district and taluk boards of this Presidency—I trust Honourable Members will permit me to read that portion—

"The circumstances of district boards and of large subdivisional boards, such as those in Madras, are materially different from those of municipalities, since they need much more time and widely extended travelling on the part of the head of the board if the work is to be satisfactorily carried out. The Government of India would urge provincial Governments to arrange for the election of chairmen, wherever this is possible, and where this is not possible to encourage the appointment of non-official chairmen. When the chairmen is a non-official, however, they think it essential in regard to district boards and to such sub-district boards as deal with large areas that, as in the case of large cities, the ordinary official work should be largely in the hands of a special executive officer, whose appointment should require the approval of the Government and who should not be removed in ordinary circumstances without Government sanction. If such a board, wishing to save the expense of a special officer, or desirous of remaining under the presidency of the Collector or of one of his assistants, should wish to elect such an official as chairman, the Government of India think that its wishes might be acceded to, subject to the condition that the election should be made by the non-official members of the board and that it should be a special matter requiring confirmation by the Commissioner or some higher authority."

"So Honourable Members will see that the Government of India themselves do contemplate that in the Madras Presidency in the large areas of the district and taluk boards, these local boards may themselves wish to remain under official headship for the sake of saving themselves the trouble and expenditure of having an executive officer."

"Now, what we have done in regard to this proposal of a special executive officer is to refer it to all local boards for their opinion. Those opinions have not yet come. I took occasion during my recent tour, as the Hon'ble Mr. Subbarayalu Reddiyar will bear me out, to discuss this question with several district and taluk boards, and I was surprised to see a very strong consensus of opinion against the putting in of an executive officer; they say 'let us have a non-official who is capable of running the board; if we cannot have it, we do not want a non-official as a figure head, while the whole machinery is being run by an executive officer appointed by the Government. Many of the boards seem to think that this is some curious device for our keeping the machinery of local administration in our hands, while ostensibly giving it up to them. I am simply mentioning all these circumstances to show that this is not quite so simple a matter as my Honourable Friend may think. And while deferring to his wide experience of the three districts and intimate knowledge of them, I would most respectfully urge the Council not to commit itself to a recommendation like this, commit itself to a number of details in regard to a number of places. I think it would be an unwise commitment, and I trust the Council will leave it to the Government to pursue the policy which they have adopted and which in several places is being carried out. And I dare say that the districts of Madura, Ramnad and Tinnevely will in due course be in the same position as South Kanara, South Arcot or Malabar. I trust that this explanation would be deemed satisfactory by the Honourable Member and that he would not press us for a definite verdict in this matter just now."

The Hon'ble Mr. K. RAMA AYYANGAR :—"Your Excellency, I have been very glad to hear from the Hon'ble Mr. Rajagopala Achariyar such detailed statement, but I should very much like him to go through the taluk boards. He talked of municipal councils. I thought he would deal with the taluk boards also."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I have merely supplemented what the Honourable Gentleman said in regard to those bodies."

The Hon'ble Mr. K. RAMA AYYANGAR :—"We have got in Madura the Dindigul Taluk Board, Usalampatti Taluk Board besides the Madura and Melur Taluk Boards. We have no non-official presidents in any of the other three taluk boards. The Hon'ble Mr. P. Rajagopala Achariyar has been quite clever in his method of putting it. I ask the question whether any

RESOLUTIONS RE EXTENSION OF THE SYSTEM OF NON-OFFICIAL CHAIRMEN AND PRESIDENTS IN CERTAIN DISTRICTS AND PUBLICATION OF VERNACULAR SCIENTIFIC PRIMERS.

15TH AUGUST 1918.] (Mr. Rajagopala Achariyar ; Mr. Rama Ayyangar ; the President ; Mr. Ranga Achariyar.)

offer was made to anybody whether he would be prepared to run these taluk boards as president, whether an attempt was made to ascertain if any persons in these taluk board areas could take charge of these as presidents."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I do not want to interrupt the Honourable Member, but probably I omitted to mention that these attempts that we were making have been made as early as March 1918 and Collectors were informed that the Government were anxious to appoint non-official presidents to as many taluk boards as possible and in response to this some communications have been received, but we have not their recommendations in all cases. That is where the difficulty comes. If the Honourable Member says that this or that man is fit and if we consider him otherwise, it is fair to the man that we should discuss him?"

The Hon'ble Mr. K. RAMA AYYANGAR :—"In the course of my opening address I referred to the fact that sufficient intimation had not been given to the Collectors to find out the proper persons and also ascertain if they would be willing to accept. I was therefore so very particular to know it. But I am told that steps are taken in that way."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Yes."

The Hon'ble Mr. K. RAMA AYYANGAR :—"I only beg to submit the task has not been carried out in the spirit in which the Hon'ble Mr. Rajagopala Achariyar has been discussing to-day."

His Excellency the PRESIDENT :—"I was in great doubt whether this resolution ought to be allowed are not, whether it is a matter of general public interest or not. The rule has partly for its intention to prevent our going into personalities. We argue more or less on general principles. I should deprecate Honourable Gentleman pressing whether official inquiries had or had not shown whether there is any individual or the absence of any individual in particular cases suitable or not suitable for employment in this office. These are all confidential matters which it is undesirable to press beyond a certain point in public debates in Council, and I should suggest he will keep to the general principles."

The Hon'ble Mr. K. RAMA AYYANGAR :—"I did not at all want to know any reference about any individuals. I only wanted to know whether general steps were taken. In fact I was not for asking anything."

His Excellency the PRESIDENT :—"The Honourable Gentleman has been assured that steps have been taken."

The Hon'ble Mr. K. RAMA AYYANGAR :—"I only beg to submit, my Lord, that if detailed inquiries are made, there will be no difficulty in securing the necessary persons and in view of the observations made by the Hon'ble Mr. Rajagopala Achariyar I do not propose to divide the Council over this resolution. I withdraw it for the present."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE PUBLICATION OF VERNACULAR SCIENTIFIC PRIMERS.

The Hon'ble Mr. T. RANGA ACHARIYAR :—"Your Excellency, the resolution which I have the honour to move runs as follows :—

"XII. This Council recommends to His Excellency the Governor in Council that the Government may be pleased to take steps to publish scientific primers in the vernaculars and to encourage their publication by making substantial pecuniary grants to authors and publishers and by prescribing such vernacular scientific primers as text-books to be used in schools and in any other manner they may deem fit."

"It is a very short resolution and I am going to be very short over it. There is not much new matter in this and I do not think we are at issue on the point. The only question is with regard to ways and means. It has been suggested to me, Your Excellency, that I might substitute the word 'or' for the word 'and.' I accept the suggestion made by substituting the word 'or' for the word 'and' in the third line. I know the difficulty of the Government in directly publishing scientific primers in vernacular. I have seen it stated that it is a matter more for private effort than for the Government. I acknowledge the weight due to that argument, and that is why I substituted the word 'or' in the resolution and therefore I confine my attention to the latter portion of the resolution."

"Making the public acquainted with western science and spreading the knowledge of western sciences must be admitted by all to be a very desirable and necessary object which the Government should encourage. What I wish to point out to the Government is it is not an easy matter for private effort to step in in this behalf and undertake the expense needed for such publications. If there was a great demand in the country for such vernacular literature, there will be no need to approach any one for help. In these matters, it is no use saying that there should be a demand for such literature. I think it is the privilege, and I may be permitted to say the duty of Government to create the demand by making the supply, because

140 RESOLUTION RE PUBLICATION OF VERNACULAR SCIENTIFIC PRIMERS.

(Mr. Ranga Achariyar; Mr. Kavalappara Muppil Nayar; [15TH AUGUST 1918.
the President; Mr. Stone.]

after all knowledge has to be given. The duty of the Government is to impart education. In this way I say it is the duty of Government to create the demand for it and if we are going to wait for that demand in order to create the supply that day may never come. I think it is not a proper attitude to be taken that the Government should say that there is no demand for it. You must create the demand by making the supply.

"The next question is, how are we to make the supply? As I already said private effort in this direction can only be taken by teachers or professors. And they are unfortunately in this country so very ill-remunerated. It is a matter for regret that they cannot afford to incur the expenditure and risk of embarking on such a venture. It is only persons who actually deal with such questions that will be able to write and get such books published. Without mentioning names I may mention there is one gentleman who has earned the gratitude of the public by undertaking the publication of such scientific literature in the vernacular, and he has burnt his fingers very badly in connexion with it. He has incurred an expenditure, a poor teacher in the Christian College, of nearly Rs. 25,000 and odd, and he has not yet been able to reimburse himself even to the extent of even two-thirds of that amount. And it is, as I stated already, in encourage such publications. The books have been accepted on all sides by eminent people, professors and laymen, including very many great people, including His Excellency the Governor. His noble and patriotic effort in that direction has been recognized, and many people have certified that they are very good publications indeed and the Educational Department has rendered some service by prescribing some of the books as suitable text-books. But that does not satisfy the question at all. A few hundred copies he has been able to supply—600 or 700—will hardly suffice to meet the cost. As I stated these poor people alone can undertake the task and it is the duty of Government to make substantial grants for that. And unless that is done it is not possible to expect this branch of the work to progress. I therefore earnestly appeal to Your Excellency's Government to make substantial pecuniary grants wherever Your Excellency's Government are satisfied that the work is deserving of support. It is not in every case that I want support to be given but only where Your Excellency's Government are satisfied that the work deserves encouragement. I appeal to Your Excellency's Government that unless some substantial grants are made in such cases it is not possible to undertake such work. It is very necessary that such work should be encouraged. And unless they are also simple in their language and well illustrated and put the subject properly so as to catch the ignorant people and enable them to make them understand, the publications will not be of much use. To make such publications is a very difficult thing—to translate English ideas even in ordinary matters into the vernaculars is very difficult and to translate scientific language in a vernacular which will be really useful to the public is really a very difficult task and it is not a task which each and every one can undertake. And therefore it requires exceptional ability, and we do not find such exceptionally able people very much in the country. Therefore such effort ought to be greatly encouraged. I, therefore, earnestly expect, Your Excellency, this being one of the privileges of the Crown to make grants in aid of knowledge, for the spread of knowledge and for encouraging others in such matters to do so, that this resolution will be accepted."

The Hon'ble Mr. K. K. R. Kavalappara Muppil Nayar:—"Your Excellency, I second the resolution. I fully agree with the principle underlying it. Let me take one instance. In a largely agricultural district, like mine it is important to adopt a method of spreading more up to date agricultural scientific knowledge. There I know the thirst for some education is so great that I have no hesitation in saying that such text-books as proposed will lead to a commendable closer association of the people with the Central Institute at Coimbatore. I think there is nothing like creating an interest in these matters among the classes to be directly benefited even from their early boyhood. No amount of bulletins without the creation of that same early aptitude can be of any real use. I admit there will be considerable difficulty in pitching upon what subject to select and how exactly to deal with them because of the want of uniformity in opinions and results, because of the varying conditions in different districts and especially as new knowledge is constantly being brought out. But I believe we have enough to make beginning. If however Government thinks it cannot agree to the immediate acceptance of the resolution I request it may be borne in mind and given effect to at the earliest opportunity."

His Excellency the President:—"I do not quite understand the form in which the Honourable Member wishes to move the resolution."

The Hon'ble Mr. T. Ranga Achariyar:—"I shall omit the first portion."

His Excellency the President:—"Then it will run thus: 'This Council recommends to His Excellency the Governor in Council that the Government may be pleased to encourage the publication of scientific primers in the vernaculars by making substantial pecuniary grants to authors and publishers and by prescribing such vernacular scientific primers as text books to be used in schools and in any other manner that may be deemed fit.'"

The Hon'ble Mr. J. H. Stone:—"Your Excellency, the principal part of the resolution is this that the Government should encourage the publication of scientific primers in vernaculars by making substantial pecuniary grants to authors and publishers and by prescribing such vernacular scientific primers as text-books in schools. I am to say that the Government are not

RESOLUTION RE PUBLICATION OF VERNACULAR SCIENTIFIC PRIMERS 141

15TH AUGUST 1918.] (Mr. Stone; Mr. A. S. Krishna Rao.)

prepared to accept this resolution as it stands, I mean as it now stands, because the Government are prepared to accept the idea that they should encourage publication of suitable vernacular books in science as in other subjects. I do not think it is possible to accept the expression 'making substantial pecuniary grants to authors and publishers.' Nor should I be inclined to accept even the words 'by prescribing such vernacular scientific primers as text-books to be used in schools.' As regards the making of substantial pecuniary grants, when the expression comes to be interpreted by the Honourable Member in this specific instance, I find he has not in mind the taking of Government into confidence by any gentleman who proposes to publish books of this kind. He has drawn a harrowing picture of a gentleman publishing books of this kind as a sort of adventure. If that gentleman had consulted the department before publishing the books and asked what encouragement the Government would give him in that venture, I may venture to say that he would not have incurred this pecuniary loss. I think he should not have gone in this fashion that he did. It is not philanthropy to publish books. It is simply a business. I pointed out to him how it is that he lost his money, but he would not be warned; he has now got another book in the press which will also be a loss to him and I do not know how many books he has published since he began to bombard the Government with requests for pecuniary grants. Well, I have got great respect for the gentleman in question and he has the best possible motive. But I want these things to be put on a proper footing. It would not do to dole out money. If money is given to this gentleman to indemnify him for the loss he has sustained, it will encourage everybody to follow a similar course and there will be no end of the matter. I am anxious that teachers should not take such risks; teachers should not take to this course of dashing off text-books and publishing them at their risk and thus suffering loss; I do not like that. I have great sympathy for those teachers who burn their fingers in that way and I shall do all I can to prevent that. Teachers very often come to me and send in manuscripts of their books and ask for an opinion of them. I give them my opinion. Several typewritten copies of books are sent to me and I give them my own opinion or get the opinion of competent men and give it to them. What I do ask is that if there is going to be a pecuniary relationship between a publisher or an author and the Government there must be previous consultation and he should let the Government know what he is about. I would myself just say one other thing. There is no use lamenting even an unfortunate loss. I asked this very gentleman 'why don't you go to a publisher and ask him to take it at his risk?' He said 'I did, but no publisher would take it.' After that unbusinesslike thing I do not think he can complain against the Government. If his work was philanthropic, he must pay for his philanthropy, but if he has transacted a business he has done it unfortunately.

I have got only one other thing to say. As to prescribing books, we do not prescribe books more than we can help. That is an established principle of education in this Presidency. We do not say 'use this book or that,' but we give them wide choice in the use of text-books. Some of the books published by this gentleman are likely to have some advance as we have the syllabus of the first three forms of secondary schools printed and they are being scrutinized by a number of schoolmasters. So that I hope we shall have better defined courses of studies for these first three forms in science. And of course according to our rules those studies will be in the vernacular, and therefore I hope there will be greater demand for the scientific text-books already produced in the vernaculars. One further remark, and that is in view of the existence already of a certain number of vernacular text-books, no Honourable Member would want us to flood the market by prescribing any further series of text-books."

The Hon'ble Mr. A. S. Krishna Rao:—"I would wish that the Council would consider the terms of the resolution as amended and see if it is not desirable to give support to that resolution. It is not now necessary to determine whether the adventures of the publishers were wise or not, as to whether they should or should not have consulted the educational authorities."

"The resolution is simply this: 'That the Government should encourage the publication of scientific primers by making pecuniary grants to authors and publishers and by prescribing such vernacular scientific primers as text-books to be used in schools and in any other manner they may deem fit.' The principle underlying this resolution is this: whether the Government are willing to encourage the publication of scientific primers or not. That is the principle underlying this resolution. The other suggestions made are questions of detail, questions of giving pecuniary grants, and of prescribing text books or in such other manner. It will be remembered that this question of imparting scientific instruction in vernaculars in schools has been before the public and the Government for several years. It is a question which has been agitated for several years and there is a volume of literature surrounding the subject. There was an interesting debate in the Imperial Legislative Council where this question was discussed. The Viceroy expressed his strongest sympathy with this question and expressed some sort of surprise that in schools in this country education is not being imparted in the vernaculars so far as scientific subjects are concerned. I think so far as the principle underlying it is concerned, it is quite essential that attempts should be made to improve the instruction in scientific subjects by giving it in vernaculars wherever possible. When any one asked for the improvement of such education the Government have been replying there were no proper text-books. Nobody has suggested that instruction ought not to be given in the vernaculars, but they have suggested that it will take some years, probably some decades, twenty or twenty-five years before an attempt can be made in that direction. Where are the text-books which can be supplied for the purpose of imparting instruction? In the absence of text-books your suggestion that education should be given in vernaculars cannot be accepted. That was what Government were saying. How is this going to be solved if attempts are not to be made for producing scientific primers? It is true that the

142 RESOLUTION RE PUBLICATION OF VERNACULAR SCIENTIFIC PRIMERS.

(Mr. Stone; Mr. A. S. Krishna Rao; [15TH AUGUST 1918.
the Rev. Pittendrigh; Mr. P. Siva Rao; K. R. V. Krishna Rao.)

Government have some difficulties of their own in starting upon that enterprise, but it is also necessary that present circumstances should be taken into consideration and some encouragement should be given to persons who wish to have such books published. That is all what the resolution suggests. It suggests that the publication of scientific primers should be encouraged."

The Hon'ble Mr. J. H. STONE:—"The Honourable Mover wanted an assurance. I should be very glad to have the thing properly defined."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Is it not the duty of Government to undertake this important task? That is what the resolution suggests. We need not therefore be deterred by the other suggestions made as to the ways and methods to be adopted. But if at least the principle is adopted, I think we will make some headway."

The Hon'ble the Rev. G. PITTENDRIGH:—"I wish to emphasise the point of view of the Hon'ble Mr. Krishna Rao, namely whether it is not a legitimate expenditure of money to encourage the publication of scientific primers in vernaculars for the spread of scientific knowledge. I have very great sympathy with that desire. It seems that it is a perfectly legitimate if not a laudable expenditure of money, just in the same way as we spend money for the production of a Tamil or Telugu dictionary. In the same way the Government may spend a very small sum, it may be, on the extension of scientific knowledge in the vernaculars. A great deal has been said about a particular instance. I know something about it. I have great sympathy with Mr. Sitaramayya who has added a series of such books to the existing literature. I should like to point out that it has not been altogether a foolish undertaking. I happen to have some of the figures here—Malayalam, physiology primer, 500 were printed and 100 were sold. In Telugu, civics primer 14,000 copies were printed and all were sold. Telugu arithmetic primer, 5,000 have just been printed and 3,000 have already been sold. If you go through the list, I am sure you will find that it has not been a foolish undertaking. He has really accomplished a great deal, only that he has gone too far for him. It seems to me that the spread of knowledge of science in the vernacular is a most desirable thing and if the Government could in any way encourage any proper effort, it would only be doing what is altogether desirable. I therefore commend this resolution. I hope it will not be a definite refusal altogether. I trust the Government will consider whether this cannot be assisted in some way. I am quite aware that the Director has done a great deal in the way of encouraging this. But Government should go a little further in this direction. It is not a foolish undertaking. That is what I want to say."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I wish to give my whole-hearted support to this resolution. I am afraid that the matter has not been dealt with in its proper light by the Honourable the Director of Public Instruction. He paid too much attention to one individual case and went on stating that he had not approached the Government in proper time before he started on this venture and therefore never deserved any support. The issue before the Council is whether the State would or would not do well to help the preparation of scientific primers in vernaculars. There are two aspects to be considered, Your Excellency. There is a considerable demand now for vernaculars being made the media of instruction in the schools, and as was pointed out by the Hon'ble Mr. A. S. Krishna Rao, the stumbling block that is pointed out by the official exponents of the other view is, where are the text-books? And now when we ask why don't you help the publication of text-books, then what is the difficulty of the State listening in response to the matter? There is the question of diffusion of scientific knowledge among the masses. There are many millions in the country not literate in English who cannot possibly get any knowledge of English, even a primary elementary knowledge in English. What about those people? They must be helped to acquire scientific knowledge and the State should take upon itself the duty of actively assisting the publication of these scientific primers which contain some elementary scientific rules which ought to be within the knowledge of everybody, so that he may adjust himself in his relation to life. That is what it means and that general principle had not been dealt with at all by the Director of Public Instruction—whether it is desirable for the State to help these enterprises. They have done so already in the case of the Tamil and Telugu lexicons in the case of vernacular literature; the question is whether they would not be well-advised to assume responsibility for the diffusion of this useful literature, the diffusion of scientific knowledge in the country. It is in that view that I expect the Government to deal with this resolution."

The Hon'ble Mr. K. R. V. KRISHNA RAO:—"My Lord, this subject of asking for the encouragement of the publication of scientific primers in the vernaculars was brought before this Council some years back. It is a matter well-known that unless some sort of help is given to the publishers, it is not possible to have scientific literature produced in the vernaculars and the diffusion of scientific knowledge made possible among the masses. No doubt the publication of books is a business of the publishers. But in the matter of educating the masses in scientific knowledge and also in propagating scientific knowledge among the people the Government must help as far as possible and they must also help and encourage the publication of scientific books in the vernaculars. The only way in which a large volume of scientific literature can be brought into existence in the vernaculars under the present conditions is by Government undertaking either to subsidize or to purchase some copies of these books and supply them to various schools and other educational institutions. It is said that, unless there is a demand, the supply will not be forthcoming. Of course it may be true in several other respects, but in a matter like this, a matter in which knowledge has to be imparted to the masses, means will have to be

RESOLUTION RE PUBLICATION OF VERNACULAR SCIENTIFIC PRIMERS. 143

15TH AUGUST 1918.] (Mr. K. R. V. Krishna Rao; Mr. Ranga Achariyar;
Mr. Stone)

found for imparting such knowledge. And one way of diffusing scientific knowledge among the people is by encouraging a large production of scientific primers on popular subjects in easy vernacular language and supplying these books to all the schools in the mufassal and also as far as possible by prescribing those books in the lower classes as text-books so that students may easily catch those ideas early and learn scientific subjects. I therefore think, my Lord, that it is a legitimate charge upon the Government and the Government should find some means of helping these publishers, only such deserving publishers as the Government might think deserving of help. With these words I give my hearty support to this resolution."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"My Lord, the instance I mentioned, I mentioned only by way of illustrating the difficulty that lies before us, before people undertaking such publication. But, however, the Director of Public Instruction with that bureaucratic mind which is often associated with officials in this country said that if he had approached him before he would not have burnt his fingers but he had not approached him beforehand. Suppose he had approached him beforehand, what would the Director have said? 'Well, I will examine the books. Are they suitable or not.' Then if he found them suitable, he would advise him to go on. That is what I expect to be done. The Director of Public Instruction subsequently might consider that these books are suitable for school reading. So that we have the position, that he would have given consideration before, had he been consulted; but since the publisher in question committed the blunder of not consulting the Director of Public Instruction beforehand, the consideration he would have given before would not be given. What is the folly committed in this case? It is not at all a folly. He has in Your Excellency's words performed a noble and patriotic task. In the *Madras Mail* regarding these publications it is said 'the author has done everything to make the exposition of the subject easy.'

"I therefore what is the folly that has been committed? Not approaching beforehand the Director of Public Instruction. Therefore he committed a great sin. I ask Your Excellency's Government not to approach that question from that point of view. He has done a laudable work and certainly the Government cannot better spend the money which is committed to their charge than in performing this duty of helping such publications. I do not want to lay stress upon the personal aspect. I only mentioned it; but the Director of Public Instruction made a point of it and therefore I am obliged to revert to it. My point is, however, that public money should be spent in making grants to such authors and publishers who undertake the publication of such scientific primers, and I do not see what legitimate objection can be taken to such a proposition. So long as there is no objection, I must press it on the Government for adoption."

The Hon'ble Mr. J. H. STONE:—"I do not want to say that this gentleman has done a foolish act. But if he had come to me, I should have told him to go to a publisher. He would probably say 'no,' and I might have considered whether it was necessary to ask the Government to take it up. Such sort of things might have happened if he had come to me. It would not be merely to say whether a book was good or not. I would have advised him to attempt the thing without burning his fingers on it. Publishers publish books, some succeed, some others fail. They must take the risks. It is not the business of the schoolmaster to take risks. The schoolmaster has a wife and family, and it is not his business to go into publishing business. He cannot command the means of advertisement which is an important thing. That is why I blame him, this gentleman, of being so unwise as to embark on a business in which he could not succeed. The Hon'ble the Rev. Pittendrigh gave a list of his publications that have been sold. The peculiar fact about that is that the books that were sold were not scientific books. The books that were sold are books on civics, arithmetic, etc. Only science books are not sold. Vernacular arithmetic books do sell, but not vernacular books in science—these do not sell much. If the Government had given him money, he would not have sold any more books and therefore you do nothing more for the diffusion of scientific knowledge. People go on burning their fingers and then come to Government for help. At any rate, I cannot ask the Government to give money to anybody who undertakes to publish vernacular books if they do not come to the department beforehand and tell me what encouragement they expect. Well then, I must say again what I have often said, that scientific knowledge is not diffused so much by means of text-books—text-books have only a subordinate place—laboratories and demonstrators are what are required. Therefore I take this opportunity of making this suggestion that if Honourable Gentlemen are really interested in furthering the diffusion of scientific knowledge, they should get up something in the nature of extension lectures. They may make use of the apparatus in schools all over the country for the diffusion of elementary science. I venture to say that money spent in that way will be money better spent than providing money for text-books. If I were asked for an opinion, I should have no hesitation at all to ask the Government to find money for such an institution as that. One other little remark I must make, although I have made it many times, and that is that we do teach science in the lower classes in the vernaculars. It is only in the three higher classes, fourth, fifth and sixth forms, that boys have to learn science, like everything else, through the medium of English. It is a great mistake to suppose that there are no scientific text-books in the vernaculars. There are. The difficulty of teaching science in the vernaculars is not so much the difficulty of text-books. Text-book difficulty is a small matter. If once we decide to teach science in the three higher forms in the vernaculars, we shall have all sorts of outlandish Sanskrit words in the lessons that we might have to give."

The resolution as amended was put and lost.

(The President.)

[15TH AUGUST 1918.]

The Hon'ble Mr. T. Ranga Achariyar demanded a poll, which was taken with the following result:—

For	Against
The Hon'ble Rao Bahadur V. K. Ramanuja Achariyar.	The Hon'ble Sir Alexander Cardew.
" Mr. K. Rama Ayyangar.	" Diwan Bahadur P. Rajagopala Achariyar.
" Mr. P. Siva Rao.	" Mr. L. Davidson.
" Mr. K. Sadasiva Bhat.	" Mr. A. R. Knapp.
" Diwan Bahadur K. K. Suryanarayanamurti Nayudu.	" Diwan Bahadur R. Ramachandra Rao.
" Rao Bahadur S. R. M. Annamalai Chettiyar.	" Mr. A. Butterworth.
" Mr. B. Venkatapati Raju.	" Mr. L. E. Buckley.
" the Rev. G. Pittendrigh.	" Mr. M. E. Couchman.
" Mr. K. R. V. Krishna Rao.	" Mr. C. G. Todhunter.
" the Raja of Ramnad.	" Muhammad Aziz-ud din Hussain Sahib.
" Diwan Bahadur A. Subbarayalu Reddiyar.	" Lieut.-Col. Giffard.
" Mr. K. K. R. Kavalappara Muppil Nayar.	" Mr. J. H. Stone.
" Mr. T. Ranga Achariyar.	" Sir Francis Spring.
" Khan Bahadur A. T. G. M. Ahmad Tambi Marakkayar.	" Sir Gordon Fraser.
" Mr. A. S. Krishna Rao.	" Mr. J. H. Thonger.
" Mr. B. V. Narasimha Ayyar.	" the Archbishop Aelen.
	" the Prince of Aroot.
	" Mr. S. B. Murray.
	" Mr. W. J. J. Howley.
	" the Advocate-General.
	" Mr. H. F. W. Gillman.
	" R. A. Graham.

His Excellency the PRESIDENT:—"For 16, against 22. The resolution is lost."
The Council then adjourned to 11 a.m. on Friday the 16th August 1918.

N. E. MARJORIBANKS,
Acting Secretary to Government, L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Friday, the 16th day of August 1918.

PRESENT:

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.O.S.I., Governor of Madras—*Presiding*.

The Hon'ble Sir ALEXANDER CARDEW, K.O.S.I.

The Hon'ble Mr. H. F. W. GILLMAN, C.S.I.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O.

The Hon'ble Mr. L. E. BUCKLEY, C.S.I.

The Hon'ble Mr. A. BUTTERWORTH, C.S.I.

The Hon'ble Mr. M. E. COUCHMAN.

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble Lieut.-Col. G. G. GIFFARD, C.S.I., I.M.S.

The Hon'ble Mr. R. A. GRAHAM.

The Hon'ble Mr. W. J. J. HOWLEY.

The Hon'ble Mr. A. R. KNAPP.

The Hon'ble Mr. S. B. MURRAY.

The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.

The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).

The Hon'ble Mr. J. H. STONE, C.I.E.

The Hon'ble Mr. C. G. TODHUNTER.

The Hon'ble Mr. T. RANGA ACHARIYAR.

The Hon'ble the Rev. G. PITTENDRIGH.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.

The Hon'ble Mr. P. SIVA RAO.

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.

The Hon'ble Mr. B. V. NARASIMHA AYYAR.

The Hon'ble Mr. K. SADASIVA BHAT.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.

The Hon'ble Mr. K. RAMA AYYANGAR.

The Hon'ble Mr. K. R. V. KRISHNA RAO PANTULU.

The Hon'ble B. RAJA RAJESWARA SETUPATI alias MUTTURAMALINGA SETUPATI Avargal, Raja of Ramnad.

The Hon'ble Mr. B. VENKATAPATI RAJU.

The Hon'ble Mr. K. KUMARAN RAMAN KAVALLAPPARA MUPPIL NAYAR.

The Hon'ble YAKUB HASAN SAHIB Bahadur.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMB I MARAKKAYAR SAHIB Bahadur.

The Hon'ble Sir GORDON FRASER, Kt.

The Hon'ble Mr. J. H. THONGER.

The Hon'ble Sir FAIRLESS BARBER, Kt.

The Hon'ble the Most Rev. JOHN AELEN, D.D.

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR Avargal.

The Hon'ble Mr. T. RICHMOND.

The Hon'ble Sir FRANCIS SPRING, K.C.I.E.

The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.

The Hon'ble Sri SOBHA CHANDRA SINGH DEO, Zamindar of Serugada.

(The President; Mr. Narasimha Ayyar; Mr. Siva Rao; [16TH AUGUST 1918.
Mr. Rama Ayyangar; Mr. Ranga Achariyar;
Mr. Rajagopala Achariyar.]

The Council re-assembled at 11 a.m.

RESOLUTION RE THE INDIAN CONSTITUTIONAL REFORMS.

His Excellency the PRESIDENT:—"Before we proceed with the business of the day, I should just like to make a short statement to the Council on a matter which is of interest to them as well as to the Government. The Council are, no doubt, aware that the Government of India have called for the opinion of the Local Government on the joint report of the Secretary of State and the Viceroy; and probably, as Honourable Members are aware, in forming their opinions, the Government are taking pains to consult various bodies and individuals in the Presidency. It was suggested in the beginning of this session that we should have a special meeting of the non-official members of the Council to consider the report. A question was put to that effect on the question paper, and the answer of the Government was that there was no such intention at present. That remains the attitude of Government towards any discussion of the general report—that is, on the whole of the recommendations. At the same time, if there is any feeling on the part of any individual members, that there may be advantage in having a general discussion of the report and if they will be good enough to communicate with me, I will be glad to discuss it with them. So much with regard to the general discussion of the report. I mention that in order to put it aside for a moment after giving you that assurance.

"If any gentleman has got the report with him he will find that there is a special reference to the consultation of non-official members in paragraph 238, towards the end of the paragraph—that is the last sentence on page 115 of the ordinary large copy; Honourable Gentlemen will see this sentence—'On the publication of this report, we should like to see the lists discussed in the Provincial Councils and considered by the Provincial Governments, so that the committee may have ready at hand, considered criticisms upon the applicability of our suggestions to the circumstances of each particular province.' That is the reference to the lists of transferred subjects, of which there are two alternative lists in the appendix. Now there is no overwhelming necessity to have a meeting of the non-official members for this purpose. It is possible that each non-official member could form his own opinion and communicate his own criticism of these lists; on the other hand, it may be of public advantage that we should have a meeting of the non-official members of this Council for the purpose and that we should have some opportunity of hearing their views upon the different details of these two lists in a manner which would not be quite so easy in written communications. The question is how to find such an opportunity. It would be merely a meeting for an expression of views; it is not a meeting for coming to a decision by a majority of votes; it is a meeting to ascertain the general tenor of the views of the different sections of the non-official members. Views may generally vary as to the selection of transferred subjects. A good deal could be said in favour of certain subjects and vice versa. The question is how to find a suitable opportunity for such a meeting about it. The views of the Government will have to be formed before December. I think they should meet to-morrow morning. I do not think we will finish our business before the afternoon. We might meet to-morrow morning. Perhaps this hall will be too large for the purpose. We might meet at Government House and we can have a discussion."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Discussion of what?"

His Excellency the PRESIDENT:—"The discussion of the lists of transferred subjects."

The Hon'ble Mr. P. SIVA RAO:—"It is too soon to have a meeting to-morrow. We have to consult our constituents and consult other members, and therefore to-morrow morning will be too soon. This is a long report; we will have to digest it and consider the several aspects of it. I would request your Excellency to grant a day in November."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"A separate meeting will be better if your Excellency can come down from the hills. This is a matter which may be discussed in one day. The question is whether a general debate could not possibly be arranged. One member may give out his views and another might offer some enlightenment on those views. It will be necessary to take a vote to know the views of non-official members. A debate is certainly desirable. It is certainly better to set apart a day for it—certainly not to-morrow."

His Excellency the PRESIDENT:—"I do not think I have made myself quite clear. The views of the Local Government have to be sent to the Government of India before the 1st of November. The Honourable Gentleman has travelled over a number of points. The first point is to settle the date of the meeting and if we can settle that we can settle the character of the meeting."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Some day in October."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"The Select Committee on the Madras City Municipal Bill is likely to meet about the 23rd September. It will last for four days."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"If the Honourable Members would finish the work in four days, we shall be very lucky indeed. We should be fortunate if we finish our work in a month."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Why not have this meeting in the third week in September?"

16TH AUGUST 1918.] (The President; Mr. Ranga Achariyar; Mr. Thonger;
Mr. A. S. Krishna Rao; Mr. Subbarayalu Reddiyar;
Mr. Rama Ayyangar; Mr. Narasimha Ayyar;
Sir Gordon Fraser; Mr. Ahmad Tambi Marakkayar.)

His Excellency the PRESIDENT:—"It is not so much to give the Honourable Members an opportunity to publish their views—that is not the purpose of the meeting. The purpose of the meeting is to enable the Government to profit by a communication of the views of Honourable Members on these subjects. I do not even propose that this should be a public meeting. I think it is quite an open question whether this should be a public session. It is a meeting of the non-official members only. You will understand therefore if Honourable Gentlemen wish to have this opportunity, we will endeavour to arrange it."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"May I continue? I quite realize the responsible position offered to us to take us into the confidence of Government on a matter of such vital importance, and therefore it is best that we are allowed to discuss the matter amongst ourselves and then come to a conclusion as to what is the best plan. As the advice to be given to the Government should go on the joint responsibility of the non-official members of the Council, we should have an opportunity of meeting and exchanging our views, so that we may consider what is the best advice to be given. That is one reason why some time should be allowed before we meet. The second reason for requiring some time is: I might have some view and when I meet my friends and discuss it with them, they may present other aspects which may incline me to change my view. That will be a matter of advantage. Instead of coming forward with individual views, it is better that we come out with our views with some responsibility. Therefore, I would ask the Government give us two or three weeks' time. I quite realize the urgency of the matter. But the time that is given is too short for us to meet and give our views on a matter of such very great importance."

The Hon'ble Mr. J. H. THONGER:—"I cannot say I have any very great confidence in the meeting that is proposed or the discussion that is suggested, because we may go from point to point and might have a discussion which may be very unprofitable. I would therefore suggest that the non-officials might formulate their views and submit them to the Government either individually or collectively."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I quite agree with the Hon'ble Mr. Ranga Achariyar that there should be a meeting at which we can have a free exchange of views. Your Excellency will have the advantage of a free discussion with the non-official members on the one side and the Members of the Government on the other. As has been suggested, the Select Committee on the City Municipal Bill is to meet on the 23rd September and we might meet some day before that. So far as non-official members are concerned, they might be asked to meet here a day in advance, and come to some understanding."

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR:—"Is it necessary to have a meeting? Will it not be enough if Honourable Members submit their views to the Government? In the meantime members may require time to consult their own friends. Is it necessary to have a meeting of the non-official members either here or at Government House? It is enough if they are given time to consider their views, to consult their own friends and to submit their opinions."

The Hon'ble Mr. K. RAMA AYYANGAR:—"The report itself says that you should have the opinion of the Legislative Council."

His Excellency the PRESIDENT:—"No, no. Not necessarily; you can see the report."

The Hon'ble Mr. K. RAMA AYYANGAR:—"There are two paragraphs. One says 'discussed in the Provincial Councils and considered by the Provincial Governments'."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"It distinctly says 'discussed in the Provincial Councils'."

His Excellency the PRESIDENT:—"May I make a suggestion? The non-official members should meet some time this day—they are all present here with the exception of one or two—and just discuss the matter amongst themselves. There are varying views evidently and we might settle the matter before we adjourn. Would that do?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Yes."

The Hon'ble Sir GORDON FRASER:—"If your Excellency will give a quarter of an hour before the luncheon interval, we might see if we could arrive at a unanimous decision."

The Hon'ble Mr. A. T. G. M. AHMAD TAMBİ MARAKKAYAR:—"As for myself, I have not studied the Reforms Report."

His Excellency the PRESIDENT:—"That is the Honourable Gentleman's fault."

The Hon'ble Sir GORDON FRASER:—"We have simply to decide when we are to meet."

His Excellency the PRESIDENT:—"It is only to discuss the transferred lists. The Council will adjourn at a quarter to two to enable non-official members to confer together on what has been said just now."

The Hon'ble Sir GORDON FRASER:—"It is not to discuss the lists or anything else."

His Excellency the PRESIDENT:—"It is not essential that any Members of Government should be present at this meeting. Non-official members can suit their own convenience. The Government do not wish to stand in the way of non-official members meeting together."

148 RESOLUTION RE COMMITTEE TO REPORT ON PRINCIPLES CONTAINED
IN RECENT RESOLUTION ON LOCAL SELF-GOVERNMENT.

(Mr. Rama Ayyangar ; the President ;
Mr. A. S. Krishna Rao.)

[16TH AUGUST 1918.

The Hon'ble Mr. K. RAMA AYYANGAR:—“Is it to decide whether non-official members shall meet or not?”

His Excellency the PRESIDENT:—“It has been decided that the Council shall adjourn at a quarter to two. The Hon'ble Sir Gordon Fraser suggested that they should meet together and consider what has been said.”

RESOLUTION RE COMMITTEE TO REPORT ON PRINCIPLES CONTAINED
IN RECENT RESOLUTION ON LOCAL SELF-GOVERNMENT.

The Hon'ble Mr. A. S. KRISHNA RAO:—“I have the honour to move—

‘XIII. This Council recommends that His Excellency the Governor in Council be pleased to appoint a committee of officials and non-officials to examine and report upon the principles suggested in the latest resolution of the Government of India on local self-government.’

“It will be remembered that after the Decentralization Commission made an exhaustive inquiry into the subject and formulated their own recommendations they were, in due course, communicated to the local Governments for their opinions. After considering the opinions of the local Governments, the Government of India issued a resolution in 1915 suggesting some modifications in the existing system, laying down some lines of policy and leaving it to local Governments to develop local self-government in their own provinces as best as they could. After the publication of the resolution of 1915, it will be remembered that, on the 20th August 1917, it was announced in the House of Commons that the policy of His Majesty's Government would be the increasing association of Indians in every branch of administration and the gradual development of self-governing institutions with a view to the progressive realization of responsible Government in India as an integral part of the British Empire. The Viceroy, while referring to that declaration in the Imperial Council on the 15th September 1917, stated that there were three roads along which advance should be made, and that the first road to be taken was in the field of local self-government. The Government of India examined that question at considerable length and examined the resolution of 1915, and afterwards formulated a scheme on a liberal scale and that scheme was approved by the Secretary of State. Having made that proposal, this is how they referred the matter to the local Government:—

‘Having received his approval to their recommendations they now desire to intimate the lines upon which they would wish local Governments to move in the direction of more complete local self-government. The Government of India fully recognize that it will not be possible to make all the injunctions formulated below of absolutely uniform application and are, therefore, willing to reserve to the local Governments the power to modify their application in specific cases and for specific reasons, but they expect that in the absence of such specific occasions, a substantial advance should now be made on the lines laid down, and from indications received in the course of their recent communications with heads of local Governments, they believe that the local Governments, each in its own degree, are also anxious to adopt a forward policy in general conformity with the wishes of the Government of India.’

“This is the latter portion of paragraph 3 of the resolution. In the resolution of 1915, they gave a much larger discretion to the local Governments in the matter of the extension of local self-government; but in this resolution of the 16th February 1918, they made their position more definite and expressed their definite intention that it should be extended on the lines laid down, and if the local Government thought fit to vary them, they should do so for specific reasons and in specific cases. It is very clear that some discretion has been given to the local Government in this respect.

“It is now necessary for me to point out some of the recommendations and suggestions contained in the resolution of 1918, so far as this resolution of mine is concerned. Though it does not give complete and full local self-government, that resolution of the Government of India is conceived in a liberal spirit and marks a definite stage in various directions. Among the recommendations contained in this resolution it is definitely suggested that municipal and district boards should contain a substantial elective majority; it is suggested that the elective franchise should be broadened as widely as possible to make the institutions truly representative of all rate-payers; it is suggested that even if officials are nominated to any of the boards, they should be nominated for the purpose of discussion and advice without any right of voting. They suggest that the district officers might utilize the district boards for consultation and work. They state that the chairmen of municipal councils should be elected, though they would not deprive these councils of their power to elect officials as chairmen with the help of non-officials. It is also stated that they should arrange for the election of presidents of district and sub-district boards, it being at the same time pointed out that district boards and taluk boards should have an executive officer appointed by Government and removable with the sanction of Government. They further suggest that so far as municipal and rural boards are concerned, they are free from the various restrictions imposed upon them by the Government in regard to the exercise of their powers. It is suggested that these bodies should be at liberty to impose and vary taxation within the limits laid down in the various Acts constituting those bodies.

RESOLUTION RE COMMITTEE TO REPORT ON PRINCIPLES CONTAINED 149
IN RECENT RESOLUTION ON LOCAL SELF-GOVERNMENT.

16TH AUGUST 1918.]

(Mr. A. S. Krishna Rao.)

It is stated that they must have control over the services paid for by them. It is suggested that the restrictions that these bodies should obtain the sanction of Government for works carried out by them, should be removed, except where the works are carried out with the loan funds. It is also suggested that the outside control over establishment should be relaxed to a very large extent. They definitely suggest, for the purpose of guiding them in matters of local self-government, they should have the assistance of a central body and they made the specific suggestion that a central body should be constituted which co-ordinates the work of local bodies. This is what they say: ‘The Government of India recognize that the powers of Collectors and Commissioners should be maintained but they would suggest for the consideration of the provincial Governments the constitution of a central body which should co-ordinate the experiences of the local bodies and provide improved control and guidance by entertaining further expert inspecting establishments, if necessary. Such a central body should be in direct touch with the Government and might fitly be presided over by a member of the Executive Council where such exists. It should further be considered whether in place of a formal board, there might not be a Standing Committee for local and municipal affairs in direct contact with the Government, to be largely drawn from elected members of the Legislative Council.’ That is the specific suggestion made by them in this resolution. In the case of village panchayats, they enter into a detailed discussion of the circumstances now in force, especially after the issue of the Government order in 1915, and they modify some of the conclusions arrived at in their former order. They suggest that panchayats should be confined to a single village, unless it be that in special cases, two or three villages may be considered a single village; they suggest that these panchayats should receive a definite portion of the revenue and should be given voluntary powers of taxation and that the legislation in regard to them should be simple and elastic.

“I have placed before this Council most of the recommendations contained in the latest resolution of the Government of India issued in February 1918 so as to suggest the desirability of taking a definite action in giving effect to these recommendations. Having made these recommendations, as to the procedure to be adopted, this is what is laid down by the Government of India. ‘It will probably be found on examination that a large part of the suggestions put forward in this resolution can be brought into effect without any change in the existing legislation, and so far as this can be done, action should be taken without further delay. In some provinces, as in Madras, the amendment of the existing law is already in contemplation. In others, as in the United Provinces and Assam, there has been recent legislation which, to a large extent, meets the necessities of the present resolution and it will be for the local Governments in such provinces to determine whether fresh legislation will be necessary at the present time to meet the requirements now suggested. The development of a village panchayat system, where this is undertaken, should in any case be secured by separate legislation unconnected with the Acts relating to municipal and rural boards.’ It will be within the recollection of the Council that recently a committee was appointed by an order, dated the 24th June 1918, of the Council that recently a committee was appointed by an order, dated the 24th June 1918, to examine the Municipal Account Code and the Local Fund Account Code and to make specific recommendations to remove the restrictions on and to increase the powers of local bodies in that respect. Among the recommendations contained in the Government of India resolution of 1918, there are some which relate to the increased powers of these bodies in connexion with the restrictions contained in the Municipal Account Code and the Local Fund Account Code. And to that extent, it will come within the purview of the inquiry of that committee so far as such portions of the resolution are concerned, and it is not necessary to appoint another committee or to make a further reference to that committee. Even accepting this portion of the resolution which relates to the budget, there are matters in which the labours of a committee would be useful.

“The question for this Council to decide is whether a committee should be appointed. It will be found that most of the recommendations which will have to be considered are those relating to the constitution of these local bodies. First taking the question of the increase of elective strength—I am aware that Government have made a reference to various local bodies as to whether they desire an advance—the Government have called upon the local boards as to whether they would suggest the elective strength to be two-thirds of the total number and the replies to that reference must have been received. It must also be stated that the question of elective franchise is being inquired into. In connexion with the District Municipalities Bill and the Local Boards Bill, some committees were appointed and they were at work and considered certain suggestions and those suggestions are now under the consideration of the Government. Though in respect of some of these matters, these questions have been considered by the Government, in some cases with the help of the committees appointed, while the District Municipalities Bill and the Local Boards Bill were under consideration, it is not certainly clear that these recommendations must have been made before the recent resolution of the Government of India was published? There is a good deal of difference between the suggestions which must have been made after the recent resolution of the Government of India reviewing that of 1915 was published and those made before that date. I would therefore draw the attention of the Hon'ble Mr. Rajagopala Achariyar to this circumstance, that the non-official members who sat in the committees to advise in the preparation of these Bills, made their suggestions regarding the strength of the local bodies, without having before them the specific suggestions made herein; and one of the particular suggestions made herein is that to secure the experience of persons who are officials, it is not necessary that they should be members with the right of

150 RESOLUTION *RE* COMMITTEE TO REPORT ON PRINCIPLES CONTAINED
IN RECENT RESOLUTION ON LOCAL SELF-GOVERNMENT.

(Mr. A. S. Krishna Rao ; Mr. Rajagopala Achariyar.) 16th August 1918.

voting, but they might be appointed for the purpose of consultation and advice without a vote. If this aspect of the problem had been before the Government or those who made the suggestion regarding the strength of these bodies, the recommendations they made must have been different. It may be found also that in reply to a question put by my Honourable Friend Mr. Siva Rao it was pointed out that so far as the Madras District Municipalities Bill and the Madras Local Boards Bill were concerned, they were being examined in the light of the recent resolution of the Government of India. It is observed in reply to question No. 170—'The Madras District Municipalities Bill and the Madras Local Boards Bill will be submitted to the Government of India shortly. It cannot be definitely stated when these Bills will be introduced in the Legislative Council. The two last-named Bills are being re-examined in the light of the recent resolution of the Government of India.' Therefore, it would not be an answer to my suggestions to say that while the Bills were under preparation on a former occasion there was the advice and assistance of committees, when the Government have themselves found it necessary to re-examine those Bills in the light of the recent resolution of the Government of India. I would follow the position taken up by the Government of India and say whether the re-examination of the matters dealt with in those Bills could not be better conducted with the aid of a committee specially appointed for the purpose.

"It may be suggested in reply that the suggestions made by the Government of India are directions and that the local Governments are expected to carry out their recommendations. And therefore why do you suggest the appointment of a committee? My Lord, I would remind the Council in this respect that some of the answers given to questions put at this meeting show that there is a necessity for a committee to advise them in connexion with that resolution. The Hon'ble Mr. Siva Rao put a question at this meeting asking the Government whether they would give effect to the recommendations contained in this resolution about district officers being put on district boards for the purpose of advice and consultation. The answer of the Government is that they did not propose to take any immediate action in the matter. I am aware that the word 'immediate' is the substantial idea and is so comprehensive as to bring in anything in its sphere. I am aware it may be suggested that it may take some time for district boards and local boards to be developed in the manner suggested in the resolution and then it would be time enough for the Government to take action. But is it not right to try and give effect immediately to the principles enunciated by the Government of India in regard to the constitution of local boards? Is it not a proper thing to appoint a committee and ascertain their views? That is so far as the questions which were before the former committees are concerned.

“There are really some questions which are of vital importance and which, I believe, will have to be considered by the committees formerly appointed in connexion with the District Municipalities Bill and the Local Boards Bill. I have suggested that even where committees were formerly appointed, it is a great advantage to have their views subjected to a re-examination. I propose that with regard to the proposals contained in the recent resolution in regard to other matters, we should have a separate committee altogether. A specific suggestion is made in the resolution as to the appointment of a central body which might correspond to the local Government Board or a Standing Committee largely drawn from the elected members of the Legislative Council.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Which paragraph? I know it is in the resolution."

The Hon'ble Mr. A. S. KRISHNA RAO :—" You will find it in paragraph 18. That is an important question which could not be considered with the help of the mixed committee appointed on a former occasion. That is a very important matter which can only be satisfactorily settled, not merely by correspondence through the official channels, but by active co-operation with the representatives of the people.

"Again, it will be remembered that in respect of the legislation with reference to village panchayats, the matter could not be considered by any of the committees appointed on a former occasion. So far as this is concerned, may I draw the attention of the Council to the debate that took place on the resolution moved by the Hon'ble Mr. Ranga Achariyar about the drawing up of a Bill for the constitution of the village panchayats. The question was discussed at considerable length and it was suggested by the Honourable Member for Government that they require some more experience; and it was pointed out that some attempts have been made in forming involuntary panchayats and we should wait for the result for a long time. So far as this portion of the resolution is concerned, the suggestion is definitely clear and there is no reason for delay whatever. In the case of informal panchayats, it will be curious to find that it is not proposed to take any immediate action in the matter; but that the Government are willing to allow the matters to lie over for a fairly long period.

"The Hon'ble Mr. P. Siva Rao has asked the Government for some information with reference to these informal panchayats. In question No. 171, at this meeting he asked: 'Will the Government be pleased (a) to furnish a list of all the "informal panchayats" organized in the province; (b) to state whether any reports have been received as to their working; if so, to place them on the table; if not, to call for the reports and also (c) to state whether any money has been hitherto sanctioned to "finance" them; if so, how the money has been distributed?' In reply to that, the Government have stated:— "(a) The Honourable Member's attention is invited to the statements laid on the table in reply to questions Nos. 12 and 74 asked at the

**RESOLUTION *RE* COMMITTEE TO REPORT ON PRINCIPLES CONTAINED 151
IN RECENT RESOLUTION ON LOCAL SELF-GOVERNMENT.**

16TH AUGUST 1918.] (*Mr. A. S. Krishna Rao ; Mr. Rajagopala Achariyar ;
Mr. Siva Rao.*)

meetings held on the 2nd April 1917 and on the 3rd April 1918, respectively. (b) The Government have not yet received any report and do not propose to call for reports before December 1918. (c) G.O. No. 178, Financial, dated the 13th March 1918, sanctioning a grant of 1.25 lakhs to district boards in 1917-18 for aid to informal panchayats will be placed on the Editors' table." I would leave it to the Government to consider whether in respect of this resolution which definitely makes an alteration in the policy laid down in the resolution of 1915, as to the attitude of the Government of India, the statement that they would not even call for a report before December, is calculated to.—"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (*interrupting*):—"We have already called for the reports. The reports are due in December. Probably the wording of the answer is not quite correct."

The Hon'ble Mr. A. S. KRISHNA RAO (*continuing*):—"Probably the answer is not quite correct. The answer is "The Government do not propose to call for reports before December 1918," so that no report will be before the Government even in regard to informal panchayats; they might be received in the course of some time and it will be long before any definite steps can be taken. If the Government are prepared to take immediate steps for carrying out some of the recommendations contained in this resolution, the co-operation of non-officials must be secured in order to enable them to proceed without any further delay. I would, therefore, suggest that there should be no delay in the appointment of a committee. It is because of the answer given to the question that the Government are not likely to take immediate action, that it is necessary to press this aspect of the problem. I am quite sure that the Member for Government would agree with me that there are some questions such as the appointment of a central body, the desirability of appointing an executive officer corresponding to Commissioner not only in district boards but in taluk boards—these are important matters which require careful consideration. I know reference has been made to district boards—whether they would advocate the appointment of a commissioner—and also to local boards. I know for one thing that this reference must take some time, because district boards have to call for the opinions of taluk boards. Let us take it that their opinions will be before the Government at the earliest date. This is a matter of definite policy which will have to be considered in the light of all shades of opinions, with the co-operation not only of officials but also of non-officials. In the consideration of this question of policy, it is for the Member of the Government to consider whether they will adopt the usual official channels and decide the matter in the Secretariat without giving an opportunity to the people to consider how things are going to be settled. As it is a matter concerning the Local Self-Government, I submit that it is one which should be decided with the advice of non-official gentlemen. This resolution of the Government of India contains several questions which will have to be examined, while there are old questions which require re-examination, and undoubtedly the examination of the new points raised in the resolution requires the appointment of a committee."

The Hon'ble Mr. P. SIVA RAO :—“ I rise to second the resolution. I myself sent up a resolution to the same effect—that immediate effect be given to the most recent resolution of the Government of India, but I was late by one day and I regret to say that my resolution was disallowed. However, it is some consolation to me that after all this subject has come up for discussion in this Council in some form or other. I must say that this is an urgent matter. I myself expected, when I read the recent resolution of the Government of India, that the first step the Government would take would be to appoint a committee and to refer to them various matters involving far-reaching changes raised in the resolution for the consideration of that committee. Your Excellency, if I were asked to quote a precedent in favour of the step which we are urging, we need not go far enough, because the Bombay Government has already done it, and the report of the committee has been sent up and is pending consideration at the hands of the Local Government. Other provinces have also, I believe, appointed mixed committees of officials and non-officials, and they are deliberating over the far-reaching changes that have been suggested ; but it is a regrettable thing that this Government have not moved in the matter. It may be that they made some references here and there, but as regards the general resolution itself they have not taken steps to consult the non-official opinion, in order to enable them to make up their own mind. I am sure that the Government will be glad to take up the changes, the details of which were given

them to make up their own mind.

"Before proceeding further, I must sum up the changes, the details of which were given by the Honourable Mover—I must sum up the general effect of the changes in the words of the illustrious framers of the report on Indian Constitutional reforms. In paragraph 188 of the report, the first formulae they laid down is "There should be, as far as possible, complete popular control in local bodies and the largest possible independence for them of outside control." The same policy has been enunciated in detail in the recent resolution of the Government of India. The question we have to consider is how far that policy can be adopted in this province. The effect of these changes comes to this that the Government of India propose to confer almost complete autonomy on local bodies. This is the most important of the proposed changes. Can that be done without the consultation of non official opinion in the matter? I must say one important change that is proposed in the recent resolution of the Government of India is to make these councils contain a substantial elective majority. The maximum now provided in the District Municipalities Act is three-fourths, which has not been reached in most cases, and it is for the Government to consider what will be the elective substantial majority, in the case of municipalities and also in the case of district boards and taluk

152 RESOLUTION RE COMMITTEE TO REPORT ON PRINCIPLES CONTAINED
IN RECENT RESOLUTION ON LOCAL SELF-GOVERNMENT.

(Mr. Siva Rao.)

[16TH AUGUST 1918.]

boards. Now the other change equally important is to broaden the elective franchise, to extend the present system of franchise. The Government have seriously to consider how they will extend the franchise and what should be the minimum qualifications of voters and what should be the minimum qualifications of candidates. These are two matters of importance regarding the constitution of these bodies which have to be considered. There is another important question—whether officials should or should not be allowed to stand for election and again whether they should be allowed to take an active part in the proceedings of these bodies by voting. The Government of India propose that in the case of municipalities or taluk boards, or district boards, there must be a substitution, not a gradual substitution; and the line laid down is the immediate adoption of the change, not a change to be brought about in the course of a century. They say that, in their view, the time is come for the carrying out of these changes and it is for the local Government to say 'yes.' to this proposition. The Government cannot possibly impose this policy on local bodies. When the Provincial Governments, especially the Provincial Councils are to be made more autonomous, the Government would not dictate to the Provincial Governments what they should do to further the development of local self-government; they will simply satisfy themselves with laying down the broad lines on which the progress should be made and it is for the local Government to make up their mind as to how far they would carry out the suggestions contained in the resolution.

"Going further, there is a most important subject, namely the budget, the power of the purse which municipalities and local boards should have, subject to the minimum balance being maintained. They are to have a free hand in framing the budget, subject to this condition; and this provision was also introduced in the Madras City Municipal Bill. The Government of India say that this principle should be applied to the mufassal municipalities also. Hereafter the Government will not have the power to interfere with the allotments made by local bodies so long as the minimum balance is maintained, and it shall not be open to Collectors and divisional officers to interfere with the various provisions of the budget nor will it be open to the Surgeon-General or Director of Public Instruction or any other officer such as the Sanitary Commissioner or the Sanitary Engineer to interfere with the discretion of local bodies in this matter. Lastly, the other important change that is recommended is as regards district boards. In the opinion of the Government of India, the time has come when district boards should be made more representative and must be utilized not merely for the purpose of advising the Collector in local matters, but also in general matters of administration. I got a very disappointing reply the other day from the Government. I asked whether the Government would be pleased to give immediate effect to this recommendation. They gave me a very laconic reply—a very literal reply no doubt it was and I am sorry for it—that they have no present intention of giving immediate effect to it. Beyond that, they do not throw any further light on the subject. Such answers as this, literal though they may be, will not satisfy anybody.

"Then there is the question of the local self-government board or the Standing Committee drawn from the Legislative Council. Lastly there is the most important reform with regard to village panchayats. They say that, so far as possible, they should be started at once and be given administrative powers. The whole question of village panchayats is a very complicated one. The question is what is to be their constitution, how to finance them and who is to control them? Would not the Government do well to have a committee and ask them to help in formulating their views.

"It may be said that we have been doing all these matters ourselves and we have always done what we can in the best interests of local self-government; we have raised the strength of the elective majority in so many municipalities." They may say "Here are the statistics showing that out of 72 municipalities, 64 enjoy the elective franchise and out of 96 taluk boards, 48 have the privilege of non-official presidents." Such assurances I do not think can hoodwink anybody who has had to deal with the history of local bodies. These reforms have been long overdue; the provision made in 1884 for having non-official presidents of taluk boards and district boards by election is carried out only in the year 1918 and credit is taken for it—that the Government are alive to the development of local self-government. I remember the discussion in 1917 when I struggled hard to have one non-official president for one single district board and that too as an experimental measure. I lost my resolution by one mark so to speak, or by one vote. I asked for a poll and I secured 19 votes, and I remember the memorable words uttered by the Hon'ble Diwan Bahadur Rajagopala Achariyar, the oracular, "not yet." Within three months, there was a "metamorphosis" to use the word, which has been used in some other connexion on the first day and there was an announcement to have non-official presidents in four district boards. This is the halting and hesitating policy that has been pursued in the matter of local self-government. If that be so, are we not justified in asking the local Government, knowing that the circumstances have altered and that there has been a change in the angle of vision, to give immediate effect to the recommendations of the Government of India. Look at the disparity between the resolution of the Government of India issued in 1915 and the resolution issued in 1918. In the year 1915, the Government of India would not force their own ideas; it was said that it was all a matter for local administrations, and they did not want to fetter the discussion of local Governments and allowed them to carry out such improvements as they liked. But in the year 1918, as I said, there is a sudden reversal of that policy. They were now trying to force the hands of the local Government. They have made more specific recommendations and in some cases they have given directions also. What objection can there be to a committee of officials and non-officials being appointed,

RESOLUTION RE COMMITTEE TO REPORT ON PRINCIPLES CONTAINED 153
IN RECENT RESOLUTION ON LOCAL SELF-GOVERNMENT.

16TH AUGUST 1918.] (Mr. Siva Rao; the President; Mr. Rajagopala Achariyar.)

as soon as possible, to consider the matter and to submit a report? The local Government may then review that report and lay down their policy as early as possible or to issue instructions to carry out the directions of the Government of India as loyally as possible. I would ask the Government to carry out the resolution of the Government of India loyally and not to throw it into the back-ground for one reason or the other.

"I should like to refer to the attitude of the local Government with reference to village panchayats. In Bengal, the Hon'ble Sir S. P. Sinha has introduced a Bill and they have done a similar thing in the Punjab. I have been asking for it at several meetings; to call for reports from Collectors and Divisional Officers regarding the working of informal panchayats; but the Government decline to do so; how can they get along without finance or without the power of taxation? Therefore, 99 out of 100 informal panchayats are not working; they are shams and unrealities. They cannot do anything without finance. The Government have said in reply to my question that they would get the reports by December 1918. Why do you give the month of December for reports? Why not call for the reports in September? I still remember the speech of Your Excellency delivered in May 1917. Your Excellency assured us that you had the best interests of local self-government at heart and that the local Government would do everything in their power to extend—never mind other questions of Home Rule and responsible Government—local self-Government and this is the foundation upon which the whole superstructure is to be built by the illustrious framers of the report on Indian constitutional reforms. This foundation must be raised. But the Government of India say that the progress has been slow; they say that there has been a lamentable lack of enthusiasm both among the non-officials and officials in the matter of local self-Government. Can there be a sadder commentary on the way in which we have been working? Let me not single out what has been done either by the people or the Government. These matters have to be liberally construed. What is it that my Honourable Friend has asked? Only the appointment of a committee; we, who have had some experience of local self-Government, say that we are prepared to assist the official Members of the Government, though we may have to come from Gōdāvari or Waltair, why do you refuse to take our help? I moved for the appointment of a committee in April this year. The Decentralization Commission which trotted up and down the country and spent a large portion of the tax-payers' money came to certain conclusions and they sent up their reports in the year 1910 and that report was considered in 1915. To this day it remains a dead letter. In April last, I read all their recommendations in respect of taxation and of services under the control of the local bodies and I ask the Government to give effect to them. They agreed to do so, but when I looked at the reference to the committee that was appointed, I find that they were asked to revise the Municipal Account Code and the Local Fund Account Code."

His Excellency the PRESIDENT (interrupting):—"The Honourable Gentleman has considerably exceeded his time."

The Hon'ble Mr. P. SIVA RAO:—"The committee were asked to consider only the restrictions imposed by the Local Fund Account Code and the Municipal Account Code. It does not matter whether we get the power to appoint a man on Rs 25 or on Rs, 20. The committee is already there and there is nothing lost by utilizing that committee by widening its terms for purposes of the proposed committee reference. The committee is to meet on the 17th September."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the resolution is for the appointment of a committee of officials and non-officials 'to examine and report upon the principles suggested in the latest resolution of the Government of India on local self-government.' In seconding the resolution the Hon'ble Mr. Siva Rao has devoted the greater portion of his speech to finding fault with us for the circumstance that though the Local Boards Act passed in 1884, provided for the appointment of non-official presidents of district boards and taluk boards, that provision was brought into operation only in recent years. I am not at present concerned with answering that indictment. If it were intended to bring a general indictment against Your Excellency's Government for slow progress in the past, I submit that the resolution should have been differently framed. But I am bound by the rules of the Council to deal with the resolution on the paper as it is and I shall not be led away because the Honourable Member has travelled outside his resolution—I shall not follow him in that direction even in the agreeable task of defending Your Excellency's Government against the unwarranted indictment.

"Taking up the resolution, the resolution recommends to Your Excellency's Government that we should appoint a committee of officials and non-officials to examine and report upon the principles suggested in the latest resolution of the Government of India on local self-Government. I would, first of all, point out that the Government of India is an authority over us, over Your Excellency's Government and also over this Council; and their resolution is for us to adopt. I quite recognize that there is a certain amount of elasticity in that resolution. Wherever there is a discretion in the resolution, by all means let us use that discretion. The resolution of the Government of India is a mandate from a higher authority, directing us to proceed in certain directions, in administering a department of Government. But the Hon'ble

(*Mr. Rajagopala Achariyar.*)

[16TH AUGUST 1918.]

Mr. A. S. Krishna Rao says 'let us appoint a committee of officials and non-officials to examine this question.' I should like to know what the authority of the committee of officials and non-officials is to be. Can they examine the resolution coming from the supreme Government? Assuming that this committee told us not to act upon that resolution in certain directions, would it be open to us to act upon their recommendation? My first point is that it is a wholly erroneous move to suggest to this Council that they should make a recommendation to Your Excellency's Government to appoint a mixed committee of officials and non-officials to examine the resolution coming from the Government of India, to examine the principles it contains and to submit a report upon those principles. I would first of all point out that the principles laid down by the Government of India are the principles laid down by a higher authority. They are binding upon us. It is our function to carry them out. Therefore, ordinarily the Government must wholly demur to this proposition, that we should take it upon ourselves to subject their resolution to a very critical analysis and a careful examination at the hands of a mixed committee of local officials and non-officials, to see how far that resolution is right or how far it is wrong. If we appoint a committee to consider and report upon that resolution it is open to the committee to say that this principle is right and that principle is wrong. So far as Your Excellency's Government are concerned, they cannot be a party to any such thing. I recognise that probably, the Honourable Gentleman did not mean exactly that; and what he probably meant—I gather that from his speech—was that this committee would be in a position to communicate to the Government how they should carry out the resolution of the Government of India, in which case it would have been more convenient if the resolution had been worded more in accordance with such an intention. But here we have to deal with the resolution on the paper as it is. It is my duty to object to the resolution whatever may be the intention of the Honourable Mover.

"Though there are several points on which we have not yet come to a conclusion, the general conclusion that we have come to is that the resolution of the Government of India is unexceptionable and must be carried out. We find that we have been doing most of the things which the Government of India have asked us to do. We started doing them before the resolution of the Government of India came to us and it was a satisfaction to us that what we were doing were on the lines laid down for us subsequently. What we are now doing is to carry out the wishes of those in authority above us. If the Honourable Member could convince me that a mixed committee could really advance matters in this respect, I would most gladly agree to it. Honourable Members are aware that we have not been chary of appointing committees so far as the local self-government departments are concerned. When the District Municipalities Bill had to be considered, we had a committee on which there were several experienced chairmen, such as the Hon'ble Mr. A. Subbarayalu Reddiyar and the Hon'ble Mr. Ramachandra Rao and several others and that committee gave us great help, and afterwards we had another committee to examine the Local Boards Bill. Now a third committee is examining the Local Fund and Municipal Account Codes. The Hon'ble Mr. Siva Rao has spoken disparagingly with reference to that committee by saying 'what does it matter whether a local body can appoint men up to Rs. 20 or Rs. 25?' With all deference to him, it does matter. He will find that 90 per cent of the restrictions against which local bodies are complaining are restrictions in matters of detail; they are restrictions imposed by the codes and not by the law; I am sure that the Hon'ble Mr. Narasimha Ayyar who moved a resolution on this very subject a year or two ago will bear me out that with local and municipal bodies, these things are not such small things as the Hon'ble Mr. Siva Rao is apparently inclined to imagine. Such things do matter to them. When we have had three committees, if we can only be convinced that a fourth committee would advance matters, nothing would give us greater pleasure than to consent to the appointment of such a committee. I have carefully followed the speech of the honourable mover which was carefully thought out and I am convinced that a committee can do no good.

"To show that, I would, if the Council would permit me, take up the resolution of the Government of India and indicate to you, as I go on, how these things are being done or have been done; and that in any case a committee could not advance matters. The Honourable Member has read some portions of the resolution. The first question taken up by the Government of India is that of an elective majority on boards. This is what the Government of India have said. I am only reading a portion of it: 'The Government of India are now of opinion that as a general principle the Commission's proposals in favour of a substantial elective majority, both as regards municipalities and as regards rural boards, should be accepted and carried out by the local Governments.' In regard to that, I would say we have not only accepted that principle, but we have been carrying it out for a considerable length of time, and I have got the figures showing what we have done. We took up the councils and boards one after another and a reference was made to them to state how they stood and what their wishes were in regard to their constitution. Honourable Members will agree with me that that is the correct course. With all deference to non-official members here, after all local boards and municipal councils have the first right to be heard as to how their constitution is to be altered; and there is no use our sitting here and saying we will decide whether the South Kanara District Board is to have a majority of two-thirds or three-fourths of elected members. It is for them to say how they will have their constitution altered. We hear often of what is called the principle of self-determination; I plead for the acceptance of that principle in regard

16TH AUGUST 1918.]

(*Mr. Rajagopala Achariyar.*)

to local bodies. I venture to ask Honourable Members to agree to the exercise of that principle by local bodies. Reference was sent out to district boards and municipalities—I am not giving you any old figures. It went on 2nd February. So many as thirty municipalities have given their replies. We had in the Bezvada Municipality twelve elected members and eight nominated members and we changed them to fifteen elected members and five nominated members. In the Cuddalore municipality there were twelve elected members and eight nominated members. We raised the strength of the Council and also gave them eighteen elected members. The strength of the Conjeevaram Municipality was raised from 20 to 24. They had ten elected members and ten nominated members, and when we raised the total strength to 24, the nominated element was reduced to eight and the number of elected members was fixed at 16 as against the original 10. As regards Kumbakonam—I am sorry that the Hon'ble Mr. Ramanuja Achariyar is not here as he will be glad to hear what I have to say—Hon'ble Mr. Ramanuja Achariyar is not here as he will be glad to hear what I have to say—Hon'ble Mr. A. Subbarayalu Reddiyar will bear me out when I say that when we made a reference to the district boards and taluk boards, we asked the district boards to ask the taluk boards the question as to what should be their strength and next what percentage should be elected and we also asked the district boards what should be the strength of district boards and how many members should be returned by the taluk boards. These are naturally local matters which have to be discussed with regard to the circumstances of each locality. We asked these boards for these particulars and replies have been received from as many as 16 boards. I am not one of those who believe that there is any particular virtue in a three-fourths or a two-thirds elected majority. What is aimed at is a substantial majority, and we have made no attempt to dispose of all the replies together. As each reply came up, we at once passed orders. We have received a reply from Anantapur which is a constituency of the Hon'ble Mr. P. Siva Rao; the total strength was 32 and the elective strength was 16. We retained the total strength, but raised the elective strength to 24. In North Arcot the total strength was 36, and the elective element was 18, that is one half. We retained the total strength but raised the elective strength to 24. With regard to Bellary—another of the constituencies of the Hon'ble Mr. P. Siva Rao—the total strength was 36 while the elective strength was 18. We retained the total strength but raised the elective strength to 24. In Tinnevely we had the elective strength at 18 out of 24; but we raised the total strength to 36 and the elective strength to 24. I quote these figures to show that we have been proceeding in the direction of raising the elective strength of local bodies. If Honourable Members would wait till the end of the year, they would find, taking the municipalities and local boards, that these have a substantial elected majority. The majority will vary from two-thirds to three-fourths. The most advanced will have a majority of three-fourths and the less advanced will have a majority of two-thirds; and where the councils are quite new, we put the elective strength at one-half. What could a mixed committee of officials and non-officials do in this matter? We are telling the local bodies proposals and issue notifications. This is not a matter to be dealt with by a mixed committee of officials and non-officials, passing vague and general resolutions. That will not do. We have to carry out the policy of ascertaining the views of local bodies and acting in accordance with them as far as possible.

"Then the Government of India say: 'As regards the special representation of minorities where this is necessary, the Government of India would prefer that this should be effected by retaining the practice of nomination rather than by introducing some system of communal or proportional representation.' That is how it now stands. We have not got communal elections; and I do not want to go into that thorny subject. The Hon'ble Mr. Yaqub Hasan Sahib has a different opinion. The state of affairs that we have is in accordance with the declared wishes of the Government of India; and it is our duty to abide by these wishes.

"Then the Government of India say: 'It has been suggested that apart from the officials who would count as supernumeraries under the above arrangement, the proportion of nominated members on a board should not ordinarily exceed one-fourth; and it will be open to local Governments to adopt a standard of this character, but the Government of India recognize that in the case of boards to which the elective system has not hitherto been applied there may be local opposition to the immediate introduction of election on so extensive a scale and the proportion of nominated members on boards must necessarily vary from place to place.' That is just what we are doing. I believe Honourable Members are aware that this is the general principle that has been adopted by us and communicated to all boards so early as February 1918. This resolution was issued in May 1918. I mention that fact to show that it is not a question of our hands being forced. It is an old policy of this Government to bring about the substitution of election for nomination and we are pushing that everywhere as much as possible. We have been making progress; sometimes the progress may appear to be slow due to local conditions. Honourable Members are aware that there have been set-backs and several municipalities which had a strong elective element had to be suspended. The Hon'ble Mr. Ranga Achariyar knows that was the case with Kumbakonam. Where we have a large number of local bodies, we cannot make them march to the tune of a particular regulated

156 RESOLUTION *RE* COMMITTEE TO REPORT ON PRINCIPLES CONTAINED
IN RECENT RESOLUTION ON LOCAL SELF-GOVERNMENT.

(*Mr. Rajagopala Achariyar ; Mr. Narasimha Ayyar.*) [16TH AUGUST 1918.]

strength. I would commend to the Council the wise words of the Government of India that they 'recognize that in the case of boards to which the elective system had not hitherto been applied, there may be local opposition to the immediate introduction of election' and so on.

“Then there is the question that a certain proportion of the members should be co-opted and hold office for a period longer than the ordinarily prescribed period. In the District Municipalities Bill over which a committee sat, a provision did exist for introducing a system of aldermen, whereby those who would not care to stand for election might be nominated; it was therein provided that the council itself, as a body, should be permitted to nominate certain members, as municipal councillors. This is really an old idea and not a new one. The Hon'ble Sir P. S. Sivaswami Ayyar put it in the Municipal Bill; but when the matter came up before a mixed committee of officials and non-officials—unfortunately the Hon'ble Mr. A. S. Krishna Rao the Hon'ble Mr. Subbarayalu Reddiyar was himself a member and he knows it—there was strong opposition to it; they all said that this would enable the dominating party in a council to perpetuate themselves by appointing a number of their own friends. I see that the Hon'ble Mr. B. V. Narasimha Ayyar agrees with that view. That was a provision which the local Government put in, and that is the very thing now suggested by the Government of India; but until the test was applied, as to whether it would be agreeable to the members, that aspect of the matter which was placed before the Government by the committee, never struck me. Later on during the last month when I went round the districts of South Arcot and Trichinopoly I met several district boards and local boards; they did not know what opinion I held. I asked them what they thought of the system of aldermen; every one of them opposed it. I am merely mentioning this to show that it is not always safe to follow a general rule in regard to a matter like this. Here taking the co-opted members, what has a mixed committee of officials and non-officials to do? They will say 'let us have it or let us not have it.' Suppose they say 'let us have it,' we are met by the opinions of local bodies who would not have it. But if they say 'let us not have it' they will be saying merely what the local bodies are saying. I am going into this matter, somewhat minutely, and I hope I am not wearying you. It is not clear, therefore, what a mixed committee of officials and non-officials can do in connexion with this matter.

"We now come to the extension of the franchise. The Government of India say in paragraph 6 :—'In accepting the proposals of the Decentralization Commission with regard to the provision of a substantial elected majority on local bodies, the Government of India desire to add the important corollary that the franchise for such election should be sufficiently low to obtain constituencies which will be really representative of the body of the rate-payers.' That is a proposition which has my entire concurrence. What have we done in regard to that? This is what we have done. Taking the municipal areas, you will find that the rule now is :—no person should be qualified to vote unless he is of the male sex, has attained the age of 21, etc ; and in regard to property qualifications, he must have a monthly income of Rs. 50 or he must be the registered owner or occupier of a house, the rental value of which is Rs. 48, or he must be assessed to profession-tax, except in the last class, or he must be assessed to income-tax and so on. That is the existing rule. The Government have now notified that they propose to reduce the franchise ; what they are doing is so to reduce the franchise as to enable every person to be a registered voter or candidate who is assessed to the profession-tax, to the tax on buildings and lands and who is a registered holder of any building or land which is taxed or is the occupier of premises assessed to the building and land tax. That is, every person who pays profession-tax or house-tax becomes a voter and he could also stand as a candidate. Every man who pays a land tax or house-tax becomes a voter and he could also stand as a candidate. Every occupier, who need not even pay a tax, of a building or land which is paying tax, becomes a voter. How can you go any further? Every human being who contributes to the municipal revenue becomes a voter ; and even if he contributes half a rupee, he could be a voter and stand as a candidate. The result of that change will be to increase the number of voters very largely.

"What about local boards? So far as they are concerned, the district boards get their strength from the taluk boards. We have made a number of changes in regard to taluk boards and I will not trouble you with enumerating them. We have compiled approximate figures for this debate which will show you what sweeping changes we have made. I will take the Honourable Member's district—the Nellore district. The number of voters in the Nellore Taluk Board is 392, but under the changes we have made, it will be 2,447, that is, seven times the original number. As regards Kavali, the number has been raised from 593 to 2,543. With regard to Satur, the number has been raised from 586 to 5,772. The Hon'ble Mr. Graham tells me that these changes have already taken place. Considering the large lowering we have done —"

The Hon'ble Mr. B. V. NARASIMHA AYYAR (*interrupting*):—"Is it the lowering of qualifications from Rs 50 to Rs. 30?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“ Yes. I may tell you that with regard to the Sērmadēvi Taluk Board, we have raised the number of voters from 781 to 4,951 and as regards Vizagapatam, the number has been raised from 2,692 to 5,900. I mention

RESOLUTION *RE* COMMITTEE TO REPORT ON PRINCIPLES CONTAINED 157
IN RECENT RESOLUTION ON LOCAL SELF-GOVERNMENT.

16TH AUGUST 1918.] (*Mr. Rajagopala Achariyar ; Mr. Narasimha Ayyar ;
the President.*)

these things to show you that we are going on in some respects, not slower than we should do, but probably faster than we should do. My point is: what is a mixed committee of officials and non-officials to do in this matter? I am sure that if the Hon'ble Mr Ramanuja Achariyar were on this mixed committee, he would object to this great lowering of this franchise. He will come into conflict with the decision of the Government of India which I am bound to support. I am sorry, your Excellency, that I have largely exceeded my time."

His Excellency the PRESIDENT:—"I am sure that the Council would like you to go on."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" This is the only opportunity we have of stating what we have done."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—“ We should like to hear you.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYAR :—"I have told you what we have done in regard to the constitution of the councils and boards, and how we have gradually increased the elective element and how we have, to an almost revolutionary extent, lowered the franchise. As regards the elective headships of municipalities and district boards, this is what the Government of India say : ' In dealing with the appointment of chairmen in municipalities the Decentralization Commission desired that the municipal chairmen should ordinarily be elected non-officials, that Government officers should not be allowed to stand for election and that if a nominated chairman was required, an official should be selected. The Government of India in their Resolution of 1915 accepted this view, subject to the qualification that in special cases in which it was necessary to nominate the chairman (election being the ordinary method) discretion should be reserved to local Governments to nominate non-officials as well as officials, and subject also to the further condition that although boards should not be absolutely prohibited from electing officials, the election of an official should be a special matter requiring confirmation by the Commissioner or by some higher authority. It may be roughly laid down that at the present time one-third of the chairmen in municipalities in India are nominated officials, one-third are elected officials and one-third are elected non-officials, but certain local Governments have latterly evinced a desire to increase the proportion of elected non-official chairmen within their respective areas. The Government of India accept the proposals of the Decentralization Commission as qualified by the Resolution of 1915 on the understanding that when an official is elected to be a chairman the election should be by a majority of the non-official votes.' As I told the Council yesterday, out of 72 municipalities, 60 have non-official heads and only 12 have official heads. Out of these 60 municipalities, 39 have chairmen who are elected by the councils. In addition to that there are three councils with paid chairmen - also non-official elected chairmen; they are not technically elected, they are chosen by the council and formally approved by the Government. It is true that we have eight councils which have nominated official chairmen. Does that not show that we have been pursuing a policy of putting non-official heads in lieu of official heads? Does it not show that we are not particularly keen about allowing officials to stand for election? I remember only two chairmen who are elected officials, both of them being paid chairmen. It cannot be said that we are rushing officials in. That is not our policy. What we have done is what the Government of India have prescribed. This is what we were doing before the resolution of the Government of India came.

“The Government of India further say: ‘The Decentralization Commission, however, indicated that in the larger cities it would be desirable to adopt the practice which has been worked with success in the city of Bombay. In order that the large amount of every day administration necessary should be efficiently carried on, this administration is in Bombay placed under a special nominated Commissioner, who is, however, subject to the general control of the corporation and of its standing committee. This proposal was commended in the Resolution of 1915, and it appears to the Government of India to be worthy of consideration.’ That is what we have done in regard to the Madras Corporation. That was also proposed in the case of some of the larger municipalities in the mufassal; but, as the Hon’ble Mr. Subbarayulu Reddiyar would bear me out, the mixed committee which sat on the Municipal Bill took strong exception to it, and the result was that we had to give it up, not because it was not right, but out of deference to the wishes of the non-officials on the committee, who strongly objected to the change. Notwithstanding the preference of the Government of India for a Commissioner, if a large majority of non-official gentlemen do not want it, it will be our duty to defer to their wishes. We cannot force this change upon them.

“ Now coming to rural boards, as I said already, out of 96 taluk boards, 48 have non-official heads of whom 12 are elected, and there are five district boards with non-official presidents. The Hon'ble P. Siva Rao seemed to think that it was nothing ; he did not seem to attach much importance to it. That does not matter. It is true that we have not been able to make the same progress here as we have been able to do in regard to municipalities ; but the reason is not far to seek. This is what the Government of India say :—‘ The circumstances of district boards and of large subdivisional boards, such as those in Madras, are materially different from those of municipalities, since they need much more time and widely extended travelling on the part of the head of the board if the work is to be satisfactorily carried out. The Government of India would urge provincial Governments to arrange for the election of chairmen, wherever this

(Mr. Rajagopala Achariyar.)

[16TH AUGUST 1918.

is possible, and where this is not possible to encourage the appointment of non-official chairmen. When the chairman is a non-official, however, they think it essential in regard to district boards and to such subdistrict boards as deal with large areas that, as in the case of large cities, the ordinary official work should be largely in the hands of a special executive officer, whose appointment should require the approval of the Government and who should not be removed in ordinary circumstances without Government sanction. If such a board, wishing to save the expense of a special officer, or desirous of remaining under the presidency of the Collector or of one of his assistants, should wish to elect such an official as chairman, the Government of India think that its wishes might be acceded to, subject to the condition that the election should be made by the non-official members of the board and that it should be a special matter requiring confirmation by the Commissioner or some higher authority.' This is exactly what we are doing. The Hon'ble Mr. Rama Ayyangar will bear me out when I say that we had correspondence with one of the boards in his district and we proposed to have a non-official chairman. I am not going to give the name of the board or the name of the non-official. There was a certain amount of agitation, and afterwards the Collector proposed a non-official which we had to veto because we felt that in the interests of the change which we were introducing, it was not desirable that the non-official should take the place of the official with a large number of people out of sympathy with him and hostile to him as it would jeopardize his administration. In the case of rural areas, the substitution of non-official agency for the official agency is a question of time. The Hon'ble Mr. Subbarayulu Reddiyar as the President of the South Arcot District Board, will be able to say what difficulty we have experienced in finding non-officials to be heads of rural boards. The man must not only be capable but be acceptable to the bulk of the people. Sometimes you have a thoroughly respectable man, but he cannot do the work. Again the large areas of several taluk boards seriously hamper the experiment. To obviate that difficulty, a reference has been made to taluk boards as to whether they would like to split up into smaller areas so as to substitute the non-official for the official agency. This is essentially a matter of detail which is to be settled after consultation with the local people. A mixed committee of officials and non-officials cannot help us much in this matter.

"It is true that we have not given complete powers of taxation to municipalities and rural boards and control over the budgets. But these are provided by law. The Local Boards Act will soon come up before the Council and the Council will have ample opportunity of satisfying themselves whether the proposals of the Government of India have been given effect to or not. There will be a Select Committee sitting not only on the Local Boards Bill, but also on the District Municipalities Bill. There are a number of restrictions imposed by the Local Fund Account Code and the Municipal Account Code, which derive their authority from the rules issued under the old Acts. We relaxed them last year as there was a general desire that they should be relaxed. We have since appointed a committee from which I hope good will come."

“I have only two things more to refer to. One of the things which the Hon'ble Mr. A. S. Krishna Rao said should be usefully considered by a committee, is the question of a Central Government Board. That is a matter which came up by way of a resolution moved by the Honourable Member last year; but he will remember that several non-official members voted against him. The Government of India have made the same suggestion in this resolution. They say: 'It should further be considered whether in place of a formal board there might not be a standing committee for local and municipal affairs in direct contact with the Government, to be largely drawn from elected members of the Legislative Council.' In the report on Indian Constitutional reforms, it is stated: 'We propose that to each department or group of departments, whether it is placed under a Member of the Executive Council or under a Minister, there should be attached a standing committee elected by the Legislative Council from among their own members.' If these standing committees are to be appointed under the new scheme, it would not be necessary to appoint any committee to consider this question as to whether a Central Government Board should be constituted.

“ Lastly, I come to the vexed question of panchayats. The general impression seems to be that we are hostile to the development of panchayats. The Hon'ble Mr. Siva Rao said : You would not give money and you would not call for reports. We can only call for reports after some work has been done by these panchayats. These village panchayats must work at least for a year before we could call for reports. I do not think we should now bother ourselves with the question whether we were right or not in starting these informal panchayats. The experiment was made and it is open to Honourable Members to say whether it is working well or ill, when these reports come in. Suppose we appoint this committee, the very first question that they will be faced with is this : a number of panchayats have been started and the committee will have no idea as to how they have been working. Reports are due to us next December, by which time the panchayats will have done one year's work ; we have given them a substantial amount in the budget and when these reports come, it will be time enough to consider the question of the future development of panchayats. If we then find that the appointment of a mixed committee of officials and non-officials will do any good, we will ask our non-official friends to help us ; but there is no use in asking you to sit in judgment on this question at the present moment.

"Your Excellency, I have now done. So far as the resolution of the Government of India is concerned, in regard to the main question of the constitution of local bodies, it does not say anything more than what we have been doing. I have given the council ample proof by facts

16TH AUGUST 1918.

(Mr. Rajagopala Achariyar; the Raja of Ramnad; the President; Mr. Ramanuja Achariyar; Mr. A. S. Krishna Rao; Mr. Rama Ayyangar.)

and figures that we have given as large powers as possible and we also intend giving much larger powers by legislation and the two Bills will shortly be before you. There will be select committees which will consider those Bills. As regards the restrictions imposed by the rules framed under the existing Acts by the Local Fund and Municipal Account Codes, a committee has already been appointed to consider how far these restrictions could be relaxed. If I could convince myself that a mixed committee of officials and non-officials could sit usefully on the Resolution of the Government of India and advance matters, I would gladly accede to the request, but as I am not convinced, I am unable to accept this resolution."

The Hon'ble the RAJA OF RAMNAD:—"I wish to move a small amendment and I am encouraged to do so from the speech of the Hon'ble Mr. Rajagopala Achariyar. I feel that the request made in the amendment would be more acceptable to the Government than the one raised in the resolution. I beg therefore to move that the words 'to examine and' be omitted and that the words 'what further action should be taken to give full effect to' be added after the words 'report upon'."

The Hon'ble Khan Bahadur A. T. G. M. Ahmad Tambi Marakkayar seconded the amendment.

His Excellency the PRESIDENT :—"I do not think that these words would really alter the discussion on the principles of the resolution and it would not alter the position of the Honourable Member who has spoken in behalf of the Government, because the amendment really comes to the same thing as the original proposition."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I have dealt not only with the wording of the resolution but also with the substance of it. Others will have to say what they wish to say and there the thing may end."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—" Having heard what the Honourable Member for Government had to say, we might leave the matter in the hands of the Government and I would advise the Hon'ble Mr. A. S. Krishna Rao to withdraw the resolution."

The Hon'ble Mr. A. S. KRISHNA RAO :—"So far as the amendment is concerned, I am prepared to accept it."

HIS EXCELLENCY THE PRESIDENT:—"That would not make any difference."

The Hon'ble Mr. K. K. RAMA AYYANGAR :—"I am also inclined to agree with the Hon'ble Mr. Ramanuja Achariyar. The statement made by the Honourable Member on behalf of Government is an exhaustive one, and he promises to satisfy us in course of time. I have to point out that the policy of this Government which has been kept in view from February last is the policy that is now being pursued; but that is not the policy enunciated by the Government of India. The present policy of the Government of India is to try to have non-officials as much as possible immediately. There must be reason given for not having non-official members at once. From the long statement made, it looked as if that was the step taken by the Hon'ble Mr. Rajagopala Achariyar; but during February, when this matter was discussed, that was not the policy. They were trying to extend the non-official element wherever they thought fit. But it is another thing to give full extension to the principle and wherever it is to be departed from it should be an exception. That should be the view which the Government should adopt. As regards self-determination who are the persons to determine this question? Is it the present municipal councils as they are constituted? Are they to decide for themselves the whole question of franchise? Whether the elective element should be two-thirds or three-fourths, or is it the local area that has to decide the question? As regards outside local areas, representation on local bodies has not been sufficiently representative of the people at large and the persons who now go in for the membership of local bodies do so with the view of making themselves known to the authorities. Therefore, the principle of self-determination has not been properly utilized. I understand that, in the case of local bodies, if I remember aright, in the Government order issued in February, their opinions were invited whether they would be prepared to have two-thirds elected members—not that they were asked to say whether they would like to have the full extent of election. Under the previous order of the Government what they have been asked to state is whether the local boards would be willing to have two-thirds elective seats. I do not know if that is the principle of self-determination that was meant to be given effect to and if that is the principle that ought to be given effect to in carrying out the Resolution of the Government of India. I will only urge that these points should be considered and we have also to consider the question of carrying out the principles enunciated in the Resolution of the Government of India. Whatever might have been done before, everything has now to be done in the spirit of the recent Resolution of the Government of India."

The Hon'ble Mr. A. S. KRISHNA RAO:—"The Hon'ble Mr. Rajagopala Achariyar has failed to make any reply in regard to the suggestion in the Resolution that district officers should consult district boards."

160 RESOLUTION RE COMMITTEE TO REPORT ON PRINCIPLES CONTAINED
IN RECENT RESOLUTION ON LOCAL SELF-GOVERNMENT.

(Mr. Rajagopala Achariyar; Mr. A. S. Krishna Rao.) [16TH AUGUST 1918.]

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“What paragraph is it?”

The Hon'ble Mr. A. S. KRISHNA RAO :—“Paragraph 5.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“This is what the Government of India say: ‘The Government of India desire that district officers should as recommended fully than at present for consultation and advice in matters of general concern which lie outside the sphere prescribed for the activities of these boards.’ There is nothing to prevent them from doing so now; the discretion is theirs. What is present in the Honourable Member's mind, if I may venture to say so, is the last discussion on the subject—a discussion which we are not likely to easily forget—where a proposal was made that by statute we should empower local bodies to express their opinions on matters of general concern; that would have given the right to any one of the members to move a resolution on any subject. What the Government of India are proposing is that the district officers should utilize the district boards for consultation and advice on matters of general concern. I know that several district officers do so at the end of the district board meeting. If I remember aright, the Hon'ble Mr. Aziz-ud-din told us that he did it. This is essentially a matter in which we cannot force them to take action. I do not see how a committee of non-officials and officials is to help in this matter.”

The Hon'ble Mr. A. S. KRISHNA RAO :—“Is there any objection to their being advised?”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“No objection. No order has been issued not to consult the district boards.”

The Hon'ble Mr. A. S. KRISHNA RAO :—“I am glad the Hon'ble Mr. Rajagopala Achariyar with his zeal in furthering the cause of local self-government has placed before this Council several facts to show that the Government have been taking steps to improve the constitution of local bodies. I know that attempts have been made to improve local self-government, and I have also referred to what is being done in my opening remarks. There is absolutely no doubt that steps are being taken to increase the elective strength of local bodies. In the first reference sent out by the Government, district boards were asked to say whether they would like to increase the elective strength and two-thirds was definitely suggested. It was in pursuance of that suggestion that the district boards went on suggesting two-thirds elective majority in their replies. He has referred to certain orders which have been passed increasing the elective element to two-thirds. But can it not be that, if the recent resolution of the Government of India had been before them the suggestion that officials should be nominated only for the purpose of consultation and advice without their having the right to vote? Then it might probably have been likely that the Government would, without limiting the elective strength to two-thirds, have suggested either the full extent of election or three-fourths of the elective element as suggested in the resolution or would have left it to the local bodies themselves to suggest to what length they would be prepared to go in the matter of election. I am only pointing out this as an instance in which there is a further scope for improvement. I have no doubt that if this resolution of the Government of India had been before the Hon'ble Mr. Rajagopala Achariyar, his outlook would have been broader and his reference to local bodies would have taken a different shape.”

“So far as the extension of franchise is concerned, we are told that definite steps are being taken. A difference has to be made between those matters which were already considered by the Government and regarding which the Government have come to a decision and the Government are taking definite steps and those matters regarding which the Government have not taken steps and which have still to be considered. I do not know if I correctly understood the Honourable Member when he referred to the Central Government Board. He referred us to the resolution moved about the local government board and also referred us to the Standing Committee to be drawn largely from the members of the Legislative Council. Am I to understand that, while they are unable to favour the idea of a Central Government Board they are willing to consider favourably the idea of a Standing Committee. It is not quite clear why the Honourable Member made reference to the resolution moved by me and also referred to the fact that the resolution was lost, some non-officials voting against it. He referred to this with some object. Does he mean that as between the two alternative suggestions of the Government of India, the local government are not prepared to accept one, but are prepared to accept the other—namely the suggestion of a Standing Committee drawn from the Legislative Council? While we have received the information about the elective strength and franchise, I do not think we have received any definite information from the Honourable Member on that point.”

“So far as the question of legislation about village panchayats is concerned, I submit that it is not too early to take up this question notwithstanding that the information that we have about informal panchayats is not quite sufficient. Nobody says that they should be uprooted. The Hon'ble Mr. Rajagopala Achariyar drew an illustration of one who uprooted the plant recently planted, to see whether it took root. But that illustration has no application to the question at issue. We know the function and the constitution of informal panchayats. The question definitely suggested by the Government of India is that they must be placed in possession of funds and they must have legislative powers; they suggested that a portion of the revenue should be handed over to them and they should have voluntary powers of taxation. Some of these bodies which have been created need not be done away with, but the question

RESOLUTIONS RE COMMITTEE TO REPORT ON PRINCIPLES CONTAINED IN RECENT RESOLUTION ON LOCAL SELF-GOVERNMENT AND INQUIRY INTO THE SYSTEM OF MODERATION OF MARKS FOR THE SCHOOL FINAL CERTIFICATE SCHEME. 161

16TH AUGUST 1918.] (Mr. A. S. Krishna Rao.)

is whether they cannot be improved and cannot be placed in a sound financial position. These are questions which may be taken up at once. We know the circumstances under which these voluntary panchayats were started and what their constitution is. Though in respect of matters in which the Government have been moving already, namely, the increase of elective strength, the extension of franchise and the appointment of non-official members to municipalities and rural boards, the Hon'ble Mr. Rajagopala Achariyar may have difficulty in having a mixed committee, yet in the case of new problems which have not yet been decided by the Government, such as the advisability of having a Central Board which has been placed before the Government and also the question of village panchayats, there is so much assistance which can be derived by the appointment of a committee that I hope that the Honourable Member will see his way to give effect to it. The Hon'ble Mr. Rajagopala Achariyar has told us that he is still open to conviction and if he is only convinced of the necessity for the appointment of a committee, he, having been responsible for three committees, he would not be chary in appointing another committee. I throw out this suggestion to him that when the Government have to come to a decision on those points, on which they have not yet come to a decision, I hope they will have the assistance of a committee. I will not, therefore, divide the Council in regard to this resolution; but I hope that an attempt will be made to have a committee. With these remarks I will not press the resolution.”

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE INQUIRY INTO THE SYSTEM OF MODERATION OF MARKS FOR THE SCHOOL FINAL CERTIFICATE SCHEME.

The Hon'ble Mr. A. S. KRISHNA RAO :—“I beg to move—

‘XIV. This Council recommends that His Excellency the Governor in Council be pleased to inquire into the present system of moderation of marks for the Secondary School-Leaving Certificate scheme, with a view to abolish or modify that system.’

“I do not think that, while dealing with this resolution, I need enter into any elaborate discussion of the Secondary School-Leaving Certificate scheme, which was referred to in connection with another resolution yesterday. The main point underlying this resolution is the present system of the moderation of marks for the Secondary School-Leaving Certificate scheme, which has been adopted to help boys in getting admission into colleges. Amongst the regulations laid down by the Syndicate there is one regulation which says that the marks obtained at the public examination or the marks at the school might be moderated according to a certain method suggested in order to secure admission into the college. As to the method to be adopted they definitely laid down :—‘The individual mark gained by him for the last year at school in each subject will be multiplied by the average mark for the last year at school. The figure and the result divided by the average mark of his class for the last year at school. The figure thus obtained will be added to the individual mark gained by him at the public examination and the total will then be divided by two to obtain the final moderated mark.’ The chief difficulty which has arisen on account of the system of moderated marks is owing to the uncertainty, only which has arisen on account of the system of moderated marks for school work and it has not been indefinite and unsatisfactory method of awarding marks for the school work possible to adopt any definite standard for the purpose of awarding marks for the school work which is being done at the discretion of the headmaster and his assistants. There is no doubt the provision that the inspecting officer will have to check the manner in which the marks are being awarded; but it may be fairly admitted that with the limited time at his disposal, it has not been possible for the inspecting officer to exercise an effective check over marks given for the school work as leisurely and as satisfactorily as they should be checked. This question was considered by the various inspecting officers and some of the opinions received from them are embodied in the report of the Director of Public Instruction for 1916-17 which will bear out what I say. This is what is stated by the Director of Public Instruction : ‘The system under which marks are awarded has also evoked criticism. The nature of this criticism may be gauged by the following quotations :—

“Mr. Ranaford says: ‘Giving of marks is very uneven. It is exceedingly rare to find a teacher who can give marks at all sensibly for oral work, questions which might be suitable for compositions are given in oral work, and the result is an answer of tremendous length and generally abominably expressed.’

“Mr. Brierley says: ‘There are loud complaints, however, that the marks system has invested dishonest teachers with inordinate powers, but if the inspecting agency is vigilant it is possible to minimize the causes for such complaints.’

“M.R.By. A. Rama Rao says: ‘The school marking is often found to be liberal, but this is probably no more than what should be expected, seeing that the school marking is confined to the immediate lesson, which is probably fresh in the minds of the pupils.’

“Mr. Callaghan says: ‘The system of giving marks is still unsatisfactory. Marks are seldom given for oral answers in class.’

162 RESOLUTION RE INQUIRY INTO THE SYSTEM OF MODERATION OF MARKS FOR THE SCHOOL FINAL CERTIFICATE SCHEME.

(Mr. A. S. Krishna Rao ; Mr. Venkatapati Raju ; the President ; Mr. Stone.) [16TH AUGUST 1918.

"Mr. Champiou says: 'The marks awarded at the public examination were and are more dependable than those assigned for daily work in school. It is not surprising that college Principals and prospective employers have confined their attention almost exclusively to the marks awarded at the public examination.'

"Mr. Green says: 'Methods of marking in school may have improved theoretically, for most schools can now present a fairly sound mark scheme, but the scheme is rarely carried out satisfactorily. Masters still lack the judgment or the courage to discriminate between the good and the bad. The marks in most schools disclose a dead level of mediocrity which by no means agrees with facts. In the less efficient schools, school marks diverge too favourably from marks obtained in the public examination.'

"Then it is stated: 'It may appear to some from the foregoing remarks and from the subsequent review of the methods of teaching that the picture is gloomy, that the schools are not flourishing and that the ceremonies of dead fashions still cling too closely to the teaching. Such a conclusion would be misleading; the picture has its bright as well as its dark side, there are many successful and efficient schools, and there is no lack of vitality in the teaching. My remarks on the Secondary School-leaving Certificate Scheme may fitly end with four further quotations.' So far as the scheme is concerned, it is a good one. It is clear from this report that so far as the giving of marks in the schools is concerned, it is a matter which calls for an inquiry. The rules for the moderation of marks suggest that apart from individual cases in which teachers did not give marks properly there is a tendency to show the results properly by adjusting the marks. They give very good marks to some to show the school average low. Apart from loud complaints, referred to by one of the Inspectors, there have been complaints which the headmasters or their assistants will openly acknowledge, as to the giving of marks arbitrarily which amounts almost to jobbery. There is a case for inquiry into the system of giving marks. I do not say that the system be done away with. After an inquiry is made, it will be time enough to consider whether the system should be altered."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I have great pleasure in seconding this proposition. The moderation of marks is not a matter which will help the candidates to secure the necessary number of marks at a public examination by moderating the class marks by certain formulæ which human ingenuity can suggest. If the examination had been conducted in the same way as examinations are conducted in other countries, there would not have been any need for moderation. There is both trust and distrust in teachers. Without any system of marks, they can allow teachers to certify as to who can go to the higher class. But when you distrust, you allow teachers to give students marks. With this hard system of examination there is a temptation in the way of teachers to manipulate the marks. If we abolish this moderation system and go back to the old system of examination, where you make the papers more difficult it will be worse. Having in view, the desirability of seeing that a proper number of candidates pass an examination either under the one system or the other, you may devise any system you like which will suit the people at large."

His Excellency the PRESIDENT:—"I understand that there has been an adjustment between the Honourable the Director of Public Instruction and the Honourable Mover by which the Honourable Mover was agreeable to an amendment that has been suggested. Would it not be better to have the final form of the resolution?"

The Hon'ble Mr. J. H. STONE:—"This is the amended resolution."

His Excellency the PRESIDENT:—"Who is responsible for this amended resolution? We must know who is responsible for it, having regard to the business character of this meeting."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I have no objection to the amended resolution. I have asked for an inquiry and the Director of Public Instruction says that there is no objection to having an inquiry made if there is no reference to the moderation system in the resolution."

His Excellency the PRESIDENT:—"The words of the resolution have not been submitted to me."

The Hon'ble Mr. J. H. STONE:—"The point is that I shall have to reply either to the one resolution or the other."

The Hon'ble Mr. A. S. Krishna Rao then read the modified resolution which was as follows:—

"This Council recommends His Excellency the Governor in Council be pleased to cause an inquiry be made into the manner in which marks are awarded for school work under the scheme for the award of secondary school-leaving certificates."

The Hon'ble Mr. J. H. STONE:—"Before saying anything on this resolution, I might just point out to the Council the real object of this moderation. I do not want it to go out to the world that I am in sympathy with this resolution. The object of moderation is to admit of marks, given in the school, being taken into account in determining the eligibility of persons for admission to the University course, by eliminating so far as possible differences of standard as between school and school. This moderation does not do anything to secure fair treatment as between pupil and pupil in the same school. That was not the object, but the Honourable Members said and I have also seen it in the press that teachers in some schools are sacrificing the fair treatment of their pupils in order to get favourable school average. The lower the school average is, the more favourable the moderation operates to the pupils. But the higher

RESOLUTIONS RE INQUIRY INTO THE SYSTEM OF MODERATION OF MARKS FOR THE SCHOOL FINAL CERTIFICATE SCHEME AND EXTENSION OF TIME-LIMIT FOR SUBMISSION OF RETURN OF INCOME. 163

16TH AUGUST 1918.] (Mr. Stone ; Mr. Narasimha Ayyar ; the President ; Mr. Rajagopala Achariyar ; Mr. Annamalai Chettiayar.)

marks actually given to pupils make the school average high. That is the danger for the teacher who gives high marks. The Headmaster gives higher marks to pupils who do well and give less to others than what they ought to have. The Honourable Member relies a good deal on what is said in the report on Public Instruction. No inspector loudly complains as stated by him. Mr. Brierley merely says that there are loud complaints, but he does not say what he himself thinks about them. He says that 'if the inspecting agency is vigilant it is possible to minimise the causes for such complaints.' I am quite willing to accept the resolution as it stands amended that Government should cause an inquiry to be made. I am willing to have the inquiry made. The Government are not asked to initiate the inquiry, but they will ask the Director of Public Instruction to make the inquiry which he will do through his inspectors.

"I do not myself believe that there is any reason or general cause for complaint in regard to the bona fides of the staff of any school. I do not believe that the staff of any school are trying to juggle with the marks and so treat their pupils unfairly. Although I am prepared to make an inquiry and see what justification there is for these complaints, and also inquire into the general subject of giving marks, I do not wish it to be understood that I am casting any aspersions on the great body of teachers or admitting that their bona fides can be properly called into question."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"In its amended shape the resolution is so watery that it is almost worthless, and I do not know what good is going to be done by this amendment. The Government are inquiring into matters of education from time to time and this is one of those inquiries—some inquiry is to be made into some matter. The main object of the mover as disclosed in his original resolution has not been furthered. The main object of our examiners in India seems to be to plough as many candidates as possible."

His Excellency the PRESIDENT:—"I cannot allow a general discussion on the system of examinations."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"What there was in the original motion is lost in the amendment. We do not know with what object this inquiry is to be made. We know that the income-tax resolution was moved with one object, but its acceptance and enforcement defeated that object. The same is the case with regard to this resolution. I would, therefore, heartily vote against this amendment, because there are greater chances of evil coming out of it than good."

His Excellency the PRESIDENT:—"I will only make one remark. We are going to have facts before us and we can form our own opinion on the facts collected. That is what the Director of Public Instruction has in view."

The amended resolution was put and agreed to.

At this stage His Excellency proposed to adjourn the meeting.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The next resolution would not take a minute."

His Excellency the PRESIDENT:—"If the non-official members do not object, will the Honourable Mover of the next resolution move it?"

RESOLUTION RE EXTENSION OF TIME-LIMIT FOR SUBMISSION OF RETURN OF INCOME.

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR:—"I beg to move—

"XV. This Council recommends to His Excellency the Governor in Council that, under the powers vested in them under section 43 of Act VII of 1918 (the Indian Income-tax Act), instruction No. 1 to Form D among the rules already published by the Local Government under the said Act in Part I of "Fort St. George Gazette" of June 4, 1918, be so modified that when assesses apply, on reasonable grounds, for an extension of time for submitting their return of income, the Collector shall have power to extend the time-limit of thirty days to such further period as he may consider proper in each case."

The Hon'ble Mr. T. Ranga Achariyar seconded the resolution.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I accept the resolution."

The resolution was put and agreed to.

At this stage, the Council adjourned for a short interval and re-assembled at 2-45 p.m.

164 RESOLUTION *RE* EXTENSION OF THE PERIOD FOR WHICH COMPOSITION OF INCOME-TAX MAY BE PERMITTED.

(*Mr. Annamalai Chettiyar ; Sir. Gordon Fraser.*) [16TH AUGUST 1918.]

RESOLUTION *RE* EXTENSION OF THE PERIOD FOR WHICH COMPOSITION OF INCOME-TAX MAY BE PERMITTED.

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR :—"Your Excellency, the resolution that I have the honour to move is as follows :—

'XVI. This Council recommends to His Excellency the Governor in Council that, under the powers vested in them under section 43 of Act VII of 1918 (the Indian Income-tax Act), the time-limit of three years, given in rule 34 (iii) of the rules published by the Local Government in Part I of Fort St. George Gazette of June 14, 1918, be increased to five years as in the old Act, in the case of assessee who apply for the composition of their tax.'

"This resolution does not seek a new concession. It only requests the restoration, in the rules under the new Income-tax Act, of an arrangement which was provided for in the rules under the old Act, for the composition of tax. In the rules under the old Act, the maximum period was five years, but in the rules recently framed by Your Excellency's Government under the new Act, it is laid down that the maximum period for the composition of tax will be only three years. The reason for this reduction is not known. But I am sure, the change will be a great disadvantage, as three years will be too short a period. The Board of Revenue in their Proceedings No. 530, dated 1st March 1886, observed that 'the principle of composition being evidently calculated to obviate friction and trouble in assessment, should be extensively adopted.' Again in their Proceedings No. 62, dated 1st February 1890, the Board observed that in order to secure this object 'assessing officers should make a point of drawing the attention of the assessee to the advantages of composition.' According to the present rules, the assessee year after year have to send for accounts and information from all their places of business, however distant they may be, for the preparation of returns of income and again they have to send for the assistants and sometimes the agents also to assist the assessee in preparing the return. The same process has to be repeated a second time when the Collector holds an inquiry for ascertaining the assessable income of the assessee. Even after the inquiry is finished, it takes a long time for the account books, filed in the Collector's office, to be returned to the parties. This means a general dislocation of business and enormous and unnecessary expenditure to the assessee. Only with a view to avoid all these troubles, the Board of Revenue observed that the principle of composition should be extensively adopted.

"My Lord, the object of composition cannot be gained by reducing the period from five years to three years. The assessee who compounds his tax for three years cannot enjoy the benefit of it for more than two years. Because in the first year, he has to file as usual, all the account books in the Collector's office and send for the agents and assistants to explain them to the Collector's establishment and thus saves no trouble. I request Your Excellency's Government to consider whether two years is not too short a period. I hope the resolution will be accepted."

The Hon'ble Sir GORDON FRASER :—"I have much pleasure in seconding the resolution proposed by the Hon'ble Mr. Annamalai Chettiyar that the time-limit of three years for composition should be increased to five years. There is no doubt that the arguments brought forward by the Hon'ble Mr. Annamalai Chettiyar are quite sound in this respect. Three years is too short a period for composition. The argument brought forward in 1890 when the Board of Revenue observed that the principle of composition being calculated to avoid friction and trouble in assessment should extensively be adopted—that argument holds good just as much now as it did 18 years ago. One of the greatest advantages obtained by this composition is that of secrecy. We all know, it is well known, that the returns sent in duly go through the office of course as confidential, but still information leaks out. And it certainly obviates friction and annoyance when an assessee or an individual can go to an income-tax collector and come to terms on information put before him for a certain period of years. Three years is too short; five years would be a better period to take. I do not know whether the Honourable Members know a well-known story of a Solicitor in Madras. It is a story that is absolutely correct and holds good in these days. The Solicitor undertook to obtain within three days the exact figures submitted by one of the well-known firms in Madras to the Collector regarding income-tax. And in getting this return he had not to spend more than As. 8. Within three days he gave the information. We also had some years ago trouble in this respect and we received an intimation from the Collector that any information submitted by us would be treated as strictly confidential. That year it was confidential. The next year the letter from the Collector's office acknowledging our return was initialled by five different people and signed by somebody else for the Collector. It was I think, in 1914 the Collector for the time being published in his report, and it was republished in the Madras Press—that the reason for the increase of revenue under income-tax was due to the large profits made by Messrs. Best & Co., and one or two other concerns. This was published in the papers. I say these things ought not to happen. Due to the constant changes we have had in the Collectorate, fifteen in five years—an undertaking given by one Collector holds good for the time that he is in office, but when another comes that is all forgotten and hence we find a letter acknowledging receipt of a return signed by five men. I

RESOLUTION *RE* EXTENSION OF THE PERIOD FOR WHICH COMPOSITION OF INCOME-TAX MAY BE PERMITTED. 165

16TH AUGUST 1918.] (*Sir Gordon Fraser ; Mr. Rajagopala Achariyar ; Mr. Annamalai Chettiyar ; the President.*)

hope that your Excellency's Government will do all you can to increase the term. Also I think it has been a great mistake—I do not know whether I am going outside the power of the Council in dealing with the Income-tax Act, but if I am not, I should say it is a great mistake that the companies registered under the Indian Companies Act cannot compound for income-tax. I think it is a great pity, as we have many private companies nowadays, that these companies which are not bound to publish their returns and which to all intents and purposes are exactly on the same footing as private concerns should not be enabled to come to terms with the Government in this matter of composition of income-tax for a period of years.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I do not propose to go into the merits of this matter, but I would simply mention to the Council that these rules have been issued in accordance with the directions we have received from the Government of India. In one of these directions the maximum period allowable was to be three years. I do not therefore know whether we can discuss this in the local Council. It will be more appropriate if some Honourable Member in the Imperial Council brings it up there. It is an imperial matter. We cannot therefore take it upon ourselves. I would suggest that the Honourable Member, if so minded, might arrange to have this question brought up in the Imperial Council."

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR :—"I am sorry to hear that the Madras Government are unable to do anything in this matter. But I am glad that the Hon'ble Mr. Rajagopala Achariyar sympathizes with us the assessee and that he will be able to move the Government of India."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (*interrupting*) :—"I did not say anything about my sympathy one way or the other nor do I propose to move the Government of India."

His Excellency the PRESIDENT :—"The proper course is to get the Madras representative in the Imperial Council to move in the matter."

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR :—"It will be much better if the Madras Government also move the Imperial Government to consider the importance of the matter. It concerns both European and Indian concerns. It is a matter in which the Madras Government should address the Government of India. I do not propose to press this resolution, but I hope the Government will be pleased to address the Government of India."

His Excellency the PRESIDENT :—"I see that we cannot even discuss this resolution, as we are acting on the strict instructions of the Government of India. I was under the impression that we were free to discuss the resolution; but my Honourable Friend seems to think that we cannot. The best course for the Honourable Gentleman is to endeavour to raise it in the Imperial Legislative Council. That is what our representatives are there for."

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR :—"I only want that the Government should communicate to the Government of India the strong desire of the people here for the proposed change."

His Excellency the PRESIDENT :—"I think the Honourable Member must accept my Honourable Friend's assurance that he cannot do anything in the matter."

The Hon'ble Sir GORDON FRASER :—"Is it not possible to recommend the matter to the Government of India?"

His Excellency the PRESIDENT :—"We had already sent up our recommendations and then the Government of India sent us the rules. So at this moment it will not be of any service to address the Government."

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR :—"Am I to understand that the Madras Government already addressed the Government of India?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I am not at liberty to disclose the correspondence that has passed between this Government and the Government of India; but this order has come as a result of correspondence on income-tax matters and we cannot address the Government of India now. If, as His Excellency suggests, you can make a representation in the Imperial Council and they make a reference to us, it will be our duty to ascertain the wishes of non-officials in the matter. But we cannot intervene in the matter now."

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR :—"I do not think it will be of any use to press my resolution."

His Excellency the PRESIDENT :—"The Honourable Member is taking the right course. His interest will not be prejudiced by the course he is taking."

With the permission of His Excellency the President, the resolution was withdrawn.

166 RESOLUTIONS RE TALUK COMMITTEES TO CO-OPERATE WITH DISTRICT COMMITTEES IN CONTROLLING PRICES AND CONSTITUTION AND POWERS OF ADVISORY COMMITTEES FOR CHARITABLE ENDOWMENTS.

(Mr. Annamalai Chettiyar ; Mr. Rama Ayyangar.) [10TH AUGUST 1918.]

RESOLUTION RE TALUK COMMITTEES TO CO-OPERATE WITH DISTRICT COMMITTEES IN CONTROLLING PRICES.

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR :—" In view of the answer given by the Hon'ble Sir Alexander Cardew the other day, I propose to withdraw the next resolution. The resolution ran as follows :

"XVII. This Council recommends to His Excellency the Governor in Council that referring to G Os. No. 2078, Revenue, dated 29th May 1918, and No. 2258, Revenue, dated 13th June 1918, regarding the control of high prices of commodities of general use and the constitution of emergency committees in each district for this purpose, taluk committees be also organized with representative non-officials for co-operating with the district committees for attaining the object desired."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE CONSTITUTION AND POWERS OF ADVISORY COMMITTEES FOR CHARITABLE ENDOWMENTS.

The Hon'ble Mr. K. RAMA AYYANGAR :—" My Lord, I beg to move—

"XVIII. This Council recommends to His Excellency the Governor in Council that G.O. No. 2505, Revenue, dated 2nd July 1918, be reconsidered and that powers be conferred on advisory committees to make recommendations to the Board of Revenue or the Government as the case may be and that the local agents referred to be also members of such advisory committees to report to them and take their decision before taking further action."

"It might be within the memory of this Council that two resolutions were moved for the purpose of making an inquiry into the conditions of charitable endowments and for collection of information regarding them and placing them on a basis that will be profitable both to the Province and to the charities concerned. The proposal was to request the Government to take steps to bring in a Bill which will properly see to the administration of these charitable endowments. The matter was in charge of a special officer, I suppose, and the latest order of the Government has been issued—G.O. No. 2505, dated 2nd July 1918 and that is the Government Order upon which the present resolution is moved. With regard to the advisory committee the Board recommends in paragraph 4 of that Government Order :—"The Board has considered the various suggestions made regarding the constitution of advisory committees. It doubts whether these committees would be of any real use but has no objection to their being tried. A committee may be formed for each taluk or independent Deputy Tahsildar's division and may consist of not less than three and not more than seven members appointed by the Divisional Officer, the members being selected from among the non-officials resident at the places in the area where charitable endowments are most numerous or where the most important institutions are to be found. No one however who is connected with an institution should be on the committee. To save the correspondence regarding their appointment the members may be allowed to hold office for life or until they resign. They may elect their own presidents. As the main function of the members of these committees will be to lay information before the local agents and to hold inquiries when they are asked and are willing to do so the Board considers that no rules for their guidance are necessary. My Lord, I read that full paragraph only with a view to make it clear that from the beginning to the end the advisory committees are to be treated almost as unnecessary and as could not work. The Government Order on it says 'The Government hereby appoint all Deputy Tahsildars to be local agents.' They say with regard to advisory committees that the 'Government are of opinion that the duties of advisory committees should be defined, that members should hold office for five years and that provision should be made for the removal of a member who does not attend to his duties. The Board is accordingly requested to frame rules for the guidance of advisory committees.' The Government do not apparently agree with the Board that these committees will be meaningless bodies, and they can be really of no use in the matter. They want to place them under some rules. The last sentence in the paragraph I quoted from the Board's recommendation says 'As the main function of the members of these committees will be to lay information before the local agents and to hold inquiries when they are asked and are willing to do the Board considers that no rules for their guidance are necessary. So far as the local agents and their powers are concerned, the Government approve of the suggestions made by the Board and also constitute the Deputy Tahsildars as local agents. And what these advisory committees are to do, of course they have asked for rules being framed. Apparently the Government also expect that the function of the members of these proposed

RESOLUTION RE CONSTITUTION AND POWERS OF ADVISORY COMMITTEES FOR CHARITABLE ENDOWMENTS. 167

16TH AUGUST 1918.] (Mr. Rama Ayyangar ; Sir Alexander Cardew.)

committees will be to lay information when asked. They do not seem to disapprove of that. Therefore the advisory committees will be practically used or not used as the local agents, the Deputy Tahsildars, require them to do or not to do. And if they are willing they may act and only for such purposes. Therefore it will be practically constituting advisory committees for nothing and they won't be willing to act especially when the local agents are given absolute power to use or not to use them—deputy tahsildars who may be in sympathy with the persons in charge of the charities. An advisory committee which was sought to be constituted so may not be useful in collecting information as to the nature of these endowments, as to the way moneys have to be expended, as to the way actually the intentions of the founders are carried out by the people in charge. If the local agents want such advisory committees, all of them together should co-operate; and they will certainly work properly and get the necessary information and place it before the Government or the Board for such action as the local agents together with other members may decide upon. If, on the other hand the local agent who is a deputy tahsildar is to be the person to ask the advisory board to act or if the advisory board has to make a recommendation through him no member of the committee will be inclined to take such steps as to go against the wishes of the local agent. In fact, though we have had divisional officers as local agents till now, the deputy tahsildars and others under the divisional officers have all been working in this way in connexion with charitable endowments. Even under the regulations they are the persons that are expected to communicate with the officers and have the right to supervise and communicate to Board matters for orders. What has been felt is that that system has not been working properly and this has been recognized by the present Government Order and the report made by the Board on the Government Order. This has not been recognized by the previous G.O. No. 1535, Revenue, dated the 6th July 1916. Under these circumstances I submit it is not proper to have a deputy tahsildar as local agent, if he is to supervise these advisory committees which are not to act of their own motion but when he is willing to ask them; that is the local agent may choose to ask. What is the use of constituting three-fourths of it into an advisory committees to do business which the local agent may ask them to do? The whole complaint has been that the local agent has been doing nothing. I therefore want that these advisory bodies should be bodies in which the local agent should be one of the members and that body may collect information, when requested to prepare statistics or a list of endowments that may be necessary. It is only proper that in this connexion the recent press communiqué of the Government of India dated the 2nd August 1918 on a suggestion of His Excellency the Viceroy has decided to form a central "Charity Organisation Board." They are considering charities for war purposes but other charities are also asked to be examined and arrangements are to be made for preparing a list of charitable endowments. That Government Order also is in connexion with this. When these proposals are made, it is only proper that these local agents are not left alone to act, but advisory committees consisting of local people should be asked to collect information and prepare lists, and the local agent should be made to utilize the advisory committee whether he likes or no. The advisory board should be empowered to take such action as they are authorized to take. Without the constitution of an advisory committee of that sort the whole recommendation made may not work quite well and will only stand in the same state in which it stood before."

The Hon'ble Rao Bahadur V. K. Ramannuja Achariyar seconded the resolution.

The Hon'ble Sir ALEXANDER CARDEW :—" Your Excellency, the care of these charitable endowments is vested in the Board of Revenue by Regulation VII of 1817. It lays down what the duties of the Board are, and then it goes on, in order to enable the Board to carry out its duties, to appoint local agents in each district. These local agents in 1817 were officials. Then the regulation goes on to say, that it will be the duty of the local agent to obtain information from the public records regarding endowments, report the names of trustees, report vacancies, trustee or manager and so on. The Regulation thus clearly lays certain duties on the local agents. This resolution on the other hand proposes that before the local agent takes action he shall consult the advisory committee. The advisory committee has no statutory position. It is a new creation; it has not been tried. It is an experiment. To tell the local agent not to take any action except through the advisory committee as this resolution proposes, is in fact in conflict with the provisions of the Regulation. Has the time arrived when we should alter the law? That time will be when these advisory committees have been tried and have proved their value and their usefulness. It may then be desirable to make over the charge of charitable endowments to them subject to the supervision of the Board of Revenue, and by amending this Regulation remove the legal difficulty which stands in the way of adopting the course suggested by this resolution. These advisory bodies have not been tried; they are in the experimental stage; they have been just constituted. It is obvious that it would be premature to do away with the system laid down in the regulation till we have given time for the experiment to work and until we see how these advisory committees work. The Honourable Member's proposal is thus premature. The first thing to do is to form these advisory committees and when we have got them we have to define their functions which we have not yet done. The rules for that purpose are being framed by the Board and will be shortly sent up to Government. When we have formed the committees and defined their functions and they carry on their work, if they

168 RESOLUTION RE CONSTITUTION AND POWERS OF ADVISORY COMMITTEES FOR CHARITABLE ENDOWMENTS.

(Sir Alexander Cardew ; Mr. Rama Ayyangar ;
the President.) [16TH AUGUST 1918.]

prove successful we shall be prepared to remodel this part of the Regulation and give them power to a great extent to deal with these charitable endowments off their own bat. There is no fear that they will not be given a fair opportunity of proving their utility. The Honourable Member says that the local committees will be useful in collecting information as to how the endowments are spent. I think that they will be able to get very valuable information. I do not think he need be afraid that this method will not be given a fair trial. He should wait for a few years and see if the local committees are useful. If they are useful, I am sure that the Board of Revenue—they have expressly said so in the reference—will be glad to hand over the similar charitable endowments to these local committees. In the meantime I would suggest to the Honourable Member that no useful purpose will be served by pressing this resolution because the law makes it impossible to accept it and it is too soon to attempt to alter the law."

The Hon'ble Mr. K. RAMA AYYANGAR:—"If there was any other difficulty, I should not have thought of speaking further. But as the legal difficulty is suggested, I do not think there is any force in that portion of the argument. I do not want these committees to be local agents. I do not want statutory powers to be given to these committees. I only want that the advisory committees should be constituted with the local agents as members. It is not as if I go against the provisions of the Regulation. To amend the Act they want an experiment to be tried. If the experiment is to be a success, there must be some change in the present conditions of the body which is newly started. The local agents have been found not to work well till now. The work of the charitable endowments has not been carefully checked, the matter has not been sifted. Apparently the Board do not think the advisory committee useful because they have only to act when the local agents refer the matter to them. That is the understanding on which they proceed. I do not want these committees to be wholly constituted into local agents. Nor do I want recognition of them under the law. Now they cannot act independently. I say do not make the deputy tahsildars or other people act. He may be a member of the advisory committee. When they meet and express their views the deputy tahsildar may make a report. They will see that charitable endowments are brought under the list. I do not say at all that if the whole thing is done bona fide the officer in the department will not be able to find out the truth and put the whole thing in order; but for some reason or other the people in charge of the department of charitable endowments do not want to be disturbed. I suggest not that the law should be altered but there must be some arrangement which will give an impetus to the matter. The local agent will be one of the advisory committee. If they meet once a month or once a quarter or when there is a reminder from the Board, they will be able to sift the whole matter. If that is the only difficulty, I would request the Hon'ble Sir Alexander Cardew to consider the matter."

His Excellency the PRESIDENT:—"Does the Honourable Gentleman wish the resolution to be put to the Council?"

The Hon'ble Sir ALEXANDER CARDEW:—"I would just point out to the Council that the last line of the resolution says 'that the local agents referred to be also members of such advisory committees to report to them and take their decision before taking further action.' The local agents are not to act except with the permission of the advisory committee. But the Regulation says to the contrary. This resolution is therefore in conflict with the regulation and therefore I cannot accept it."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I do not propose to withdraw their discretion."

His Excellency the PRESIDENT:—"If the language of the resolution means that he is not to follow the decision of the committee, then it is not clear; it is ambiguous."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Before further action is taken, let him consult them."

The Hon'ble Sir ALEXANDER CARDEW:—"You had better withdraw the resolution, and then I will consider what duties should be laid on the advisory committees and what their position would be in regard to the local agent."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Am I to understand that the Government will consider whether the local agent will be one of the advisory committee?"

His Excellency the PRESIDENT:—"The fact is the Honourable Gentleman's resolution is not in clear language; it is not plain; it is really impossible for the Council to commit itself to a resolution which is open to two meanings. The Hon'ble Sir Alexander Cardew offers to relieve the Honourable Member from the difficulty of having the resolution negatived, by saying that he will consider in the rules the duties of the committee. I advise the Honourable Gentleman to accept that."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I want to know whether an attempt will be made to include the local agent in the advisory committee."

His Excellency the PRESIDENT:—"He has not said that."

The resolution was put to the Council and lost.

RESOLUTION RE INCREASED ACCOMMODATION IN INTERMEDIATE 169 CLASSES OF GOVERNMENT COLLEGES.

16TH AUGUST 1918] (Mr. Yaqub Hasan)

RESOLUTION RE INCREASED ACCOMMODATION IN INTERMEDIATE CLASSES OF GOVERNMENT COLLEGES.

The Hon'ble YAQUB HASAN SAHIB Bahadur moved the following resolution of which he had given notice:—

"XIX. This Council recommends to His Excellency the Governor in Council that steps be taken to increase, next year, the accommodation in the Intermediate classes of the Presidency College and other Government colleges to twice their present strength."

In doing so he said:—"The number of students to whom certificates were granted on the results of the last Secondary School-Leaving Certificate examination was 2,411. I had put an interpolation to find out how many students out of this 2,411 have found admission in the various arts colleges; but that information was not furnished to me, and I am compelled to fall back upon the figures of last year to show the necessity for increased accommodation in the colleges especially in Government colleges. Last year the number of those declared as eligible for admission into colleges was 2,919. The strength in that year, in all the arts colleges in this Presidency, of the Junior Intermediate classes was 2,522. In this number of course is included the number of those who have not been promoted to the senior class and also the number of students from Native States. So all the remaining students who were not admitted must presumably have gone to other branches of study or voluntarily given up university education. The number of those who were denied collegiate education is sufficiently large to deserve our consideration."

"At present the system of admission into colleges is pernicious. All the students who have been declared eligible for admission into arts colleges are not admitted. The colleges exercise their discretion; they select the best students available out of the applicants and reject the others. The result is that the students go from college to college, and wherever they find admission they join. Some of them have to go long distances even though there is a college in their own town. The educational institutions by adopting this mode of selection reduce themselves to the level of an ordinary trade when they try to secure the best raw material in the shape of students in order to produce the best results that will bring credit to the institutions. It is not so much the spread of education, but the reputation of the college that is kept in view. It is this unhealthy competition which is bad. The colleges which are not so well situated and which have not a high reputation have to be content with the refuse of other colleges. That gives them a rather lower position, comparatively speaking."

"The Presidency College is the worst sinner in this respect. The standard of selection of students is very high. It is said it is a model college which should maintain a standard of perfection in every respect and therefore it should be open only to the best and most brilliant students. I do not think a model college ought to do that. A model college should take students who are not so brilliant and by stint of their attention make them really capable students. Then their credit will be greater than will be the case otherwise. Colleges which have schools attached to them probably first take boys of their own school, and if they do not take them I think they ought to be compelled to give preference to their own students; then they should show preference to the students of the town and then the students of the district and then students from the surrounding districts. But here in the Presidency College there are more students from the junior intermediate class from Tanjore than from Madras itself. There are 18 in the first year class. Out of the total strength of the college there are 106 students from Tanjore whereas the students from Madras in all the classes in the college number only 58. That I consider to be unfair competition with another Government college in the Tanjore district itself, namely the Kumbakonam College, because the Presidency College takes away the best Tanjore students. I can understand students coming to Madras from districts where there are no colleges, and students coming to the B.A. class from districts where there are no first grade colleges. But they are coming to Madras on account of the superior facilities that exist in Madras. A better arrangement would be that students who pass from colleges in Madras should study in Madras itself and other students should be encouraged to go to the colleges nearest to them. I find in the case of the Rajahmundry college the largest number of its students come from Godavari, next to that from Kistna; and the two districts serve the need of the Rajahmundry college. In the Kumbakonam college also the bulk of the students are from the Tanjore district. So my remarks which apply to the Presidency college do not apply to the Kumbakonam or the Rajahmundry college, as far as the districts from which the students are taken are concerned. To a student who goes a long distance from his own town for his education, it is immaterial whether he goes a long distance or a short distance. He would prefer to go to Madras, rather than elsewhere because it is the capital town and provides more facilities in the matter of accommodation, hostels, etc. So Madras has to provide not only for Madras town itself, but also for other districts."

"The accommodation in the Madras Colleges is not at all adequate or reasonable as compared with the accommodation that we find in the colleges in the mufassal. There are four colleges in Madras. In the Pachaiyappa's college there are 243 students in the first-year class, in the Christian College there are 161, in the Wesley College 108 and in the Presidency College only 96. There are two colleges in the Ganjam district with a strength of 17 and 29 respectively."

170 RESOLUTION RE INCREASED ACCOMMODATION IN INTERMEDIATE CLASSES OF GOVERNMENT COLLEGES.

(Mr. Yaqub Hasan.)

[16TH AUGUST 1918.]

In Vizagapatam there are two colleges with 70 and 80 respectively. Godavari has two colleges with 85 and 80; Kistna one college with 51; Guntur one college with 38; in Kurnool there is no college; in Bellary there is no college. In Anantapur there is one college with 17 students in the first class; Cuddapah and Nellore have no colleges. So also Chingleput. North Arcot has one college with 48; Chittoor 24; Salem 33; Coimbatore 36. Nilgiris has no college; so also South Arcot. In Tanjore there are two colleges with 118 and 80. Trichinopoly has two colleges with 286 and 227; Madura two colleges with 101 and 73. Ramnad has no college. Tinnevely has two colleges with 15 and 97. Malabar has four colleges with 93, 17, 43 and 52; South Kanara has two colleges with 88 and 61. That is how the students are spread in the 22 districts. There are eight colleges in the five districts in the north, with about 400 students. There is no college in Cuddapah, Nellore, Chingleput, Nilgiris, South Arcot and Ramnad.

"Out of the 2,500 students last year there were 377 students in the five Government colleges; 400 in Municipal colleges; in the 12 Mission colleges there were about 1,000 students and there were 742 in private colleges. All this is of course in the first-year class. It is the Mission colleges that provide for the largest number of students in the Intermediate classes and our thanks are due to them for this provision. The Government provide for half of what the private agencies provide, one-fourth of what the missions provide and a little more than one-eighth of the total number. The Government's share in providing accommodation for Intermediate classes is not enough. My proposition, therefore, is that the accommodation should be increased to double its present strength, that is 750 instead of 377. That will not be considered a tall order.

"This provision can be made, I am sure, with very little extra initial cost to the State. There may be building accommodation in some of the colleges to have larger classes; in some, buildings may have to be extended and some more furniture put in, but the recurring annual expenditure will not be any perceptible increase, because there is no limit to the classes in colleges and a larger number of students can be taught by the same staff as at present. I do not ask for the opening of new colleges although there is a great demand for them in some districts. All that I say is that the existing accommodation should be increased. In the Presidency College there is greater need for increasing the accommodation, for it is practically the University College; the students prefer the Presidency College because they wish to complete their education in that College, because they expect there will be better facilities for them in the B.A. course after they pass the Intermediate course; besides the best and most up to date arrangements are made in that College in all the subjects especially scientific subjects. That is a further inducement for students to go there.

"As for the cost of maintaining these colleges—I think it is important—the total cost of all the colleges is Rs. 13,31,000 of which more than half, that is Rs. 7,11,000 was recovered in the shape of fees. So nearly Rs. 6,20,000 was provided by the managing authorities. Of this Rs. 6,20,000, the Government spent Rs. 71,000 on their own colleges, and they gave Rs. 1,21,000 in the shape of grants. The municipalities spent Rs. 1,16,000 on their own college; and the Mission colleges spent Rs. 1,21,000 and private agencies about Rs. 88,000 on eleven colleges. It has to be admitted that the people in general have not taken their legitimate share in providing for collegiate education. Out of thirty-one colleges there are eleven private colleges of which four are maintained by Zamindars, two by Rajas, that is, one by a Maharaja and one by a Zamindar. So that the private colleges are seven of which the Pachaiyappa's college is maintained from an endowment at a total annual cost of Rs. 91,000 of which Rs. 81,000 is recovered from fees. The Theosophical College spent Rs. 18,000 in the year besides the fees recovered—the largest expenditure by any private agency. Next to that comes the Madura College which spent Rs. 8,000. The Tinnevely and the Coimbatore Hindu Colleges spent only Rs. 2,800 and Rs. 3,900 respectively. Considering this, it was really surprising that the Mussalmans undertook to maintain the Mussalman College at an annual cost of Rs. 24,000. The Mussalmans will remember with gratitude the annual donation of Rs. 12,000 by his Exalted Highness the Nizam of Hyderabad. It is really a matter for regret that the interference of the local Government has frustrated that scheme at present. Assuming that the College was intended to be open to Hindus, Christians and Muhammadans, had it come into existence, the students for whom I am pleading would have found admission in that college. It would not have been a purely Mussalman College as the Madrasa-i-Azam or a purely Hindu College as the Pachaiyappa's. That is the reason why I am asking for increased accommodation in the Intermediate classes in Government colleges. I may take this opportunity to appeal to my fellow countrymen to start some more colleges. The initial cost alone is great and prohibitive, but their maintenance itself is not so very costly especially when students pay fees and are anxious to take advantage of the education.

"There is a fear that the University may raise difficulties as it has done on the ground of unfair competition or on the plea of education not being of high quality. These are things which we must take into account and must struggle against in providing more facilities for education. I hope that in dealing with this question the objection will not be brought forward that by increasing this accommodation the Government will make education cheap or will make the quality lower. I do not think I have that fear. The University may say that it is better to give the best education to a few than any education to a larger number. My principle is that a larger number should be given some education rather than a few should be given good education. As it is, only 2,500 students are considered fit to go to a college out of 9,000. A little more liberality shown will increase the number of students coming up, and there will be

RESOLUTION RE INCREASED ACCOMMODATION IN INTERMEDIATE 171 CLASSES OF GOVERNMENT COLLEGES.

16TH AUGUST 1918.] (Mr. Yaqub Hasan; Mr. A. S. Krishna Rao; Mr. Stone.)

more accommodation necessary for them in the colleges. I have shown that the Government's share as it is, is not adequate and should be increased. Therefore I have brought this resolution which I trust will be accepted."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I beg to second the resolution. The Government have recently taken a bold step forward in taking over a number of complete secondary schools and starting a number of incomplete secondary schools. It follows as a corollary that the accommodation in the Intermediate classes should be increased. This resolution suggests that accommodation in the Intermediate classes in the Presidency College and other Government colleges should be increased. Even if that is done, it would not meet the demand. The increase in the number of secondary schools must mean that a greater number of students will have to go to the colleges. I hope there will be no difficulty in accepting this resolution."

The Hon'ble Mr. J. H. STONE:—"Your Excellency, I am constantly being told that students cannot get admission into the colleges, because there is no room for them. I myself have received no complaints from students that because there is no accommodation they could not get admission into colleges. People complain to me about a large variety of things, and if there has been this difficulty I should have received such complaints. It is not as if students would get admission into the colleges where they want to go. It is not true that a large number of students cannot get admission because there is no accommodation. If you take the number of students in the colleges during the last two years in the Junior and the Senior Intermediate classes, you will find that in

1914-15	the total number was	5,394
1915-16	"	5,542
1916-17	"	4,624, i.e., a diminution of 800

The reason for that decrease is in that year a restriction by the University upon the Principals admitting students into the Intermediate classes was introduced. That explains the sudden fall in the number. In 1915-16 the colleges had 5,546 students, in 1916-17 there were only 4,624. Therefore there was room for about 800 students more. The figures for 1917-18 are not yet published. Therefore, it seems to me clear that there is room enough for more students. I do not accept the fundamental hypothesis that there is no room for students in colleges. The University did not ask the colleges what accommodation they had, but they are going to ask, so that we might know what accommodation we have in our affiliated colleges. Until we know that, we cannot do anything more. So far as the actual seats in the colleges go, they are sufficient. The Honourable Member will probably say they are not sufficient because all students who wish to go to the Government colleges must be able to do so.

"If he will remember the policy of the Government in regard to the Government colleges, I think he will see the reason why the Government could not unhesitatingly accept his position. These Government colleges have been maintained to serve as models for the maintenance of a good collegiate standard and not for supplying all students with places therein. The Government have departed somewhat from the policy of model colleges, because they have lately opened one or two more colleges with a view to providing special classes for special reasons—the Queen Mary's College and the Ceded Districts College. The Queen Mary's College meets a special need and the Ceded Districts College was opened because those districts could not open one and they had to be helped. More recently we opened a college for Muhammadans. In these respects the Government have departed somewhat from the idea of model colleges; but the Government have not gone so far as to provide for as many seats as there are students who wish to go to Government colleges. The Honourable Member seems to think that all the students who wish to attend the Presidency College ought to be able to do so. The Presidency College is maintained as a standard. It is supposed to furnish the best collegiate education. That is the object of maintaining the Presidency College. In order that you may carry on education in the best sense you must be allowed to choose persons whom you will admit. If you will admit all and sundry because their parents live in Madras, you must depress the level of education carried on there. A college is judged not only by teachers but by students, and in order to have a college of the kind which we wish the Presidency College to be you must have a select class of students. Therefore the Presidency College applies a severer test for selection than other colleges. That is perfectly justifiable.

"Then the Honourable Member thinks that the people of the locality must be able to send their sons to the local college, just as there is a police station in a particular locality. I wonder how people would like it, if for instance people in Anantapur were told that they should not send their students except to the Anantapur College. People select a distant college because the education they get in the particular college is better than the education they get in their own locality. I may remark that it matters a great deal to a student whether he goes to a college 30 miles off or 300 miles off. The Honourable Member seems to think that the students do not care how far they go provided there was no college within the town. Then the territorial distribution of colleges or this limitation of attendance in colleges is an impossible thing.

"Then as to the specific proposal that the number of admissions into the Intermediate classes should be doubled, it is not such a perfectly simple thing as the Honourable Member thinks. It will be a difficult thing to find a place for building in the Presidency College; it will be easier with the Kumbakonam and Rajahmundry colleges, but there will be considerable

172 RESOLUTION RE INCREASED ACCOMMODATION IN INTERMEDIATE CLASSES OF GOVERNMENT COLLEGES.

(Mr. Stone; Mr. Ranga Achariyar; the Rev. Mr. Pittendrigh; [16TH AUGUST 1918. Mr. Yaqub Hasan.)

difficulty with regard to the staff. If the Government thought that there should be accommodation for double the number, the Government would not mind the difficulty. I know the Government are not prepared to be tied down in this way to the special course of development. The Government have given every proof that they are willing to develop colleges; for instance they have started three colleges, and the staffs of other colleges have been decidedly increased a good deal with a view to the better teaching of the Intermediate classes. That shows, to my mind, that the Government are not less mindful of the needs of collegiate education. The Government will continue to pursue the development of the colleges in the ways suitable to them. In not accepting this resolution the meaning of the Government is that they are not prepared to tie themselves down to the development of collegiate education in the way the Honourable Member asks for."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"The Hon'ble the Director of Public Instruction says that he has not received complaints about want of accommodation. There is a general complaint of want of accommodation. I would earnestly urge upon the attention of the Government to increase the accommodation in Government and other affiliated colleges."

The Hon'ble the Rev. Mr. G. PITTENDRIGH:—"Your Excellency, I have listened to the speech of the Hon'ble Mr. Yaqub Hasan with something like amazement. The whole principle of education laid down by the Government of India is that Government colleges should be model colleges. He complains that the Government are not taking their proper share in the education of the country. But the Government's idea of education is that it should be on an aided basis, that the Government should support aided colleges and should carry on one or two Government colleges with a view to being model institutions."

"The other point that amazed me was that he would deprive the parents of their freedom, a most unusual procedure, and make them send their children to the colleges in their own towns. Suppose a parent were asked to send his children to Oxford or Cambridge, what consternation would it produce! Further Government education is very expensive; it costs the Government ten times what it costs them to aid institutions."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"My Lord, when I proposed this resolution, I knew that the Government were prepared to develop collegiate education as much as possible and they were doing their best to provide for collegiate education. I only wanted them to do a little more. It is not that I complain that they are doing very little, but I want them to do more. If I omit the words "twice their present strength," even then it may not have been acceptable to the Hon'ble Mr. Stone, for he says he will not bind himself to develop the colleges on the lines laid down by me. The Government colleges being model colleges do not cease to be model ones by increasing the accommodation. They will continue to be model institutions."

"It has been said by the Hon'ble the Rev. Mr. Pittendrigh that Government education is expensive. That is also one reason why I suggest this. If accommodation is increased, the cost of education will be reduced to half the present amount. That will reduce the cost of educating a boy in a Government college. These Government colleges in the mufassal are not model colleges. They are provided only for the requirements of the district. Only the Presidency College can claim to be a model college. The Hon'ble Mr. Stone asked whether, if all them. I see no reason why accommodation should be provided for students in the Madras town or in the Presidency want to get into the best college you may at least make it possible for a large number to get into that College; you should not confine it to a very small number. Ninety-seven in the first Intermediate class is really too small, whereas in other colleges we have 250 students. Why not the Presidency College have 150?"

"It is said that accommodation in all colleges is enough for all those who go in for collegiate education, but my experience is not of this year. Last year there were many who could not get admission and they had to go without education. By the time they knew the result of their application the time of admission was over. Because no complaint was made to the Director of Public Instruction, he cannot conclude there is accommodation in the colleges."

"As regards my remark that students should be made to go to the nearest college, it has been taken in a different light from what I had in mind. At any rate the Hon'ble the Rev. Mr. Pittendrigh said it would take away the freedom of the parents to send their children to whatever colleges they liked. If it is the freedom of the parents, it will be a different matter. Students are now compelled to go long distances. If you get statistics from colleges, you will find students in Ganjam whose parents are in Madras. Who will dream of doing so except that he could not get accommodation into any of the colleges here simply because no Madras college would admit? Freedom is not given to parents to send their boys to the colleges they like. Circumstances compel them to send them away. At any rate I am very glad that the Government will try their best to provide more facilities. It is not the present number that has to be taken into consideration, but the number that may come hereafter. Limited accommodation in colleges has a serious effect on the results of the Secondary School Leaving Certificate examination. The Hon'ble Mr. Rama Ayyangar pleaded for the students who failed for want of one mark. What is the use of giving that mark to them when there is no more accommodation in colleges and they cannot get admission into colleges? Limited accommodation in colleges has an injurious effect upon the number of passes, i.e., the number of boys declared eligible for

RESOLUTIONS RE INCREASED ACCOMMODATION IN INTERMEDIATE CLASSES OF GOVERNMENT COLLEGES AND SCALE OF WATER-RATES. 173

16TH AUGUST 1918.] (Mr. Yaqub Hasan Sahib; The President; Mr. K. R. V. Krishna Rao.)

admission which tends to be kept low. I do not say it is intentionally kept low, but with the importance that is attached to collegiate education and owing to the high standard of English with 40 per cent minimum, only 2,500 are considered fit for collegiate education. If you had a larger accommodation you will have a larger number passing the Secondary School Leaving Certificate examination and there will be more boys going to the colleges."

The resolution was put to the Council and lost.

His Excellency the PRESIDENT:—"We have to consider how we are to finish the agenda. Some gentlemen wish to leave Madras to-night. Does the Hon'ble Mr. Yaqub Hasan move all his resolutions?"

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"Yes."

The Hon'ble Mr. K. R. V. KRISHNA RAO:—"I want to catch the train. If Your Excellency will give me ten minutes' time, I will move resolution No. XXVIII."

His Excellency the PRESIDENT:—"If the Council has no objection, we will take No. XXVIII."

Resolution No. XXVIII was then taken up.

RESOLUTION RE SCALE OF WATER-RATES.

In the absence of the Hon'ble Mr. M. Ramachandra Rao, the following resolution which stood against his name was moved by the Hon'ble Mr. K. R. V. Krishna Rao:—

The Hon'ble Mr. K. R. V. KRISHNA RAO:—"The resolution that has been entrusted to me by the Hon'ble Mr. M. Ramachandra Rao runs as follows:—

'XXVIII. This Council recommends to the Governor in Council that the existing scale of water-rates should not be increased as suggested in notification No. 345, dated 18th July 1918.'

"My Lord, by a Government Order issued on the 18th July 1918, a notification published in the *Fort St. George Gazette* it was announced that the water-rates charged for irrigation in the tracts to which sections A, B, C, D, G and H of Appendix I to Board's Standing Order No. 4 apply will be hereafter Rs. 6-4-0 for group I, Rs. 4-3-0 for group II, and Rs. 3-2-0 for group III per acre for each wet crop and the scales for dry crop and dufassal crop are also given. My Lord, this differential system of the water-rates (of charging water-rates on a differential system and also making a difference with regard to dry lands that are occasionally irrigated) has come into vogue since the resettlement in 1899, and those that are regularly irrigated) has come into existence in both the Kistna and Godavari deltas, that is in the Western, Eastern and Central deltas of the Godavari district. My Lord, it has been before the Government and the Board of Revenue whether this system of charging water-rates on dry lands on a differential system and taking also into account the occasionally irrigated rates on dry lands on a differential system is complicated or simple. The Board has gone into this question and also the Collectors have given their opinion upon this matter. Now there are obvious advantages and disadvantages in this system of charging differential water-rates and arriving at a rate at which water-rates should be charged for dry lands. By deducting the dry rate from the wet rate it will be practically easy for the Revenue authorities to go on. In this system of charging there is no doubt an obvious advantage since it is theoretically a very reasonable and also a very perfect method of arriving at the exact rates of water-cess that should be charged per acre of dry land. It is a great disadvantage, inasmuch as the rates that have to be determined for the various classes of dry land would have to be determined chiefly by the karnams who naturally will have a great deal of influence in the matter. It is also to be said as an advantage in favour of this differential system of water-rate that the crop that is irrigated will be considered, whether the crop that is raised on the dry land is an occasionally irrigated crop or a regularly irrigated crop. Even the nature of the cultivation of the particular dry land is taken into consideration as also the source which commands that dry land. This differential water system is perfect if it can be carefully and justly worked. But sometimes it is a very difficult process and the Board of Revenue looking at the difficulty of arriving at the calculations appear to have been considering for sometime that it will be advantageous to have a fixed water-rate for all the dry lands and adopt the new system of charging for water on a fixed scale. The Collectors reporting on this as to how occasionally and regularly irrigated crops in connexion with this new system of calculating water-rates on dry land are likely to fare gave their opinions as follows. Mr. Elwin points out that 'whatever may be the financial effects of levelling down the distinction between these kinds of crops, the incidence itself seems inequitable, as for instance, a gingelly crop watered only twice or thrice and a chilly crop systematically irrigated will pay the same rate."

"Mr. Turing also says 'It is distinctly advantageous to abolish, if possible, the distinction, often rather a fine one, between "occasional" and "systematic" irrigation.' My Lord, while this differential water-rate system is in vogue in the deltaic tracts of Godavari and Kistna, a fixed water-rate is being charged in all zamindari areas and the whole

(Mr. K. R. V. Krishna Rao; Mr. A. S. Krishna Rao; [16TH AUGUST 1918.
Sir Alexander Cardew.)

inam villages and minor inams. A rate of Rs. 5 per acre is charged for supplying water for dry crop. But now under the notification published in the *Fort St. George Gazette*, dated the 18th July the rate is to be made Rs. 6-4-0 for wet crop per acre in group I and Rs. 4-3-0 per acre in group II, Rs. 3-2-0 for land under group III and for lands in the zamindari area also which are now being charged on a fixed water-rate system at the rate of Rs. 5, the charge will be the same; that is in the zamindari and the whole inam villages and private inams the charge for water for dry land will be Rs. 6-4-0 for group I, and so on instead of Rs. 5 as hitherto. My Lord, in answer to an interpellation which has been put by the Hon'ble Mr. Ramachandra Rao asking for information with regard to details of lands and areas, etc., that will be affected by this Government Order, the Government stated that they were not in a position to give full information. I am alive to the difficulties of the situation. It is not possible for the Government now to give any detailed figures or to have any clear idea about this matter. It is a very complicated and difficult matter to arrive at figures or to obtain definite information in regard to this matter.

"I may also bring to the notice of this Council that there are five classes which are recognized under the present system of differential water-rates which will hereafter be brought down to three classes. In the Government Order, it is stated that the first and second classes will be classed as first, the third as second, and the fourth and fifth will be hereafter in the third class. Most of the lands which are already in the first class and also such lands in Bhimavaram and other taluks which are at present under class II would hereafter be brought under class II. In these districts there are zamindari tracts some of which are at present in class II but they will hereafter be brought under class I and the charge upon these lands will now be Rs. 6-4-0 instead of Rs. 5. The one matter which I want to bring to the notice of this Council is by this Government Order not only some dry lands in the ryotwari tracts will be affected but a large number of lands in the zamindari areas will also be affected and the water-rate on these dry lands will become enhanced from Rs. 5 to Rs. 6-4-0. The Government Order was published on the 18th July and the public were asked to make representations before 20th September. It is a very short time. I do not say that this differential water-rate system with its complicated calculation must be continued and I am perfectly convinced of the soundness of charging a fixed water-rate provided that it does not unduly enhance the rates which are now being paid by the people affected by this Government Order. I request that this matter may be considered and in giving up this differential water-rate calculation and charging a fixed water-rate consideration may be paid to seeing that the persons who have now been paying a certain rate are not made to pay more than what they have been paying hitherto.

"My Lord, there is one other matter. There are about 1 lakh acres of bapat land. They will cease to be under dry portion. At present the localization of wet areas is being made in the Kistna district. In the Godavari district some experiments are being made with regard to the supply of water. The season is very unfavourable and the crops last year were not as good as was expected.

"Taking all these things into consideration I request that the Government will be pleased to see that the rate charged under this notification are not enforced and the water-rates that are being at present charged are not enhanced as suggested in the Government Order. At least I request Your Excellency's Government to give some time to enable people to make representation and also to enable Government to go into this matter very fully and see whether or not they cannot effect their purpose by not charging more than what they have been charging at present as water-rate on dry land. With these words I commend this resolution to the Council."

The Hon'ble Mr. A. S. KRISHNA RAO :—"I beg to second this resolution. Any proposal made in this Council proposing a change of water-rate will meet with considerable opposition on behalf of the Government. But in this particular case when the effect of this notification is to increase the existing water-rates I wish to know whether sufficient notice has been given to the persons affected to make proper representation. I know that in several previous cases whenever resolutions were moved in this Council as to the difficulties of ryots, the Hon'ble Sir Alexander Cardew would make the reply that the persons concerned have not made a representation as if probably it were a sort of estoppel against them. In this case in the Government Order, dated the 18th July the time given is the 20th September. That is not enough for the people to acquaint themselves with this Government Order, to understand it and to make representations to Government. I therefore think it is fair and proper that further time is given to enable all persons concerned to make direct representation to Government."

The Hon'ble Sir ALEXANDER CARDEW :—"Your Excellency, this question of water-rate has been under discussion between Collectors and the Government for a period of ten or twelve years or more. The matter is one of considerable complexity and various systems have been tried. One is the differential system which has been working in the Kistna district since the last settlement and which has been also introduced into Kurnool and certain other tracts. In that system the water-rate on wet crops is equal to the difference between the dry and wet assessment. We tried this assessment in various parts of the Presidency, and it has been persistently condemned by every one who has had anything to do with it. I would myself have liked to stick to it but I have been overborne by the weight of evidence against it. It has been said that it is beyond the understanding of the ryot, that he does not know why he is charged, that the system puts him entirely in the hands of the karnam and that it gives an enormous amount of trouble to the Collectors and village officers. At last, I have unwillingly given way, because though

16TH AUGUST 1918.] (Sir Alexander Cardew; Mr. Ramanuja Achariyar;
Mr. K. R. V. Krishna Rao.)

I saw the theoretical advantage of making a graduated charge for water I recognize the necessity of substituting in its place a simple system which will make the charge for water depend entirely on the sources from which it is obtained. Land irrigated from a first-class source will then have to pay more than land irrigated from a second-class source and land irrigated from a second-class source more than land irrigated by a third-class source. All attempts to charge water according to the quality of the soil will be abandoned, because in practice it is impossible to carry it out with accuracy or intelligibly to the ryot or satisfactorily to anybody.

"In the Kistna district there are at least 24 rates for which it is proposed to substitute three rates. I take the Kistna district, because the Honourable Member belongs to it. In Kistna each taram has the wet and dry assessment, and the difference between the two forms a fresh rate. It is proposed to do away with all attempts to adjust the water-rate to the soil and to substitute the simple plan of charging for wet crops Rs. 6-4-0 for first-class sources, Rs. 4-2-0 for second-class and Rs. 3-2-0 for third-class sources. In some places it means a decrease in the charge. The highest water-rate in the Kistna district is Rs. 8 and there are rates of Rs. 7-8-0, Rs. 7 and so on. The highest rate under the revised scale will be Rs. 6-4-0. The lowest rate formerly was Rs. 5, Rs. 4-12-0 and Rs. 4-8-0. Now the lowest rate under group III is Rs. 3-2-0. What the financial effect will be it is impossible to tell. The substantial reason for the change is to simplify the water-rates and to enable the ryot to understand what he has to pay according as his land is in the first, second or in the third class.

"The other system of water-rate which has been tried is the system which is based on the crop. Some crops require more water than other crops and the rate is adjusted to the crop. That also involved complexity, as in different districts different cultivation customs prevail which necessitate a different charge in two different districts for the same crop. It has been thought better on the whole to substitute for that a quite simple plan. I do not know whether it will involve a loss of revenue. I believe that in some districts it will involve a reduction in revenue—in Kurnool and also in Ganjam. I do not think that in any case Rs. 6-4-0 an acre for a first-class source can be regarded as excessive, Rs. 4-3-0 on the second group is certainly moderate and Rs. 3-2-0 on the third group is actually a reduction. I hope it will be welcomed by the ryot when he comes to understand all the complexities that have been removed.

"It was rather difficult for me to follow the Honourable Member. He seems to advocate the differential system. It is so complicated that no one understands it and its retention cannot be accepted. Primarily the change is not a fiscal one but it is intended to simplify the system. The only area where I think there is any likelihood of hardship is in zamindari lands in Kistna and Godavari, where a fixed rate has been hitherto in force and not the differential rate. All the lands there pay Rs. 5—now, some of them will have to pay Rs. 6-4-0, ential rate. All the lands there pay Rs. 5—now, some of them will have to pay Rs. 6-4-0, while others on the other hand will have to pay Rs. 4-3-0 and Rs. 3-2-0. Without an elaborate calculation we can hardly tell whether this would mean an increase. I must admit that in zamindari tracts it may probably mean an increase. When representations come in that in zamindari tracts it may probably mean an increase. I am supported by every asking the Government to give more time, that will be considered. I am supported by every revenue officer that this change of system is going to prove a great relief to the ryot and village officer and the officers of the Government and I hope the Honourable Member will not press this resolution to a division."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—"I welcome the change back to the fixed system which was the system in force fifteen years ago. I know in Tanjore the differential rates have not been introduced. In my village I have been paying only Rs. 4 an acre. If you add Rs. 6 to the dry rate, which is Rs. 4 an acre, it becomes Rs. 10, whereas the wet assessment is Rs. 9. I want to know the principle upon which Rs. 6-4-0 has been fixed. Is it a rate fixed without inquiry? To raise the rate from Rs. 4 to Rs. 6-4-0 will be a very heavy charge. If the Government will give us time to understand it, we will make representations. Until I saw this resolution, I was not aware that the Government had issued this notification. If these lands have been paying more than Rs. 6 as water-rate we would not mind it. But we have been paying only Rs. 4. If we are given time, we would make representation either by memorials or deputations."

The Hon'ble Mr. K. R. V. KRISHNA RAO :—"My Lord, all that I want the Government to do is to give the persons affected by this notification some time to see how far this would enhance the rate they have been paying, or whether they will have to pay the same amount hereafter or whether this would affect them in any way. It is said that it is only dry land in class I that will have to pay Rs. 6-4-0, and those under class II will have to pay Rs. 4-3-0. Almost all the lands in Godavari delta are classed under group I, but that is what the settlement report says. There are no doubt some lands under group II; but that is what the settlement report says. Under the new grouping system lands under groups I and II will come under group I, so that all these lands will have to pay Rs. 6-4-0 instead of Rs. 5. The Honourable Member has said that some lands in Kistna and Godavari districts pay very high rates, as much as Rs. 8 but I am more concerned with lands charged a fixed water-rate in zamindari and whole inam villages. What about those lands? They will now have to pay Rs. 6-4-0 instead of Rs. 5 as hitherto if they happen to be in group I. Most of these lands will be put under group I. Though people will not have to submit themselves to elaborate calculations of the differential water-rates, they must understand what their position is and they should be given some time

176 RESOLUTIONS *RE* SCALE OF WATER-RATES; TRANSFER OF THE MALABAR SOAP FACTORY TO A PRIVATE COMPANY; DOUBLE TRACK BETWEEN THE BEACH AND PALLAVARAM STATIONS; AND COMMITTEE TO CONSIDER MR. LANCHESTER'S REPORT ON THE MADRAS CITY.

(*Mr. K. R. V. Krishna Rao; Sir Alexander Cardew; [16TH AUGUST 1918. Mr. Yaqub Hasan; the President.]*)

for that. Twentieth September is fixed as the latest date. I shall be satisfied if six months' time is given; they will then understand the notification and the intention of the Government and make representations if they find it necessary to do so."

The Hon'ble Sir ALEXANDER CARDEW :—"Your Excellency, there is some reason in what the Honourable Member asks. Without undertaking anything further, I am prepared to give more time for the representation which he wishes to submit. We will give three more months, and I am prepared to extend the period by three months, i.e., up to the 20th December."

The Hon'ble Mr. K. R. V. KRISHNA RAO :—"It would be more advantageous if six months were given. I request that six months' time be given."

The Hon'ble Sir ALEXANDER CARDEW :—"The Honourable Member will try to send his representation before the 20th December."

The Hon'ble Mr. K. R. V. KRISHNA RAO :—"I beg to withdraw the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION *RE* TRANSFER OF THE MALABAR SOAP FACTORY TO A PRIVATE COMPANY.

The Hon'ble YAQUB HASAN SAHIB Bahadur :—"I do not wish to move resolution No. XX. I want some information and I will be in a better position to move it at the next meeting."

His Excellency the PRESIDENT :—"The Honourable Gentleman will send in a notice."

Resolution No. XX which was not moved was as follows :—

"XX. This Council recommends to His Excellency the Governor in Council that the business of the Soap Factory attached to the Department of Fisheries in Malabar be handed over to a limited liability company to be formed and registered under the Indian Companies Act, 1913, the share capital of which to be open to public subscription, the Government retaining a number of shares and a seat or two on the directorate of the company with a provision in the articles of association for affording facilities for the training of apprentices in the art of soap manufacture."

RESOLUTION *RE* DOUBLE TRACK BETWEEN THE BEACH AND PALLAVARAM STATIONS.

The Hon'ble YAQUB HASAN SAHIB Bahadur :—"I also wish to postpone No. XXII."

The resolution No. XXII ran as follows :—

"XXII. This Council recommends to His Excellency the Governor in Council that the South Indian Railway Company be asked to arrange for the laying of a double track between the Beach Station and Pallavaram as soon as the war comes to an end."

RESOLUTION *RE* COMMITTEE TO CONSIDER MR. LANCHESTER'S REPORT ON THE MADRAS CITY.

The Hon'ble YAQUB HASAN SAHIB Bahadur moved resolution No. XXI of which he had given notice and which was as follows :—

"XXI. This Council recommends to His Excellency the Governor in Council that a committee consisting of the President, the Engineer and Special Engineer of the Corporation of Madras, the President of the Harbour Trust Board, Sanitary Commissioner, Chief Engineer, Consulting Architect to the Government, Collector of Chingleput and six Commissioners of the Corporation of Madras elected by the Corporation, be formed to consider the suggestions made in the Report on Madras Town by Mr. H. V. Lanchester and to submit proposals, preliminary to the formation of a fuller scheme, for the improvement of the town of Madras, relief of congestion in it and creation of healthy suburbs in the neighbourhood of Madras."

In doing so he said :—"Your Excellency has taken personal interest in the matter of town-planning improvement. It was Your Excellency who arranged for the visit of Professor Geddes to this Presidency. He aroused interest of the people in the towns they live in and in

RESOLUTION *RE* COMMITTEE TO CONSIDER MR. LANCHESTER'S REPORT ON THE MADRAS CITY. 177

16TH AUGUST 1918.]

(*Mr. Yaqub Hasan.*)

their surroundings. He opened our eyes to the beauties of nature and art amidst which we lived and moved, but to which we had become insensible and oblivious. He showed us that our forefathers must have possessed æsthetic sense in a high degree to have designed beautiful buildings, constructed imposing temples and mosques, so set up towers and minarets, domes and cupolas as to have a pleasing undulated sky line, planned towns and gardens, planted avenues, built tanks, arranged squares and recreation grounds; in short, made a town not only a centre of trade, commerce, industry, education and administration, but also a place of abode where a community could live an enlightened and cultured life. We have however degenerated since those good old days. Our æsthetic sense has deteriorated: our arts have lost their vigour and originality; we have become so indifferent to the beauties of art that have been bequeathed to us from past generations that we cover finely chiselled carving with chunam plaster and hang tattered tattis over a highly ornamented facade. Professor Geddes has shaken the people out of their indifference to their surroundings. Efforts are being made here and there to improve towns and surroundings. In anticipation of demand for expert advice about town-planning and improvement, Mr. Lanchester was engaged by Your Excellency. Our grateful thanks are due to Your Excellency for timely action in this matter. Mr. Lanchester's report on Madras town is a valuable book. He has wisely abstained from giving us an elaborate scheme. He has made a survey, pointed out defects and shortcomings and suggested lines on which and directions in which improvement is desirable. Modern requirements of life, consideration of sanitation, hygiene and health, passion for artistic and pleasant surroundings, the keen sense of citizen-ship and pride in one's own native place—all demand the reconstruction and reformation of towns and villages. There is not a single important town in Europe that has not undergone transformation in the last half a century; and India in its onward march of civilization and progress cannot afford to lag behind. In point of population and importance, Madras is the third city in India. But in the matter of town improvements, other capitals of minor provinces are making more rapid progress, and if Madras does not look up, it will be as badly beaten in this respect as it is in the race for the Indian War Loan. The Englishmen, who first landed on these shores and asked the Nawab of Carnatic—so goes the story—to give them a piece of land as large as can be encompassed by a skin so that they may carry on their peaceful trade from that encampment were not quite wise in spreading their skin on the particular spot where we are now having our deliberations. Of course, they did not foresee that the small settlement was destined to become one day one of the principal seats of British Government in India. We have some serious natural drawbacks to contend with in this city. One of the formidable drawbacks was the unsuitability of this coast for a safe and useful harbour. The resourceful ingenuity of the Hon'ble Sir Francis Spring has overcome all the adverse elements and has given us a harbour of which any modern town will be proud. The success which has crowned Sir Francis Spring's efforts gives us a hope of equal success in the larger question of the improvement. The attention of the city fathers has so far been devoted to the provision of the most elementary needs of the town. Our water-works have been completed only recently. If this boon has not done any other good beyond driving away the uncomfortable disease of elephantiasis, we may thank our stars that we are going about our avocations so light-footedly. In my fancy free school days at Aligarh, I used to conjecture as to which place would be the best to settle in. I had a great dread of Madras, for I was told that a large number of people here dragged on their existence with misery, for nature was jealous of the nimbleness of the Madrasses and out of fairness to the less agile dwellers elsewhere, nature started the Madrasses in the race of life with heavy weights. Our Special Engineer Mr. Madeley is still struggling on manfully with the drainage. There was a prospect of Mr. Madeley's career through the gutters of Madras coming to an untimely end at this very sitting of the Council. But the Government, after tantalising the Corporation and leading it to the brink of despair, have sportingly come again to its rescue.

"The work of improvements in other directions has yet to be taken seriously in hand. The Corporation has done a few things here and there spasmodically and in a hap-hazard manner. Some streets have been broadened, some parts of the city opened out, some awkward corners rounded off, some model houses for the poor and model paracheris have been built, and some footpaths laid. But this has been done without any definite plan. It is high time we had a workable plan and a constructive scheme to regulate improvements and extensions in future. Relief of congestion is the principle thing to tackle. Trade and commerce have made long strides during the last two decades. Many a domestic house in Georgetown have been converted into godowns, shops and business premises. Many people who have their business or avocation in Georgetown have been crowded out of it. Expansion of business has naturally increased the number of persons employed therein who are desirous of either living near the businesses or in quarters from which there are convenient means of conveyance to the places of their employment. For want of convenient suburbs, these people are only adding congestion to the already congested parts of Madras. Creation of good healthy suburbs is therefore the second thing that has to be planned out. Madras has plenty of space in its neighbourhood for the development of ideal suburbs. The town itself can also be suitably extended. The Corporation fights shy of the question of extending the limits of the city. It has already maintain roads, the length of which is in proportion to the population, greater than that of any other town in India and further extension of the town will mean more area to be supplied with roads, light and water. This is the third point for the consideration and decision of the proposed committee. Extension of the town and creation of new suburbs will not

178 RESOLUTION *RE* COMMITTEE TO CONSIDER MR. LANCHESTER'S REPORT ON THE MADRAS CITY.

(Mr. Yaqub Hasan; Mr. Ranga Achariyar; [16TH AUGUST 1918. Mr. Rajagopala Achariyar.]

be beneficial and successful unless means of conveyance are also extended and improved. Mr. Lanchester's report contains many useful suggestions for developing tramways and railways. It is already proposed to lay tramway on a part of the Mount Road. The proposed committee might suggest further extension of that line to the toll-gate, even to Saidapet. A new metre-gauge line will enter the town from the north-west from Renigunta and will join the South Indian Railway line at the harbour. This will provide through traffic without a break all round the outskirts of the town. The waterways present to us problems of their own. The savoury Cooum is a big problem by itself. Any other town having a river and a canal meandering through the town, in the way the Cooum and the Buckingham canal do, would have made better use of the waterways and turned them to be the most pleasing and original features of the town. But here these are allowed to be eyesore and sources of danger to the health of the city. A special feature of Madras is the existence of bungalows with large compounds. But the compounds are too big to be kept in good trim and tidy without much expenditure and compound walls are anything but picturesque. It was such a pleasure to see in Colombo, during my recent visit, small houses in the midst of small gardens with verandas, porticos and compound walls overhung with flowering creepers. Why should not each dreary plot of land with one dismal dwelling in its midst be divided into half a dozen plots, each having a snug little human nest in the midst of a garden of its own? New houses are now coming up in all sorts of places, large compounds are being split, vacant lands are being turned into dwelling places, rice fields are being converted into house-sites. In short, there is much building activity in Madras. But there is no town plan, no building rules, no expert guidance. The standing committee has reserved to itself the right of passing the designs of buildings for certain specified localities where it is considered necessary to have buildings possessing good architectural features. But Members of the Standing Committee are all laymen and they do not have the assistance of any architect. I hope I have made it clear how necessary it is that Madras should have a programme and a plan for the improvement of the town. Mr. Lanchester's report bristles with various suggestions that require careful examination by a committee consisting of persons capable of considering a multifaceted question from different aspects and capable of giving advice in the formulation of proposals for the improvement of the town. This committee should not be confined only to the Commissioners of the Corporation. Corporation is no doubt the principal body interested in this matter and it should be well represented on the proposed committee. But there are others outside the Corporation who can bring to bear on this question their knowledge and experience, such as the President of the Harbour Trust Board, Sanitary Commissioner, Chief Engineer, Consulting Architect to Government. Some of the executive officers of the Corporation should also be placed on the committee such as the Engineer, Special Engineer, and I would add the Health Officer. The Collector of Chingleput should also be on the committee for his advice and opinion and co-operation is necessary in the matter of suburbs, and I would add the representatives of the tramway and two railway companies. The Corporation has already elected the President and six Commissioners to form a committee. These six Commissioners are to be added to the committee I propose.

"After good deal of hesitation and after trotting out the bogey of war and want of funds, the Corporation has appointed a committee of the President and six Commissioners to consider the report. It is advisable that this committee should be strengthened with the addition of the persons named by me. The rules of the Corporation do not allow of persons other than the Commissioners being put on the committee; nor can the executive officers of the Corporation be placed on it as equal members. Hence I move that the Governor in Council be requested to appoint a committee of which the committee appointed by the Corporation should also form a part."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I second the resolution. It will turn out to be a costly scheme, but let us have a committee to consider the scheme and it will be time enough for the Madras Corporation and for the Government to consider how best it could be carried out. With the additions proposed I second the resolution."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I do not propose to follow the Honourable Mover in the very interesting remarks he has made about Mr. Lanchester's report on the city of Madras. I will confine myself to this one circumstance. As soon as Mr. Lanchester's report came into our hands, we communicated it to the Corporation in April 1918, and we advised the Corporation to appoint a committee to examine the suggestions made in the report and consider what definite action could be usefully taken on it and to frame a programme for a series of years so that such schemes as might be decided upon might be undertaken after normal conditions are restored and as funds became available. The President of the Corporation was also requested to work out in consultation with the President of the Chingleput District Board for the control over the areas adjoining the city. The President informed us in June last that the Corporation had appointed a committee consisting of himself, Mr. C. P. Rameswami Ayyar, Mr. T. Ranga Achariyar, Mr. Yaqub Hasan, Sir Gordon Fraser, Mr. A. J. Powell and Rao Bahadur Muparappa to consider the suggestions made in Mr. Lanchester's report and make a preliminary report to the Corporation as to how best the Corporation could deal with the several matters dealt with in this report. Matters now stand on that footing. I do not think the Government should do anything which would look as if we were taking the matter out of the hands of the Corporation or that we had any want of confidence in the

RESOLUTIONS *RE* COMMITTEE TO CONSIDER MR. LANCHESTER'S REPORT 179 ON THE MADRAS CITY AND STOCK OF FOOD-GRAINS IN NORTHERN CIRCARS.

16TH AUGUST 1918.] (Mr. Rajagopala Achariyar; Mr. Ranga Achariyar; Sir Gordon Fraser; Mr. Yaqub Hasan; Mr. Suryanarayanamurti Nayudu.)

Corporation. The very circumstance that this resolution is moved by a member of the Corporation and seconded by another member of the Corporation who represents that body in this Council shows apparently that there is a large volume of opinion in favour of a larger committee being appointed by the Government. I would not commit the Government to any supersession of the premier municipality. The Council would agree that the Corporation is the proper body to look after this matter. We have asked them to look into the matter and they have done so and we should not interfere at this stage. If the Corporation after getting this report ask us to appoint a more comprehensive committee, we can take such action as we may be advised, but at this stage I cannot do anything which will be regarded as a most uncalled for reflexion upon the Corporation in a matter in which it is primarily interested and which by a specific order of the Government has been entrusted to that body."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Why not the Government forward this debate to the Corporation for remarks?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I do not think we can send the debate to them for their remarks. They will see the debate. We will simply send them a copy of the debate."

The Hon'ble Sir GORDON FRASER:—"Your Excellency, I think we all fully sympathize with this resolution, but after the remarks of the Honourable Member for Government, who has put the question rightly to us, we cannot possibly interfere in this matter at this stage after the Corporation have been asked to appoint a committee and after they have actually appointed a committee. I think we must welcome a full report on this matter and bear in mind the possibility of instituting a special institution in this city similar to the City Improvement Trusts which they have in Bombay and Calcutta. I hope Your Excellency's Government will keep this in view. There are many sites for building in this city which it is impossible for a private purchaser to buy on account of the impossibility of getting anything like a good title. The acquisition of land can only be brought about by an Improvement Trust with full powers for the purpose.

"There are many ways in which the town may be improved, the short circuiting of the Cooum and the filling up of the Buckingham canal. Mr. Lanchester wants Rs. 15 lakhs for ten years. This is a very large sum of money. A very great advantage of having an Improvement Trust would be that we will be in a position to appreciate how money could be utilized to bring in a good return. As we stand at present, we must accept the remarks made by the Honourable Member for Government."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"Your Excellency, when the Hon'ble Mr. Ranga Achariyar moved that proposition in the Corporation, it occurred to me to add some outside names; but I thought it would not be possible for the Corporation to do that. Therefore I thought that the best course would be to ask the Government to appoint a committee. This Council is for the whole Presidency and therefore it is interested in Madras town also just as much as the Corporation itself. It is also open to this Council to make a recommendation to the Governor in Council to appoint a committee. The Corporation might also ask for such a committee. As suggested by the Hon'ble Mr. Rajagopala Achariyar, the corporation may ask the Government to appoint a larger committee and this Council may also ask for it. This resolution is a recommendation to this Government. It is suggested that that recommendation should come from the Corporation, that I or the Hon'ble Mr. Ranga Achariyar may move in the Corporation a resolution that the Government be asked to appoint a committee. I do not think the Government may appoint committee even without a formal application coming from the Corporation. I do not think it would be a reflection upon the Corporation. Now that the Government have chosen to say that that would be the proper course, we will move it there. Then the Hon'ble Mr. Rajagopala Achariyar said that he would forward the proceedings of this debate to the Corporation; that would also show the Corporation that it is desirable that a larger committee should sit on this subject. As for the suggestion of the Hon'ble Sir Gordon Fraser that there should be an Improvement Trust, this committee will consider that as one of the proposals. It is for such a preliminary consideration that such a committee is proposed. I withdraw this resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION *RE* STOCK OF FOOD-GRAINS IN NORTHERN CIRCARS.

In the absence of the Hon'ble Rao Bahadur M. Ramachandra Rao, the Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU moved the following resolution:—

'XXIII. This Council recommends to the Governor in Council

(a) that an inquiry be immediately made as to the condition of stocks of food-grains in the districts of Ganjam, Vizagapatam, Godavari, Kistna and Guntur;

(b) that steps be taken to permit merchants in the Northern Circars to import food-grains from Orissa and Bengal and to afford the necessary railway transport facilities;

180 RESOLUTION RE STOCK OF FOOD-GRAINS IN NORTHERN CIRCARS.

(Mr. Suryanarayanamurti Nayudu; Mr. Ranga Achariyar; [16TH AUGUST 1918.
Sir Alexander Cardew.]

(c) that exports of paddy from the above districts to stations outside the above districts be prohibited if imports of food-grains from Orissa and Bengal is not permitted.

In doing so he said:—"As regards clause (c) I do not propose to move that part of the resolution. With regard to clause (b) with Your Excellency's permission, I want to move it in an altered form, namely, 'that steps be taken to afford the necessary railway transport facilities to merchants in the Northern Circars to import food-grains from Orissa and Bengal.'

"As regards part (a) that an inquiry be immediately made as to the condition of stock of food-grains, I understand that the Director of Civil Supplies is gathering information regarding stocks of paddy and rice in these districts. But I do not know if the same thing is done with regard to other food-grains. It will be better if that is also done.

"As regards the importation of food-grains from Orissa and Ganjam, at present on account of the difficulty of getting railway wagons very little is coming from those places. Some time back a steamer load of rice and paddy was obtained from Akyab when the prices were going up, but soon after that importation the prices went down. Now to get steamers has become impossible. If we apply for wagons, they are not available and the stocks are small in these districts. So if facilities are given, it would be helpful to import rice from Orissa and from Ganjam where the crops of last year were good and there are large stocks. The stock of ragi in these districts is very small and some people were importing by carts from Vizagapatam and Ganjam to Cocanada and Rajahmundry, paying Re. 1 or 1-8-0 per bag and selling it at ten and ten and a half seers for a rupee. If we can bring that by rail, we can sell it at 14 seers for a rupee. The Relief Committee in Cocanada which was not an official body, will be able to bring ragi from Pervatipur and Bobbili if some facilities are given and that will be helpful to bring down the prices. I hope Your Excellency's Government will find their way to render all necessary help and give the facilities mentioned in the resolution."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I beg to second the resolution, and in doing so I wish to lay emphasis on the urgency of making an inquiry into the stock of foodstuffs of each district. Having regard to the threatened scarcity in Tanjore and other districts, we should see that food stocks in each district are not sent out. Already a large stock of paddy has been sent out of the districts and I do not think that the stock remaining is sufficient. I think the circumstances will be worse if the Canvry continues to behave as it has been doing. We are threatened with scarcity in all the districts. It is a matter of very great importance and we must take steps to see that each district is self-contained especially as railway wagons are not available."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, the position as regards the stocks of food-grains not only in these districts but in other districts has been under the constant examination of the Government for sometime past and we have got several estimates of the probable supply as compared with the demand up to the next harvest, and we are advised that on the whole there is probably enough to carry us on till the next harvest. But there is certainly a much smaller surplus than usual, and I cannot avoid the admission that the position is by no means as satisfactory as we would like it to be. There is no restriction on the importation of food-grains from Orissa and Bengal where there are plenty of pulses too. The only difficulty is in getting the wagons. The lines are very much congested by coal traffic and by demands of all kinds. The Director of Civil Supplies issues certificates for grain consignments and they have to be countersigned by the Controller of Supplies in Calcutta. He cannot always do that. Mr. Wood has left Madras to attend a conference in Nagpur which is presided over by Sir Claude Hill, the Revenue Member of the Viceroy's Council. There the Controllers of Prices of all the provinces are to assemble, and the procedure is to be laid down to enable them to adjust the demands of the various provinces in the most economic and efficient way possible. It is also proposed that the Central Board in Simla will have some controlling power, so that it will be in a position to see that no province is unduly deprived of the supply or refuses to pass on its supplies. Until Mr. Wood returns and until we know the rules which the Government of India will impose to regulate these matters, it is impossible to come to any clear conclusions. About two months ago, Your Excellency's Government issued an order prohibiting the export of grain from this Presidency. It was necessary to do that on account of the disturbance that occurred in Kistna, Kurnool and in Nellore. The issue of that order had the effect of bringing down the price of cholam in Bellary; it arrested the rise in price. But it was keenly objected to by other provinces. The Bombay province strongly objected, and the Government of India also objected and they began to press us, soon after the order was issued, to withdraw it. Your Excellency's Government stood out against the withdrawal as far as we could, and we had a conference with the officer from the Government of India and after talking it over with him a *modus vivendi* was arrived at and we did withdraw the general prohibition as such. We are still uncertain what powers this conference will give us. The Honourable Member may rest assured that the Government are looking into this matter with the greatest possible attention and are most anxious not only to secure imports but protect any district from any undue denudation of food or other supplies, and we will certainly carry out the suggestion that facilities as far as possible for the importation of food-grains from Orissa and Ganjam will be provided—as far as possible to bring in a large quantity of rice and paddy."

RESOLUTIONS RE STOCK OF FOOD-GRAINS IN NORTHERN CIRCARS; 181
WATER APPLICATIONS IN THE KISTNA AND GODAVARI DELTAS;
IRRIGATION OF LANDS LIABLE TO SUBMERSION IN AND
AROUND THE KOLAIR LAKE; IMPROVEMENTS TO A SECTION OF
BUCKINGHAM CANAL; OPENING UP OF MINOR PORTS IN THE
PRESIDENCY; AND STOCK OF PIECE-GOODS AND YARN.

16TH AUGUST 1918.] (Sir Alexander Cardew; Mr. Suryanarayanamurti Nayudu;
Mr. Chidambaranatha Mudaliyar; Mr. Suryanarayana Rao;
the President.)

"As regards stocks we can only take them from time to time and watch the course of prices in the districts. I think that in that part of the country the monsoon is not so bad as it is elsewhere. I do not myself anticipate a serious deficiency in the Northern Circars. Elsewhere the season prospects, I am sorry to say, are not very good, though in the last few days the results have been better. The Honourable Member may rest assured that the terms of his resolution will be borne in mind and we will do our best to carry out the intentions behind it."

The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU:—"On the assurance given by the Hon'ble Sir Alexander Cardew, I do not press the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

The following resolutions which stood in the name of the Hon'ble Mr. M. Ramachandra Rao Pantulu were not moved:—

RESOLUTION RE WATER APPLICATIONS IN THE KISTNA AND
GODAVARI DELTAS.

XXIV. This Council recommends to the Governor in Council that water applications should be accepted in the Kistna and Godavari deltas in respect of lands which have been hitherto irrigated with permission either on yearly applications or otherwise and that land so irrigated should be taken into account in the localization of wet areas in the above deltas.

RESOLUTION RE IRRIGATION OF LANDS LIABLE TO SUBMERSION
IN AND AROUND THE KOLAIR LAKE.

XXV. This Council recommends to the Governor in Council that lands liable to submersion in and around the Kolair lake in the Godavari and Kistna deltas should invariably receive water for irrigation for the second crop.

The following resolutions fell through owing to the absence of the Honourable Members who had given notice of them:—

RESOLUTION RE IMPROVEMENTS TO A SECTION OF BUCKINGHAM
CANAL.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—

XXVI. This Council recommends to His Excellency the Governor in Council the immediate repair and bringing into working order of the portion of the Buckingham Canal between Porto Novo and Tranquebar.

RESOLUTION RE OPENING UP OF MINOR PORTS IN THE PRESIDENCY.

XXVII. This Council recommends to His Excellency the Governor in Council the immediate opening up of as large a number of minor ports as possible in the Presidency.

RESOLUTION RE STOCK OF PIECE-GOODS AND YARN.

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU:—

XXIX. This Council recommends to His Excellency the Governor in Council that a census of the stock of piece-goods and yarn available in the Presidency be taken to regulate the prices of cloth.

His Excellency the PRESIDENT:—"That disposes of the motions on the paper. Honourable non-official members have been good enough to signify to me their wishes in regard to the suggestion I wished to lay before them at the beginning of the meeting. From the particulars that they have been good enough to lay before me, there is no substantial agreement as to whether at the present time such a meeting will serve any useful purpose. I think the matter may be allowed to be dropped. There only remains the last item in the agenda paper, namely, the election of non-official members of the Finance Committee. I propose that the Council shall now adjourn."

The Council was then adjourned *sine die*.

N. E. MARJORIBANKS,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

7m.

**Proceedings of a Meeting of the Council of the Governor of Fort St. George
assembled for the purpose of making Laws and Regulations under the
provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.**

The Council assembled at the Council Chamber, Fort St. George, at 11 a.m. on Tuesday,
the 22nd day of October 1918.

P R E S E N T :

His Excellency the Right Hon'ble JOHN, *Baron PENTLAND* of Lyth, P.C., G.C.S.I.,
Governor of Madras—*Presiding*.

The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.

The Hon'ble Mr. H. F. W. GILLMAN, C.S.I.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, O.I.R.

The Hon'ble Mr. L. E. BUCKLEY, C.S.I.

The Hon'ble Mr. M. E. COUCHMAN.

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble Mr. H. S. DUNCAN.

The Hon'ble Major-General G. G. GIFFARD, C.S.I., I.M.S.

The Hon'ble Mr. R. A. GRAHAM.

The Hon'ble Mr. W. J. J. HOWLEY.

The Hon'ble Mr. A. R. KNAPP.

The Hon'ble Mr. S. B. MURRAY.

The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.

The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).

The Hon'ble Mr. C. G. TODHUNTER.

The Hon'ble Mr. M. YOUNG.

The Hon'ble Mr. T. RANGA ACHARIYAR.

The Hon'ble the Rev. G. PITTENDRIGH.

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU Garu.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.

The Hon'ble Mr. P. SIVA RAO.

The Hon'ble Mr. B. V. NARASIMHA AYYAR.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.

The Hon'ble Mr. K. RAMA AYYANGAR.

The Hon'ble B. RAJA RAJESWARA SETUPATI alias MUTTURAMALINGA SETUPATI

Avargal, Raja of Ramnad.

The Hon'ble Mr. B. VENKATAPATI RAJU.

(The President.)

[22ND OCTOBER 1918.]

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.
The Hon'ble Mr. K. KUMARAN RAMAN KAVALLAPPARA MUPPIL NAYAR.
The Hon'ble Yaqub Hasan Sahib Bahadur.
The Hon'ble Sir Gordon Fraser, Kt.
The Hon'ble Sir Fairless Barber, Kt.
The Hon'ble the Most Rev. John Aalen, D.D.
The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR AVARGAL.
The Hon'ble Mr. T. RICHMOND.
The Hon'ble Sir Francis Spring, K.C.I.E.
The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO Bahadur, of Bobbili.

NEW MEMBERS.

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

The Hon'ble Mr. HERBERT SPENCER DUNCAN.
The Hon'ble Mr. MATTHEW YOUNG.

ACTS ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR.

The Secretary reported that the Doddappanayakkanur and Vayyuru Impartible Estates Act, 1918, and the Madras Prevention of Adulteration Act, 1918, which were passed at the meeting of the Council held on the 13th August 1918, had received the assent of His Excellency the Governor on the 7th and 11th September 1918, respectively.

COMMUNICATIONS TO THE COUNCIL.

The Secretary reported the receipt of the following communications to the Council:—

Regarding the Madras City Municipal Bill, 1918.

- (i) From the Secretary to the Missionary Educational Council of South India, Madras, dated the 28th August 1918.
- (ii) From the President of the Corporation of Madras, dated the 17th September 1918, forwarding the recommendations resolved upon at a special meeting of the Corporation held on the 13th September 1918.
- (iii) From the Honorary Secretary to the South Indian Liberal Federation, Madras, dated the 16th September 1918.
- (iv) From the Chairman of a public meeting held at Park Town, Madras, on the 22nd September 1918.
- (v) From the Vice-President of the Madras Presidency Muslim League, Madras, dated the 26th September 1918.
- (vi) From the Chairman of a Moslem Public meeting held at the Victoria Public Hall, Madras, on the 20th September 1918.

Regarding the Bill to amend the Madras Port Trust Act, 1905.

From the President of the Southern India Chamber of Commerce, Madras, dated the 15th October 1918.

THE PRESIDENT'S INTRODUCTORY SPEECH.

His Excellency the President:—"Before discussion begins, I should like to say a few words in regard to the agenda paper for this meeting which is now before you. If a strict interpretation is given to the rules under which meetings of this Council are summoned, some legislative business is required for each meeting, no matter how slight that legislative business may be. In that view you will observe that Orders of the Day Nos. 2, 3 and 4 may each and all be taken to relate to some legislative business; but they are not all necessary to make this meeting lawful and Order of the Day No. 4, though it was originally with this purpose in view included in the agenda, has been in error printed in the official form of agenda as issued to members of Council. It will not, however, be taken at this meeting and will be placed upon the paper for the next meeting in Council. This will bring our business more strictly in accordance with the public announcement regarding the business to be taken at this meeting which declared that the meeting would be confined to a specific purpose and that questions and resolutions on general business would not be included in the agenda.

"This brings me to the specific purpose of this meeting. Its origin and purpose will be found briefly stated in the last sentence of paragraph 238 of the Report on Indian Constitutional Reforms. That paragraph explains the proposed division of the functions of Government into reserved and transferred subjects; and in the passage to which I have referred the authors of the Report, the Viceroy of India and the Secretary of State for India, used these words:

22ND OCTOBER 1918.]

(The President.)

"On the publication of this Report we should like to see the lists discussed in the Provincial Councils and considered by the Provincial Governments, so that the committee may have ready at hand considered criticisms upon the applicability of our suggestions to the circumstances of each particular province."

"The methods under which it is proposed that the various branches of administration, so divided into two parts, shall be controlled and the working of the executive Government shall be carried on are laid down in paragraphs 218, 219 and 221 of the Report. It is not necessary for me to quote them again here. The Honourable Members will recollect the suggestion upon this matter which they were invited by me to consider during the proceedings of the last meeting of this Council, when the non-official members found some difficulty in arriving at any definite conclusion as to the advantage of the discussion, such as that which is proposed in the Report. Since then, the approaching visit of the Reforms Committee which will receive and consider opinions upon this subject has been announced. The Legislative Councils of several other provinces have met together to consider this topic. In these circumstances the Madras Government have thought it well to propose to this Legislative Council this further opportunity of meeting the wishes of the authors of the Report and I hope that it may be possible for this Council to offer a useful contribution to the general consideration of this subject. Notice has been given as you will see of 40 resolutions on this subject; many of them however are duplicates.

"You will notice in the words which I have quoted from paragraph 238 that the authors of the Report desire to see two things and to have the results of two separate operations, namely, discussion in the Provincial Councils which comes first and then consideration by the Provincial Governments. Discussion in the Provincial Councils is desirable for the purpose of obtaining the collective opinion of the non-official members of these Councils. It is not possible at this stage—for all the materials are not before us—for the Provincial Governments to form their final opinion upon this subject. They have yet to confer with the Reforms Committee which is to tour through India this cold weather and in fact the collective opinion of the non-official members of this Council will actually form part of the material upon which the Government here will form its final judgment upon the subject. On this occasion, therefore, while official members will be present, they will not be called upon to vote on any of the resolutions now before the Council, nor will they be called upon to speak on any of these resolutions except in so far as they may be able, from their knowledge of the working of their departments, to offer information to non-official members of Council on any difficult points upon which that information is invited or will be useful.

"I make one more observation. It would not, I think, serve the purpose of this discussion if it were to begin by the discussion and decision of the non-official members of the Council on any omnibus resolution upon this subject, any resolution which purposes to make all or a large proportion of the business of Provincial Governments transferred, that is to say to transfer all the business, from the first, to Ministers. The essence of the proposals in the Report is that these changes shall be gradual. It would be contrary to the spirit and to the hypothesis of the authors of the Report, which is that the goal in view should be approached by gradual stages, to make all the departments either 'reserved' or 'transferred.' Turning to the agenda paper, I do not therefore propose to take early in this debate any resolutions of that character as by doing so discussion of each separate debatable subject will be closed and thus we shall not have the benefit of discussing fully the merits of the proposed changes in regard to subjects which may have features and characteristics peculiar to them.

"For this reason, I propose to take the resolutions in some such order as the following: 'For this reason, I propose to take the resolutions to pass over No. I* and to take first No. II* probably it will be to the convenience of the Council to pass over No. I* and to take first No. II* on the agenda paper; then I think we might pass to No. VIII* which raises a new subject, which is proposed by another member though it is covered in the proposals of several other members. We might then proceed to No. X* and then we might proceed to No. XV.† I am taking the numbers in order so as to avoid partiality or anything of that kind. These resolutions may be taken first, during our discussion, as they all raise different and separate issues, to which the several resolutions on the agenda paper refer.

"One more point I should like to make clear. We are all aware that the Report, part of which we have met to discuss, contains proposals of the highest importance, not only on account of the subject matter with which they deal but also because of the position and authority of those who are responsible for them. Non-official members of various shades of opinion some of whom are disposed to take opposite views of the Report which we have met to discuss, on this ground, take part in criticising the proposals of the Report which we have met to discuss, on this ground, namely, that they do not wish to commit themselves either to approval or to disapproval of the main proposals of the Report. To decline to discuss the Report on this ground, if I may venture to say so, may fairly I think be regarded as over-cautious and indefensible for this reason, namely, that the Report in spite of its high authority and the wide knowledge and experience and skill with which it has been drawn up is still after all a proposal which is intended to invite discussion and criticisms from all points of view in order that it and they together may form the basis of proposals which are ultimately to be submitted for the consideration of Parliament in some further form, which is for the present undetermined. From that standpoint therefore the scheme is provisional and hypothetical and our position to-day is that we are meeting here in accordance with the invitation of the authors of the scheme, still merely a scheme and hypothetical proposal, to discuss one part of it. The question which the authors of the Report ask us to consider is in fact this: supposing our plan of dividing the administration of departments into two parts is carried out by classing some of them as 'reserved' subjects and some of them as

* See page 256 infra.

† See page 257 infra.

(The President; Mr. M. Ramachandra Rao;
Mr. A. S. Krishna Rao.)

[22ND OCTOBER 1918.]

'transferred' subjects, which subjects in the opinion of the Madras Legislative Council non-official members should be 'reserved' subjects and which on the other hand should be 'transferred' subjects? The answer which we can give to-day to this question can only be a provisional answer. If the scheme is radically altered in any of its particulars so as to destroy the hypothesis upon which we are discussing it to-day, those who take part in the discussion will not remain finally and irrevocably committed to the opinions which they may express during this discussion.

"I have made these observations to the Council in the hope of defining our discussion and informing them of the lines on which I propose it should be conducted. I shall now call upon the Hon'ble Mr. A. S. Krishna Rao to move the second resolution."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"Your Excellency, we are thankful for the general guidance which Your Excellency has given to our discussion and to the reservation of resolutions."

His Excellency the PRESIDENT:—"Would you allow the Hon'ble Mr. A. S. Krishna Rao to move his resolution formally? We must have some business. I will call upon you afterwards."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I formally move resolution No. II*."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"Your Excellency,—I believe Your Excellency's observations as regards the general trend of discussion in this Council will be shared by most of my non-official colleagues. My Lord, before we proceed with the discussion of the actual business of to-day, I have to move a resolution in the following terms and I shall briefly explain the reasons which have actuated me and those who are associated with me in moving this resolution as to why I have been obliged to move this resolution. The resolution is in these terms: 'That the business before the meeting be postponed till the agenda is issued in accordance with the regulations and till such time as the Government are in a position to afford facilities for the discussion of matters of public importance especially the following matters: the steps taken or to be taken by the Government for allaying the prevailing distress owing to shortage of food supplies and other necessities of life in all parts of the Presidency and the circumstances under which the police opened fire on the people assembled in the Collector's compound at Madura on the 27th September last.'

"My Lord, meetings of this Council are few and far between and we, non-official members of this Council, always desire to take advantage of the meetings to elicit information and bring matters to the notice of the Government with a view to afford redress and generally to press our views on all the important public questions of the day; and when I saw a notice of a meeting of this Council I was under the impression that we should have the usual opportunities by way of interpellation and resolution of bringing in other matters also before the Council. I am aware, my Lord, that this meeting has been summoned to discuss a special matter, the constitutional reforms, but there were two matters on which the public have been much excited and we were particularly anxious that in regard to those matters some information should be vouchsafed by the Government. But before I deal with these, I shall first deal with the first portion as regards the agenda. For this meeting some resolutions and questions were sent up, apart from those that were concerned with the question of constitutional reforms and it has been intimated to us that the resolutions and questions relating to other subjects will not be placed on the agenda. Apart from that injunction, which I submit is not in accordance with the rules,—for while I contend that it is not open to Your Excellency as President to confine the business in that way unless it be with the consent of the Council to any particular portion of the regulations, it is a question which I do not wish to discuss—there are two or three resolutions in regard to the discussion of transferred and reserved subjects which are not on the agenda and they are resolutions which relate to the control of railways in this Presidency. My Lord, I need hardly say that the powers of the Local Government in regard to railways have been such that Local Governments have found themselves absolutely helpless in the control of the passenger traffic and for the redress of other railway grievances. I moved a resolution two years ago that the powers of the Local Government should be enlarged and I respectfully submit that this question of enlarging the powers of the Local Government is within the purview of paragraph 238 of the Report on constitutional reforms. My Lord, this report contains two lists, one of reserved subjects for the Provincial Governments and the other of subjects which are proposed to be transferred to Ministers, and I believe, under the terms of paragraph 238, it is open to us to discuss both these lists, to enlarge the Provincial list, though a subject may not be transferred and ask the authors of this Report and the Imperial Government to enlarge the powers of Provincial Governments in regard to railways. I would read this particular paragraph—'As an illustration of the kind of matters which we think might be treated as provincial, and those which might be regarded as transferred, we have presented two specimen lists in an appendix to this Report.' On the terms of the language of this paragraph, it seems to me that it is open to this Council to suggest an alteration in either of these lists, to suggest the inclusion of subjects which are not in the provincial list, to suggest the exclusion of subjects which are in that list; and I submit very respectfully that this is one of those subjects in which public opinion in this Presidency has been very keen, namely, that the Provincial Government should have some kind of control over the railways, subject to such general control as may be exercised in the matter by the Government of India. It is with that intention and on the assumption that it is within the purview of paragraph 238 that myself and two or three

* See page 256 infra.

22ND OCTOBER 1918.] (Mr. M. Ramachandra Rao; the President.)

other Honourable Members have sent in resolutions to include railways in the Provincial list, subject to such limitations and general control as may be exercised by the Government of India. I do not know why they have been disallowed and I have not received any communication. I suppose it has gone to my mufassal address; but I take it from what I heard from other members that it is considered not relevant to paragraph 238. I would urge very respectfully that, according to the language of paragraph 238, it is open to us to discuss both the lists—to include subjects which are not in either of the two lists or to exclude any subjects which are in either of the two lists. It is to raise this particular aspect of the question that I question the accuracy and the fullness of the agenda which has been issued for this meeting. Having said that, there is our general complaint that we should have an opportunity of discussing questions of general importance in order to further public interests. I merely mention those subjects of grave public importance which are now engaging public attention, as there has been considerable excitement over looting and disorders, in connexion with the economic situation that has arisen in this Presidency. I do not wish to have a general discussion on this question, but we desire to have as full information as possible on the subject. My Lord, a few days ago, I noticed that Sir Claude Hill assembled all the Provincial Directors of Civil Supplies at Simla and discussed the general situation with them."

His Excellency the PRESIDENT:—"Before the Honourable Gentleman proceeds to those other subjects, will he allow me just to say this? Notices have been issued convening this meeting, saying that the scope of the meeting will be confined to the business specifically mentioned for the meeting; and it would serve no useful purpose if I were to allow him to continue his speech and the remarks which he is now making on the other subjects which he has mentioned now, which are mentioned in his resolution. In the first place, we will be infringing the notice of the meeting to members who are not here and who might possibly have been here if they thought any other business would be taken. We must stick to the public notice summoning the meeting and the subjects mentioned in the agenda. Secondly, if I were to allow the Honourable Gentleman to speak at length on these subjects, the Government are not prepared to meet him; they did not expect a discussion of this subject, and we could give him no useful information. In fact, we are infringing the purpose of this meeting. Therefore, I do not propose to allow him to continue his observations on these subjects. I am anxious to treat every Member of this Council with the fullest consideration; but in no sense can these two matters which he has mentioned in his resolution be termed, with accuracy, definite matters of urgent public importance. On that point, I do not feel myself able to allow the Honourable Member's discussion. In regard to the point which he has brought up as to the resolutions dealing in fact with the other lists, the Imperial and Provincial lists, which have not hitherto been included in the agenda, I think a good deal may be said. The word 'lists' is used in the plural and I think it may be taken that such resolutions as have been ruled out of order hitherto, on that specific ground, may be taken as coming within our agenda. I have sent for these resolutions and if I find they come under the enlarged definition which the Honourable Member suggests, I will give intimation to the Council and we may take them in the agenda paper which is already printed. This is a special meeting in which we can relax our rules. I hope, with this explanation, he will see fit to withdraw his motion and proceed with the discussion of the resolutions on the paper."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"I take it that Your Excellency would not allow me to proceed with my speech."

His Excellency the PRESIDENT:—"I think not; if the Honourable Gentleman will sit down, he will see he will have an opportunity of making remarks and offering criticisms and observations on our action or inaction, whatever it is, and the general situation. The Government are not prepared for a discussion on this matter and public notice has been given that no other business will be taken up. It is open to Honourable Members to address Government or address me on any subject of public importance, and the representation will at once receive the attention it deserves."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"I intended to say at the end of my speech that if the Government intended to make a statement as regards the facts, I should be prepared to consent to an adjournment of this debate to the end of the meeting. I did not intend to take Government by surprise, but to elicit facts about what has taken place at Madura. We do not know the facts; we do not know whether any report has been received by the Government and what is the present situation as regards foodstuffs in Madras and in the mufassal, what action has been taken to import rice from other Provinces; I wait to have a statement from the Government, so that the Council and the public might be in a position—"

His Excellency the PRESIDENT (interrupting):—"I quite understand the position. The Honourable Member need not elaborate. I see no reason to depart from the ruling which I have given."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"Let it be seconded."

His Excellency the PRESIDENT:—"I hope the Honourable Member will withdraw the motion."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"I shall withdraw it after it is seconded."

(The President; Mr. M. Ramachandra Rao; Mr. Ramanuja Achariyar; Mr. Narasimha Ayyar.) [22ND OCTOBER 1918.]

His Excellency the PRESIDENT :—" I have already told him the extent to which I am able to meet him. There is no reason for moving the resolution or having any debate or anything of that kind. I have already given the Honourable Member that assurance that I shall intimate the resolutions to the Council. Other things are outside the business of this Council. I do not see that any further discussion will serve any useful purpose."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—" I merely want the motion to be seconded and I shall withdraw."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—" Let me second the motion."

His Excellency the PRESIDENT :—" If you please."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—" I beg to second this motion. In doing so, I wish to point out that Your Excellency has no right as President to limit discussion. Your Excellency should only fix the time and place of the meeting."

His Excellency the PRESIDENT :—" Now the Honourable Gentleman wishes to question my ruling; if it is open to him under the rules to question my ruling on any subject, let him put down a resolution for the next meeting of the Council. At present, I think it will be better to devote ourselves to the business on hand, which we have met to do. I have suggested that to the Honourable Members' consideration."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" May I know what is it that Your Excellency has said? Your Excellency has given a decision as to the validity of the meeting notice. Paragraph 3 of the meeting notice specifies the business. May I know if Your Excellency has given a ruling on the powers—"

His Excellency the PRESIDENT (interrupting) :—" If the Honourable Gentleman wishes to discuss that question, if the rules permit him to do so, the proper course for him to adopt is to put down a resolution for the next meeting of the Council when general business will be taken up. That is what I have said to the Honourable Gentleman just now. That is what I say once again to the Hon'ble Mr. Narasimha Ayyar."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" The rules do not permit a debate—"

His Excellency the PRESIDENT (interrupting) :—" I cannot allow a general discussion at present. If the rules permit, there is no reason why it should not be discussed. If the rules permit it, let it be discussed."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" May I take it that Your Excellency has given a decision?"

His Excellency the PRESIDENT :—" The Honourable Gentleman has heard what I said and he must take what the words are intended to convey to him."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—" My Lord, I share the feeling of my Hon'ble Friend Mr. Ramanuja Achariyar that there has been some informality and illegality as regards the rules. I do not wish to press this matter at this meeting. I withdraw my resolution under the circumstances."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" Your Excellency, I wish."

His Excellency the PRESIDENT (interrupting) :—" Order, order. Let the Honourable Gentleman sit down. There is no motion now before the Council."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" May I rise to a point of order?"

His Excellency the PRESIDENT :—" If you please."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" The proposition is proposed and seconded and it is proposed to be withdrawn. There are several members who are opposed to the withdrawal of this motion. I do not wish to discuss any matter, but I wish to make the situation clear. What the public want us, as their representatives, to do here, is to press our rights and one of our rights is to insist upon our right to have an adjournment motion placed before the Council. We do not want to discuss any matter on which Your Excellency has given a ruling or to question the correctness of your Excellency's decision. We do not now propose to discuss the validity of the meeting notice. But the adjournment resolution stands far apart. If one opens a discussion, it is open to the Council to vote on the question whether it is desirable to go on or to adjourn. It is the privilege of the house to vote upon the question whether it is going to adjourn or whether it is going to sit. I hope Your Excellency will not interfere with this right of the Council; the Council must itself decide and vote upon this question whether it is going to adjourn. Though they cannot dispute Your Excellency's decision as to a point of order, they may show their attitude even on that point by refusing to do further work. Your Excellency pointed out that the Government are not prepared to make a statement. My Honourable Friend wanted to elicit some information and somehow satisfied by the Government's answer is willing to withdraw; but it is open to the other Honourable Members to be dissatisfied with that position to show it and try to elicit that information by refusing to do any work till that information is forthcoming. I am not anxious to adjourn all business. Far from that, I do know that we are going to get on with the business. At the same time, we wish our rights to move for adjournment of the house under this rule to be given effect to. So I request Your Excellency to put to vote this resolution moved by the Hon'ble Mr. Ramachandra Rao and take the sense of the house on it and if necessary, adjourn."

22ND OCTOBER 1918.] (The President; Mr. A. S. Krishna Rao.)

His Excellency the PRESIDENT :—" The Hon'ble Mr. Ramachandra Rao, seconded by the Hon'ble Mr. Ramanuja Achariyar has moved a motion. He has asked for leave of the Council to withdraw that motion. Does the Council allow him to withdraw that motion?"

The motion to withdraw was carried.

The motion was then withdrawn.

RESOLUTION RE 'LAND REVENUE ADMINISTRATION' TO BE A TRANSFERRED SUBJECT.

The Hon'ble Mr. A. S. KRISHNA RAO :—" Your Excellency, the motion now before the Council suggests that the subject of Land Revenue Administration should be a transferred subject. It runs :—

'II. The non-official members of this Council recommend that the subject of "Land Revenue Administration" should be a transferred subject.'

"It will be remembered that the subject of Land Revenue Administration is one of the most important subjects which have been engaging the attention of the Government and of the public for several generations. It is the subject which affects the welfare and happiness of the bulk of the people in this Presidency and its scope, as stated in List No. I, is very wide and general. It will be remembered that this subject includes the following matters: 'Assessment and collection of land revenue, maintenance and procedure of revenue establishments, maintenance of land records, surveys for revenue purposes, records of rights, special laws regarding land tenures, relations of landholders and tenants, collection of rent, court of wards, encumbered and attached estates, famine, land improvement and agricultural loans, resumption of revenue, free grants, diluvion and alluvion, colonization and disposal of Crown lands.' Each item of the subject by itself will form matter for separate discourse, but I do not, on this occasion, propose to detain the Council long because there cannot be any difference of opinion as regards the importance of these various branches of land revenue administration as affecting the agriculturists and the ryots in this Presidency. It is better that I first draw the attention of the Council to the provisions contained in the report as to the appointment of Indian ministers and as to their powers and functions. It is necessary to consider the restrictions and limitations under which they are called upon to work and the precautions and the safeguards which are provided even in cases which are proposed to be transferred to Indian ministers. It will be found that, so far as the Indian minister is concerned, he is not the chosen representative of the elected members of the Council, but he is one chosen by the Governor out of the elected members of the Legislative Council. According to the scheme, which is now before the public, the Provincial Executive Government is to be divided into two parts, one consisting of the Governor and two members of the Executive Council, and the other consisting of the Governor and one or more Indian ministers, according to the number of transferred subjects; and in the appointment of the Indian minister or ministers, the Governor has a discretion to choose according to his discretion and pleasure, from among the elected members of the Council. That is so far as the appointment of the Indian minister is concerned. It is expressly laid down that he should be a member of the Executive Government, but not of the Executive Council. It is so far clear that his status is less than and different from that of a member of the Executive Council and that he is to be selected and nominated by the Governor. Now, as regards the relation between the Governor and the minister, this is what the report says in paragraph 219.—'The portfolios dealing with the transferred subjects would be committed to the ministers, and on these subjects, the ministers together with the Governor would form the administration. On such subjects their decisions would be final, subject only to the Governor's advice and control. We do not contemplate that from the outset the Governor should occupy the position of a purely constitutional Governor who is bound to accept the decisions of his ministers. Our hope and intention is that the ministers will gladly avail themselves of the Governor's trained advice upon administrative questions, while on his part he will be willing to meet their wishes to the furthest possible extent in cases where he realizes that they have the support of popular opinion. We reserve to him a power of control, because we regard him as generally responsible for his administration, but we should expect him to refuse assent to the proposals of his ministers only when the consequences of acquiescence would clearly be serious. Also we do not think that he should accept without hesitation and discussion proposals which are clearly seen to be the result of inexperience.' Later on, in paragraph 221, to which Your Excellency drew our attention, it is suggested that they should cultivate the habit of associating themselves and working in harmony with members of the Executive Council. It will therefore be seen by Honourable Members of this Council that the provisions made as to the functions and duties of these Indian ministers are such as not to jeopardise or endanger the interests of the Government. The Indian minister is called upon to act under the advice of the Governor; and the Governor has the discretion to control his acts and to refuse his assent wherever and whenever necessary. With these safeguards and with these limitations, both as to his appointment and as to his powers and duties, I would ask whether there is any reason for withholding any particular subjects from his control. I am not myself in a position to find satisfactory reasons for withholding any of these subjects from the control of the Indian ministers, especially with

(Mr. A. S. Krishna Rao.)

[22ND OCTOBER 1918.]

these limitations placed upon their powers. It is true that the provisions contained in the report as to the question of the appointment of Indian ministers, as to the method of selection and appointment and as to his powers are also subjects of criticism.

"But it is not within the purview of this Council at this special session to discuss that aspect of the question; and we have to consider these proposals in the light of the recommendations contained in the report. If I make a special request to this Council to pay special attention to this subject of Land Revenue Administration, it is not merely on account of the importance of the subject, but also in view of the prevailing state of things. I have before me several experienced district administrators of vast district experience and there are also several non-official colleagues of mine who have considerable experience of district administration; but no one would, I think, venture to suggest that district administration most of which depends upon the Land Revenue Administration in the district is as it ought to be, or is satisfactory. I would ask whether anyone would suggest that the system of district administration wherein all power is centralized in the district official who has to work only through official channels and who is not given the help of any popular machinery to guide or control his actions is a system which we can accept. Though in the Scheme of Reforms, some machinery has been suggested for controlling the actions of the Executive Government in large questions of policy, no machinery has been devised for making the actions of district officers responsible to popular opinion. It will be remembered that various proposals have been made from time to time with that object. The Decentralization Commission considered the advisability of providing machinery for that purpose; but we have not proceeded to any further extent in that respect. I am placing this further aspect before the Council to impress upon them the necessity of taking a new line altogether in matters affecting Land Revenue Administration. It is not now necessary to bring into existence any bodies for the purpose of mere consultation and advice when a scheme has been presented to us of transferring certain branches of administration to Indian ministers. It is not now necessary to ask that district officials should be instructed to seek the advice of their Indian non-officials when the proposal now before the public is that wherever possible and wherever conditions permit, certain definite branches may be made over to the Indian ministers. It is from that standpoint that I wish the Council to look at this question."

"Then what are the possible objections that can be urged against this proposal? Does this proposal not satisfy the test which is formulated by the authors of the report? In paragraph 238 of the report are stated some of the guiding principles to be taken into consideration. This is what is stated: they say that the list is not exhaustive, that the list would have to be varied according to the conditions of each province and that the list would have to be finally settled after the deliberations of the Committee which has been appointed. They say 'Their guiding principle should be to include in the transferred list those departments which afford most opportunity for local knowledge and social service, those in which Indians have shown themselves to be keenly interested, those in which mistakes, which may occur, though serious, would not be irremediable, and those which stand most in need of development.' This is the test laid down by the authors of the report as to the principles which should guide the Committee in transferring subjects to the Indian ministers. I would request the Council to pause for a while and see whether the subject of Land Revenue Administration would not come within the four corners of the principle which has been so clearly enunciated, or whether it can be taken to be an exception to these principles. Analysing this into all the four portions into which it can be analysed, it is as follows: 'Their guiding principle should be to include in the transferred list those departments which afford most opportunity of local knowledge and social service.' Can it be said that the subject of Land Revenue Administration with its multifarious branches which I have read out in the beginning is a subject upon which local knowledge cannot be brought to bear? Is there any other subject, I ask, wherein people would be in a position to bring home their own experience better than matters affecting either the interests of landlords or tenants or the assessment of revenue and other kindred subjects? This is I state, essentially a subject in which we have the opportunity of using local knowledge to a considerable extent. Then 'Those in which Indians have shown themselves to be keenly interested', is the next principle to guide transfer of subjects. I do not want any further testimony in support of my position except the debates in this Council during the last five or six years to convince the Government that the people have shown themselves keenly interested in matters affecting Land Revenue Administration. The volumes containing the proceedings of the various meetings will afford ample testimony to the position taken up by me. The third principle is that 'those in which mistakes which may occur, though serious, would not be irremediable' may be transferred. It is not like a case affecting the peace of the Empire or affecting the Army and the Navy or the defence of the country. It is not a case of that sort at all. The fourth point which is stated is 'Those that stand most in need of development.' Land Revenue Administration certainly stands in need of development. So far as I am able to see, these are the chief guiding principles that are stated by the authors of the report in paragraph 238; and if we apply those tests it is clear that the subject of Land Revenue Administration is a subject which should be included in the transferred list. There is no serious mistake likely to be committed; local knowledge would be brought to bear upon it; Indians have taken keen interest in it; and it stands most in need of development."

"Apart from these circumstances, I would like to consider what possible objections can be urged against it. I find that the authors of the report themselves suggest something in the same

22ND OCTOBER 1918.] (Mr. A. S. Krishna Rao.)

paragraph with regard to this—They state: 'In pursuance of this principle, we should not expect to find that departments primarily concerned with the maintenance of law and order were transferred. Nor should we expect the transfer of matters which vitally affect the well-being of the masses who may not be adequately represented in the new Councils, such for example as questions of land revenue or tenant rights.' I would venture to dissent from this view expressed by the authors of the report, with all due deference to their knowledge and experience of Indian conditions. I would suggest that it ought not to be accepted for a moment that educated persons are not in a position to judge as to what is required for the well-being of the ryots in this country. I find that such mistaken impressions have found place in various other portions of the report. I find that such misapprehensions have been largely responsible for the hesitation with which they have made some of their recommendations. They did not view the question from a liberal standpoint; but they were carried away by unnecessary and imaginary fears in the conditions of society here. I would request the attention of the Council to what is stated in paragraph 155 of the report. They state that the advance must be gradual and they point out some difficulties in the way. One of the difficulties pointed out by them is about the protection of the ryot and his interests. I would specially draw the attention of the Council to their remarks and ask them whether they would from their past experience subscribe to that doctrine. 'To the other difficulties which we have mentioned we propose to apply the same treatment, and while we do everything that we can to encourage Indians to settle their own problems for themselves we must retain power to restrain them from seeking to do so in a way that would threaten the stability of the country. We have shown that the political education of the ryot cannot be a very rapid, and may be a very difficult process. Till it is complete he must be exposed to the risk of oppression by people who are stronger and cleverer than he is; and until it is clear that his interests can safely be left in his own hands or that the Legislative Councils represent and consider his interests we must retain power to protect him. So with the depressed classes.' I would venture to submit, my Lord, that these assumptions are not based upon proper foundations and are not based upon proper materials. It may be that suggestions have been made, here and there which are not based upon proper information, or upon facts recorded in history, that the educated classes are not likely to protect the interests of the ryots. But I would, on this occasion, refer to some specific instances in the history of the administration of this country even in recent times to convince this Council that facts have been otherwise. Shall we go to the time when the Deccan Agriculturists' Relief Act was passed? Shall we recall to our mind the fact that Mr. Justice Ranade who was always known and admitted by all administrators as the friend of the poor ryot took a considerable part in getting that measure through? Need I remind the Council that when the Land Revenue Bill in the Bombay Presidency was under discussion and when measures were incorporated so as to affect the ryots and the agriculturists in a prejudicial manner, persons who represented the educated classes not only opposed the motion, but felt it their duty to leave the Council hall because they felt that they should not associate themselves with that measure? I find that on that occasion such distinguished persons as Mr. Mehta and Mr. Khare left the hall. Even the late Mr. Gokhale, though with very great reluctance and regret, followed the same procedure and stated his reasons pointing out that he had to leave because he did not want to associate himself with that measure."

"Apart from what took place, in other provinces, and in other Councils, let us recall to our mind the proceedings of this Council during the last five or six years and what do those proceedings show us? This Council has been seriously considering various questions affecting the welfare of the ryot population. There were Bills for which notice was given by representatives of the zamindars in this Council, to amend the Madras Estates Land Act. After the expiry of two years; those Bills were withdrawn but it is a fact that two or three Bills were at the same time introduced to safeguard the interests of the ryots in zamindari estates? All the draft Bills must be either in the Secretariat or the Board of Revenue. There were questions affecting Land Improvement Loans Act and the Agriculturists' Loans Act debated in this Council and brought up by representatives of educated classes. Is it for the benefit of the educated classes or for the benefit of the ryot classes, I would ask? There were questions of remission of land revenue, when the crop would be only one-third the normal crop, questions of remission of revenue when a portion of the land is left waste, though not demarcated by survey stones; questions relating to the simplification of the jamabandi; questions for reduction of the rigour of resettlement operations in the Chittoor district, North Arcot, South Arcot and Madura districts that have been brought up in this Council. Questions have been brought forward suggesting the modification of the resettlement rules so as to reduce the rigour of Land Revenue Settlement. Again there were questions for the grant of sites to the depressed classes and for the assignment of lands for the benefit of the depressed classes. I am mentioning these as examples to show that the assumption made in this report is a very unfortunate assumption not based upon solid facts. The experience of the working of these Legislative bodies must have convinced any waverer that the educated classes have not been neglecting their duty towards the less educated among their brethren and countrymen and that they have not neglected their duty towards the ignorant ryot or towards the depressed classes. That is the only objection referred to in this report so far as questions affecting Land Revenue administration are concerned. I would therefore ask that, whatever test may be adopted so far as this subject is concerned, there can be no justification for withholding it from the control of the Indian Minister. I therefore move this resolution."

(The President; Mr. Kavalappara Muppil Nayar; [22ND OCTOBER 1918.
Mr. Narasimha Ayyar.]

His Excellency the PRESIDENT:—"I hesitate very much before reminding the Honourable Member that he has been straying from the subject. Our discussion is a fairly limited discussion, whether or not these subjects should be in charge of the Councils or the Ministers. I dare say it is difficult to avoid wandering from the point; but I do suggest to Honourable Members that we should endeavour to concentrate our remarks and arguments to the point, that is to say, to considerations suggesting that they should either be a reserved or transferred subject. We are not so much concerned with the general observations on these topics. What we really want is arguments which are directed to the difference between the control by the Ministers and control by the Councils. I make that observation not with any special reference to the Honourable Gentleman's speech in particular, but I am sure that the proceedings of this Council would be facilitated if we can focus the debate on that particular point."

The Hon'ble Mr. K. K. R. Kavalappara Muppil Nayar:—"Your Excellency, —"

His Excellency the PRESIDENT (interrupting):—"Does the Honourable Gentleman rise to second the motion?"

The Hon'ble Mr. K. K. R. Kavalappara Muppil Nayar:—"No."

The Hon'ble Mr. B. V. Narasimha Ayyar:—"Your Excellency, I think the observation of Your Excellency is a very good observation and I hope we shall concentrate on the points for and against. But before I proceed to second this motion, I may point out that it might be advantageous for us to keep in view the fact that the list we are voting on is list No. II in the appendix. List No. II in the appendix is taken out of list No. I and these lists relate to all the provinces. We must bear in mind that we are now to frame lists which show what subjects future Provincial Government of Madras can discuss and deal with in the Executive Council or through the Ministers. In that view, I shall proceed to give what appears to me to be the main answer to the objections which were now mentioned against 'land revenue' and 'tenant rights' being in the transferred list. My Honourable Friend who spoke before me is slightly in error in thinking that the illustrious authors of the scheme were against the inclusion. No doubt they are excluded from list No. II, but they say that it is an illustrative list and not exhaustive. In paragraph 258 they say: 'Nor should we expect the transfer of matters which vitally affect the well-being of the masses who may not be adequately represented in the new councils, such for example, as questions of land revenue or tenant rights.' I presume they meant exactly what the words convey. That is, wherever in any particular province, it is found that the masses are not adequately represented, land revenue questions and tenant rights would not be desirable additions to the transferred lists. The authors of the scheme have not taken the position that the masses are not going to be adequately represented in the Madras Presidency. In connexion with that, we might notice the earlier sentences in the same paragraph. 'It should meet and confer with the other committee which is to deal with franchises, because the extent to which responsibility can be transferred is related to the nature and extent of the electorate which will be available in any particular province.' No doubt the Franchise Committee before whom our opinions will go, will have their own recommendations to make as to the nature and extent of the electorate. At present, we have to proceed upon the nature and extent of the electorate so far as it is known to us in this Presidency.' Therefore I sent up a question to your Excellency requesting information as to what is the nature and extent of electorates in the various matters."

His Excellency the PRESIDENT:—"I am reluctant to do it but I must draw the attention of the Honourable Member that he has not confined himself to the resolution."

The Hon'ble Mr. B. V. Narasimha Ayyar:—"I would like to —"

His Excellency the PRESIDENT (interrupting):—"The Honourable Gentleman's clear duty is to confine himself to the subject of the resolution."

The Hon'ble Mr. B. V. Narasimha Ayyar:—"Quite so, Your Excellency. I have no wish to disregard the order of the chair. I shall only mention that the only reason given for the non-inclusion of land revenue might be the inadequate extent of the electorate. That is the only point which I wish now to deal with. With reference to that, as Your Excellency did not admit my question to be placed before the Council, I may say we have got electorates for various bodies—municipalities, taluk boards, panchayats and we have various panchayats, co-operative, forest, caste, sanitary panchayats and others. If there is a very large electorate the authors presume that the masses know their rights. They will have representatives in this Council who will frame laws and influence the administration. As we all know, so far as this Presidency is concerned, we have a fairly large electorate even at present, a large body of people who are able to take care of their rights, so that this objection as to the nature and extent of the electorate may not warrant the non-inclusion of land revenue in the transferred subjects for this province. With reference to tenant rights, I have heard it said that tenant right contemplates two conflicting interests—the interests of the land-owners, of the estate owners, and tenants. It is said that the view of the estate holders is very important. I quite agree that we should consider the view of the landholders, but let us not forget what the framers of the scheme insist on. They say that the people are not represented, that the masses are not represented. I should like to hear any Honourable Member who wants to take up the position that tenant rights should not be included,—I would like to ask him to view the position from

[22ND OCTOBER 1918.] (Mr. Narasimha Ayyar; Mr. Kavalappara Muppil Nayar;
Sir Gordon Fraser; Mr. M. Ramachandra Rao.)

the standpoint of the authors and say if Madras agriculturists consider that matters of administration in regard to land revenue and the relation between landlords and tenants should not be in the transferred list. In regard to the landholders, I have been using my time during my recent tour to ascertain the views of some of them; they were quite in a dilemma. They seem to think that in some matters even with reference to landlord and tenant legislation, which has already been passed in Councils like this, they have suffered as their rights have been ignored and they do not know whether to choose the transferred or the reserved list. They do not know who will be the harder masters—the people or the officials. There is one very good reason why they should be in that position: because one undoubted basis on which we are going is that in the new administration there will be a very wide franchise and it will be a very large body of tenants that will have the preponderating influence in the future Councils. From that standpoint which is rightly taken up as the main point by the authors, it is the tenants' representatives that will control legislation. As for the landholders, if they have not quite made up their minds, the matter may be left to be decided by others. So far as tenants are concerned, their interests will clearly be improved and in no way suffer by the transfer of 'tenant rights' to the list of transferred subjects. For these reasons, I support the resolution moved by the Hon'ble Mr. Krishna Rao."

The Hon'ble Mr. K. K. R. Kavalappara Muppil Nayar:—"My Lord, I may at once explain my attitude towards this and similar resolutions. Until the Franchise Committee's conclusions have been considered, we have no means of judging what sort of a Council we will have in the future and whom it will represent. From paragraph 225 of the report, this is clear. Well, if I cannot know what sort of people will be in the coming Council, how can I say what subjects ought to be transferred to their control? Secondly, when there are some of the major findings in the report to which many including myself cannot agree, what useful purpose can be served by my discussing a detail like this? There is no use in assuming that the Government in England endorsed these findings. The fact remains they have not, and it is the business of some of us to see that they do not."

The Hon'ble Sir GORDON FRASER:—"Your Excellency, I am afraid that I share the feeling described by Your Excellency in Your Excellency's opening speech, the feeling described as over-cautiousness. I must take advantage of the first opportunity to make a personal explanation regarding the attitude which I adopt not only towards this resolution, but towards all the other resolutions on the agenda paper. I did think at first of moving a motion under rule 4 of the rules for the conduct of business proposing an adjournment of this meeting until after the reports have been received from the Subjects and Franchise Committees; I myself can see no useful purpose to be served by this meeting but I quite admit that my opinion may not be the only one held at this meeting and that other Honourable Members may wish to put forward their views. I would be the very last to suggest that such Honourable Members should not have ample opportunities for putting their views forward. Discussion on this resolution as also on the other resolutions on the agenda paper must necessarily start with the hypothesis that the principle of divided responsibility is an acceptable principle. In my opinion, it is a most dangerous attitude to adopt, it is an assumption with which I do not for one moment agree. We are asked here to discuss certain particular details of a problematical scheme and give our approval while at the same time, we disapprove of the scheme itself. To do so, I contend, would place one in an extremely ambiguous and invidious position and without a direct and positive statement to the contrary, the participation by myself and other Honourable Members in the debate might be read to imply the approval of the main principles of this problematical reform scheme and approval of the main principles of the report that we have before us, as those principles govern the particular matters which we now have before the meeting. I desire, therefore, to emphasise most clearly that any remarks of mine or any participation in the debate by me must not, in any way, be taken as implying an approval of the report and of the proposals contained in the report on constitutional reforms. My remarks on any of these resolutions must not be taken as implying in any way an approval of divided responsibility of Government. Whether the principles governing the scheme are accepted or not, I see no advantage to be gained by resolutions and recommendations at the present stage, as the division of the functions of Government into two categories, will be very materially affected by the reports that we shall receive later on from the two Committees, the Subjects Committee and the Franchise Committee. Until these are made public, I contend that any attempt on the part of this Council to frame recommendations regarding the division of functions of Government is entirely premature and I cannot see any useful purpose will be achieved or that any value can attach to these recommendations. I am well aware that in paragraph 238, the distinguished framers of the report write: 'On the publication of this report, we should like to see the lists discussed in the Provincial Councils and considered by the Provincial Governments, so that the Committee may have ready at hand considered criticisms upon the applicability of our suggestions to the circumstances of each particular province.' Nevertheless, I contend that any such discussion under the present circumstances must necessarily be futile and a mere waste of time and I cannot see that any satisfactory results can possibly be attained. In support of my argument, it is not really necessary for me to stray outside paragraph 238 as in this paragraph 238—"

The Hon'ble Rao Bahadur M. Ramachandra Rao (interrupting):—"My Lord, I should like to raise to a point of order. I have listened with very great interest to the remarks

194 RESOLUTION RE 'LAND REVENUE ADMINISTRATION' TO BE
A TRANSFERRED SUBJECT.

(Mr. M. Ramachandra Rao; the President; [22ND OCTOBER 1918.-
Sir Gordon Fraser; Mr. Siva Rao.]

of the Hon'ble Sir Gordon Fraser, but I am doubtful, my Lord, whether these are pertinent to the particular resolution which proposes one particular department to be transferred to the control of Ministers. I take it from the general trend of the remarks of my Honourable Friend that he is either against the system of diarchy or the transfer of any responsibility to any Indian Minister. I do not know to which of these two propositions he is pinning his faith. Apart from it, if he wishes to raise the question that no responsibility whatever should pass to Indian Ministers, he is perfectly entitled to do so in any manner which he may choose for the purpose; but on this particular resolution I submit for the consideration of Your Excellency that we are proceeding on the distinct assumption to which Your Excellency has already referred that, provided the total responsibility cannot be transferred wholesale at one stage, what subjects should be transferred. In view of this fundamental assumption, I should like to know whether my Honourable Friend is in order in saying that we should wait to express an opinion till the Franchise Committee and the Subjects Committee send in their report. I rather think that the committee for the settlement of subjects was intended to elicit opinion, and if my Honourable Friend withholds his opinion till they decide what subjects they propose to transfer, I should place before him for consideration that what was wanted is our opinion and not that we should be guided by the opinion of the Subjects Committee, and that Sir Gordon Fraser should then make up his mind whether such subjects should be transferred. In view of this fundamental position, I should like Your Excellency to give a ruling whether the observations of my Honourable Friend are in order. I do not object to any remarks of my Honourable Friend, because they will give me opportunity to meet him. While I should welcome all that he wishes to say against us or against any particular proposition—we should be delighted to hear him—it is not with any desire to curtail the expression of any shade of opinion different from us that I am making this observation."

His Excellency the PRESIDENT:—"As far as I could understand the Honourable Gentleman asked for permission to make a personal explanation. That having been done, I assume he will confine himself to the subject of the resolution."

The Hon'ble Sir GORDON FRASER:—"Your Excellency, I was saying when my Honourable Friend rose to a point of order, that any discussion of this or any other resolutions under the present conditions is a waste of time and would be futile, and as I was saying at the time in support of my argument it is not necessary for me to go outside the sentence in paragraph 238 as in this paragraph as in many others of the report, notably paragraph 198, the distinguished framers of the report have arrived at conclusions directly contrary to the general sense of their report. In paragraph 238, the report emphasises the necessity for careful investigation and for the determination of the lists for each province and this determination of the lists is not undertaken by the framers of the report as they expressly say that they could do so only after settling the general principles on which the lists should be framed. They add that this work should be entrusted to a special committee. I mention this to point out the contradictory nature of this paragraph. Then again, we find ourselves in the case of this and other resolutions on the paper invited to discuss certain particular details of the scheme, namely, the division of subjects, without an opportunity to criticise the general scheme itself. The division of subjects is entirely dependent upon the reform ultimately to be passed by the Houses of Parliament. That any Parliament will accept the scheme as it stands is unthinkable. In fact, no definite scheme exists—"

His Excellency the PRESIDENT:—"Now that my attention has been called to it, I must point out that the Honourable Member is travelling very wide on the whole subject, as to whether or no this meeting should have been called. He is quite at liberty to hold his own view on the subject, but I do not think it is very proper that such elaborate discussion on the point is proper to the motion such as that we are now discussing. We are now discussing whether on certain assumptions land revenue should or should not be a transferred subject."

The Hon'ble Sir GORDON FRASER:—"Your Excellency, I think Your Excellency will appreciate the great difficulty that a Member of this Council has in discussing this matter. Your Excellency, while disapproving as we do of the general scheme, it is really very difficult for us to discuss various lists, reserved and transferred. In Your Excellency's opening remarks, Your Excellency referred to the impossibility of the Provincial Governments arriving at a decision at this stage. I am afraid that the same handicap holds good in the case of our non-official members."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I rise to support the resolution that has been moved by the Hon'ble Mr. Krishna Rao. I have been carefully following what has been said by the Hon'ble Mr. Muppi Nayar and also by the Hon'ble Sir Gordon Fraser. The one difficulty which the first member raised was that the electorates have not yet been formed and that it is useless and futile in his opinion to attempt any discussion of this subject. Your Excellency, I may say that the possibility of forming electorates in which all these varied interests can be represented may be taken into consideration now and I do not think for a moment that these discussions will be thoroughly useless. Then the Hon'ble Sir Gordon Fraser stated that the scheme itself is under trial and the main principles of the scheme have not been considered. The principle of division and the diarchy advocated in the scheme has not been discussed and so, it is a sheer waste of time in his opinion to consider which shall be transferred and which shall be reserved. This aspect of the question has been considered by the illustrious authors of

RESOLUTION RE 'LAND REVENUE ADMINISTRATION' TO BE 195
A TRANSFERRED SUBJECT.

22ND OCTOBER 1918.] (Mr. Siva Rao; Mr. Rama Ayyangar.)

the report in paragraph 238 of their report and they say: 'This work should, we suggest, be entrusted to another special committee similar in composition to, but possibly smaller in size than, the one which we have already proposed to constitute for the purpose of dealing with franchises and constituencies. It may be said that such a task can be appropriately undertaken only when our main proposals are approved. We find it difficult, however, to believe that any transitional scheme can be devised which will dispense with the necessity for some such demarcation.' The illustrious authors anticipate such criticism there and they also meet it. As regards the resolution itself, I need not detain the Council very long. I may say in the words of the report itself this matter of land revenue administration is one which vitally affects the well-being of the masses and as such if there is any subject which should be transferred to popular control, I most unhesitatingly say that land revenue should form one of them. As regards the possible objection stated in the report itself that, for some time to come, the masses may not be adequately represented in the new Councils, that seems to be an unfounded fear. If the masses are not directly represented, there will be others who may be trusted to safeguard the masses and their interests. With these words I strongly support the resolution."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, I want before I proceed to discuss this matter to place before my Honourable Colleagues the position that Your Excellency has drawn our attention to. The non-official members in this Council have to vote upon this matter and therefore it will be only proper for us to discuss the pros and cons of every question. I invite the attention of Honourable Members to my resolution which will be disposed of by the discussion of this resolution. That is resolution No. XXVI.* I want Your Excellency to kindly note that this resolution should be put to vote in the form in which I have proposed it there."

"I want that land revenue administration as a whole should be transferred, or, in any event, the matters referred to therein should be transferred—'collection of land revenue, maintenance and procedure of revenue establishment, maintenance of land records, surveys, record of rights, special laws regarding land tenures, relations of landholders and tenants, and collection of rent'—I want this to be divided into two parts and I take the word 'assessment' from the illustrative list. I first say that the whole thing should be transferred and I subsequently say that, in any event, the words I have used in my resolution may be added to the land revenue administration and such portion may be transferred. I want the pros and cons of the whole question to be considered. I do not think there is any difficulty if one sits to work in considering what the franchise committee has to do. It would not be difficult to proceed on the assumption of the report and give opinion. In fact, except those that would not want to say anything, others must be able to find a method of expressing themselves on the assumptions in the report. Paragraph 238 says what the kind of franchise would be and the whole matter is discussed. Territorial franchise is the main basis which is recommended by the report and a close examination of the voters or the electorates that may be formed in all the various aspects will have to be made. Whatever may be the aspect that has to be considered, it is clear that payment of land revenue will determine the large class of voters that might form the future electorate. I find that a close examination of the tables attached to the Revenue administration report shows that if persons paying over Rs. 30 are to get the franchise, we will have about 350,000 electors; if those above Rs. 50 are taken, we will have about 150,000 electors of land revenue-paying people alone. Of income-tax payers in the whole of this province, we will get about 52,000 people. If similarly we go to municipal councils and taluk board and district board members who already hold a franchise, we may have about another 50,000 on the whole. Now if professional tax-payers and co-operative societies and similar institutions are taken to be given the franchise, all that will give another 30 or 40 thousand voters. Whatever may be the view we may take of this, there is not the least doubt that persons paying land revenue whether more than Rs. 30 or more than Rs. 50, inclusive of persons who pay rents of the same amount to landholders, there is not the least doubt that we will have a large class of persons in the electorates, much larger than all the kind of electorates put together. The natural question will arise, suppose a legislative assembly in which representatives of various territorial jurisdictions come in, in which electors are mainly persons who pay land revenue to Government—the question naturally arises whether in the transition period, when we are considering the reform schemes as put forward by His Excellency the Viceroy and the Secretary of State, it is safe to hand over the assessment portion of the land revenue also to the transferred list. Therefore it is I say even in case assessment is reserved the rest of it may be transferred. My submission to my Honourable Colleagues is to first consider whether the right to assess should be transferred or not. There again I want to place some views before the Government and before my colleagues. I want first to know whether, as provided in paragraph 240, if power is reserved to Executive Government of the province or to the Government of India in the matter of the nature of the assessment, if power is reserved to them to sanction any alteration by the ministers in the Legislative Councils, if alteration for the worse in the collection of land revenue should be adopted, whether such a power left with the Executive Government of the province or with the Government of India will not be quite sufficient to keep the necessary check and have the whole question transferred to the ministers who, with the Legislative Councils and the representatives from the various parts, will be more intimate with all the details of the administration and will be able to place before the ministers all the knowledge needed to accurately work out in detail the nature of the assessment to be levied. Therefore, my submission is that the whole of the land revenue

* See page 257 infra.

(Mr. Rama Ayyangar ; Mr. Suryanarayana Rao.) [22ND OCTOBER 1918.

inclusive of assessment should be transferred with the reservation of the powers referred to in paragraph 240. I base my argument on the sentence in paragraph 238 which says : ' Their guiding principle should be to include in the transferred list those departments which afford most opportunity for local knowledge and social service.' I submit that, in a matter of this kind of assessment, they will have the best knowledge. The only difficulty will be the constitution of the electorate and the voters that might actually influence the administration ; it cannot but be in a country like India, or in this province especially, that we must have a large number of voters who pay land revenue or rent to landholders and they might pass a resolution which might affect the total revenue. If the power is reserved with the Executive Government or with the Government of India to control any reduction, it will be there and I think it might very well be transferred to a body which will have greater detailed knowledge. But as I said at the commencement, my Honourable Colleagues should also consider whether it is not proper under these circumstances not to interfere with the assessment at the present stage and leave it, till greater security is insured of their administering it properly, to be reserved in the hands of the Executive Government until they themselves are satisfied that they are not likely to make any violent changes. We know that revenue is needed for the administration of all departments. Therefore, the first question for us to consider is whether the assessment portion should be reserved. Any how, I beg to submit that the rest of it can never, if it is to be productive of much good be reserved ; but it must be in the transferred list—I mean the list relating to collection of land revenue, maintenance and procedure of revenue establishment, maintenance of land records, surveys, record of rights, special laws regarding land tenure, relations of landholders and tenants and collection of rent.' All this, my Lord, must be within the better knowledge of these representatives coming from the various parts of the province. They must be able to effect these things much cheaper and with much greater force than by an establishment which is highly centralised and which is being controlled by the executive head of the province. I have already laid before this Council one or two resolutions where I suggested that the collection of land revenue in the villages might be transferred to villagers who might be asked to collect the rent and pay it to the treasury, subject to the control or the supervision of the revenue inspectors. My suggestion in that case was that all the people of the subordinate establishment which is being entertained by each one of the departments like the police department, like land revenue department, like the department of public works, and the local fund establishment, all these lower establishments may be left to be looked after by the villagers and the collection business also may be given to them. I calculated that Rs. 200 lakhs was spent on these minor departments and all this money according to me will be money which would be much less spent if the matter is sufficiently decentralized with a superintending staff reserved to see that things are done as stated by me. My submission is that this business of collection of land revenue, maintenance of staff and other things can be attended to with much less establishment by the villagers. Similarly, the maintenance of land records for which we are now spending about Rs. 45 lakhs, that establishment with the village agency will be able to do much more useful work connected with all the departments in the village than what is being done. It is a matter that can well be considered when the subject is transferred ; but, in any event, I do not think there is any likelihood of anything wrong being done. And this sentence in paragraph 238 says : ' Those in which mistakes which may occur, though serious, would not be irremediable, and those which stand most in need of development.' These are the two other clauses which might be well used in this connexion. Therefore I say that in the assessment portion, if a few mistakes are committed, it will result in serious consequence ; but in the case of the collection of revenue such mistakes, if they happen, will not cause any serious loss. If responsible bodies be constituted as are proposed to be constituted and if they take up the question of the collection of revenue and the maintenance of land records and the settlement of disputes about land, all these will be better cared for and more easily disposed of by this smaller agency than by a highly centralized Executive Government. Therefore, the proposition has to be considered in two aspects, and in any event, so far as the portion relating to collection is concerned, my impression is it should be absolutely in charge of the ministers. I would only add a word about the Court of Wards. I myself think that a wholesale proposition of transfer to the ministers may not be quite conducive to the best interests of the persons connected with the Court of Wards. That is a matter which will be moved by my Honourable Friend separately. Therefore my submission is whatever may be said about it I would like to have the advice and experience of Honourable Members of Government to let us know if in the case of assessments and general control as to variations in assessment power may be preserved to the Executive Government and whether this will not effectively prevent the ministers from abusing any power that may be so transferred. If that is so, the question of assessment may also be considered. As regards the other things, I have placed my views already."

The Hon'ble Mr. A. SURYANARAYANA RAO :—" Your Excellency, I have given notice of a similar resolution No. XVIII* on the question of land revenue administration. In that resolution, I have omitted certain clauses of questions relating to (1) encumbered and attached estates, (2) famine, (3) resumption of revenue free grants, (4) alluvion and diluvion and (5) colonisation and disposal of Crown lands ; and I have asked that the rest may be transferred. My Lord, the question now before us is whether land revenue administration is to be transferred either wholly or in part. I fail to understand why even a portion cannot be transferred. Regarding education, we see that a portion has been allowed to be transferred and a portion is reserved ; and excise, a subject upon which we do not think we can say we know much, has

* See page 267 infra.

[22ND OCTOBER 1918.] (Mr. Suryanarayana Rao ; Sir Fairless Barber ; Mr. Ramanuja Acharyar ; Mr. M. Ramachandra Rao ; the President.)

been transferred and it is no more a reserved subject. Under these circumstances, I fail to understand why at least a portion of the land revenue administration cannot be transferred. On reading the report, paragraph 238, we see that the distinguished authors of the report do not state that there are any political reasons why land revenue administration should be a reserved subject. All that they say is that the reason why it should continue to be a reserved subject is that that subject vitally affects the well-being of the masses who may not be adequately represented in the new Councils. On the other hand, we now see that there is a broad franchise proposed to be constituted and I have no doubt that the members who are on the committee will see that the masses are brought in large numbers and therefore the masses will have a sufficient right of representation and I am sure they will return proper candidates who will represent their views in the Legislative Council. Under these circumstances, I do not see why a portion of the land revenue should not be a transferred subject. With regard to the several clauses which have to be eliminated or included that seems to be a debatable question. I thought the Court of Wards question and the encumbered estates question had some political significance and so probably they will have to be reserved for some time at least to come. But when I see in paragraph 238 that the framers do not put the reservation of land revenue on any of those grounds, I beg to urge that the whole department should be transferred or if it cannot be done I stick to my resolution No. XVIII* and submit that, excluding those subjects, land revenue should be transferred. It is a subject which, as the framers of the report say, affords most opportunity for local knowledge and social service, a subject in which Indians have shown themselves keenly interested in which mistakes which may occur, though serious, would not be irremediable and which stands most in need of development. If there is any subject in which Indians have trained themselves, or in which they have got any experience, it is land revenue. The aristocracy is represented in the Council and there are middle class landholders who have also got interests of their own and when local self-government is transferred to us completely and when we can collect the land-cess and manage district boards and local boards and municipalities, where the same or similar questions arise, I fail to understand why ministers would not be able to manage land revenue administration also. I therefore submit that the whole or a substantial portion of it may be added to the transferred subjects and Your Excellency's Government may be pleased to recommend to the franchise committee to include the same."

The Hon'ble Sir FAIRLESS BARBER :—" Your Excellency, I should also like to be allowed to make a personal explanation and to say that my approval or disapproval of any resolution that may be discussed does not mean my approval of the reform proposals on the broad basis. If this is conceded, I am quite willing to hear the debate proceeding on what the Hon'ble Mr. Ramachandra Rao called fundamental assumption. As to the terms of this resolution, I oppose it because of the debates I have heard in this room on matters of revenue settlement. I should like to know the views of the officer now responsible for revenue settlement on the question."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARYAR :—" Your Excellency, the most important item under land revenue administration is resettlement and in the new administration local self-government will be transferred to the minister, who might probably require a large amount of revenue, and this might have to be obtained from land revenue. Therefore, resettlement must be under him and if resettlement is transferred, all the other subjects, which are of minor importance, may also be transferred."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—" I should like to know whether the request of my Hon'ble Friend Sir Fairless Barber as to a statement of the case from the Land Revenue or Settlement Member is to be complied with, because I would like to wait to hear what he has to say. Otherwise, I will offer a few observations."

His Excellency the PRESIDENT :—" I understand the Honourable Gentleman to invite the opinion of the Honourable Member on the resolution. As I have already pointed out, it is not possible for official members to comply. Let the Honourable Member go on."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—" My Lord, we are all under a certain amount of difficulty in dealing with a resolution of this kind. We have here land revenue experts who have spent 25 or 30 years of their life-time in conducting district administration, in forming the Board of Revenue and the Central Government of this Presidency. On the present occasion, in the discussion of this subject, Your Excellency will realize our difficulty in not knowing the case for the Government and therefore we have to imagine what is probably passing in the mind of the Hon'ble Sir Alexander Cardew and the Members of the Board of Revenue sitting at my back as to the observations made on this question of the transfer of land revenue. If we know the difficulties which are likely to be suggested, it is quite possible for us to meet those difficulties. For the present, we must complain, not in a complaining spirit, that Your Excellency has laid an injunction that the official members should not speak or vote. Therefore, we have to meet the case on hypothetical assumptions as to what objections are likely to be raised against this transfer. I may at the outset point out that whatever may be the views that are likely to find acceptance on this matter in the collective Government of Madras, so far as the authors of the scheme are concerned, they have laid down certain definite principles which have been referred to again in the reference to the subjects committee and the franchise committee which was recently published in the newspapers. So that, my Lord, whatever practical objections might be urged—for I submit they may be urged not only for the transfer of this department, but to the transfer of any department under Government—those objections

* See page 267 infra.

(Mr. M. Ramachandra Rao; Sir Fairless Barber; [22ND OCTOBER 1918.
Sir Gordon Fraser; the President.]

still remain and I suppose those objections are objections which would anyhow be urged by at least some members of this Council though not here, but elsewhere. I am referring to the statement made by the Hon'ble Sir Gordon Fraser and the Hon'ble Sir Fairless Barber about the fundamental propositions. The fundamental proposition that has been raised by this report—

The Hon'ble Sir FAIRLESS BARBER (*interrupting*):—"I did not say fundamental proposition. I used the Hon'ble Mr. Ramachandra Rao's own words 'fundamental assumption.'"

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"I am thankful to my Honourable Friend for the correction. The fundamental assumption of the report is the transfer of responsibility to Indian ministers; whether my Honourable Friends who represent trade and commerce and planting interests in this Council accept that fundamental assumption of transfer of responsibility to Indian ministers is a matter upon which they have carefully avoided expressing an opinion. They have not stated a single word about that matter. They have not expressed their disapproval. Therefore, I might perhaps bring to the notice of Honourable Members who may not agree with us in this matter the words of one of the authors of the report after the publication of this report and that is: 'Let us have it out once for all what was to be the principle of our Government in India. Was it to be domination or subordination to the iron hand? Were we to have one principle of Government for India and another principle for the rest of the empire?'"

The Hon'ble Sir GORDON FRASER:—"I rise to a point of order. Are the remarks of the Honourable Gentleman relevant to the proposition?"

His Excellency the PRESIDENT:—"To be candid with the Council everybody who has spoken has been out of order with the exception of one or two gentlemen who have spoken to the resolution. I have endeavoured to do my best to keep the discussion within limits. I can only hope that the tendencies of straying out of order which are shared by so many gentlemen will soon become exhausted."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, I do not wish to pursue the subject. But I may say that the tendencies are already exhausted, but they may be revived the moment something else is said. There is the danger. I trust my Honourable Friends will appreciate our position that we are doing our best to support the principle of responsible Government which is embodied in this report and it is on that fundamental assumption that we are proceeding to discuss this matter."

"Now coming to land revenue administration, I am afraid that the illustrative list, which is appended to this report, has not been compiled with strict conformity to administrative conditions in this Presidency. For example, alluvion and diluvion, so far as I know, are not dealt with in the department of Land Revenue. I rather think they pertain to the Public Works Department, river conservancy, and alluvion and diluvion pertain to the Public Works Department. It seems to me, my Lord, on reading the report that the gentleman who drafted it belongs to the United Provinces; I see his hand not only in the illustrative list, but throughout the report. It is based upon the conditions of the United Provinces and does not accord with the general administrative organization in this province. That is a remark which I deliberately make, because as I proceed under each resolution, I propose to show that tendency which is plain in this report. Leaving aside all these observations about alluvion and diluvion, my Hon'ble Friend Mr. Suryanarayana Rao referred to some political reasons for excluding this subject. So far as I can see, there can be no reason except that property has to be protected by the construction of embankments and I do not see any reason why that should not be transferred. My main contention, my Lord, is that this is one of those departments in which the people are very greatly interested and this is a department manned mostly by Indian agency. Most of the divisions are now in the hands of the Indian divisional officers, some Collectors are Indians and a great deal of the settlement work is done by Indian agency. I think, my Lord, that, looking at these circumstances, this is one of those departments which within the governing principle of this report, namely, that it is a department in which Indians have intimate knowledge of the subject."

"The second point is that the whole of the land revenue system is based upon administrative systems which prevailed before the advent of the British. In fact, the whole theory of settlement has been inherited from previous governments and I submit even before the advent of the British there was a government in this country, there was collection of land revenue. And what is the state of things in the Indian States now? Is it contended that in Mysore where there is an Indian minister in charge of the administration land revenue is not properly administered? Whether it is a popular minister or whether it is a Member of the Executive Council appointed by Your Excellency, whether the department is in the hands of Indians, it cannot be contended that there is any serious danger of disorganization which would endanger peace, order or good government. I submit that the day-to-day administration on which the welfare of the masses is dependent is the revenue administration, the disposal of lands, the economic condition of the people, the way in which remissions are granted, the way in which lands are disposed of, the way in which land revenue collections are made, the question of land improvement loans, penal assessments and agricultural loans—these are all subjects in which I submit for the last nine years the representatives of the people have done their level best to persuade the Government to pursue a different policy. Under these circumstances, it seems to me futile on the part of anybody to contend that an Indian minister would not be able to

22ND OCTOBER 1918.] (Mr. M. Ramachandra Rao; the Raja of Ramnad;
Mr. Venkatapati Raju.)

manage this department. After all we have the Board of Revenue and other subsidiary organizations in direct charge of the administration. Under these circumstances, and with these safeguards, I submit that this is a case which comes within the governing clauses of this paragraph 238 of the Report.

"My Lord, there is one other observation which I would like to make. It is impossible to split up surveys and land revenue. They are so inter-related to each other, land revenue to survey, survey with land records and so on, that it is absolutely impossible that they can be partly transferred to the charge of Ministers."

"The only other observation I would like to make is as to whether there is any particular danger of non-collection of assessment. I have heard it said now and then, my Lord, that the moment this department is placed in charge of an Indian minister, the first act of that minister and of a popularly constituted assembly would be to reduce the assessments, probably to introduce a permanent settlement of land revenue holdings. That has been suggested, my Lord, now and then, but I think that a most ungrounded fear. There is absolutely no ground that any Government, be it Indian Ministers or be it under the Executive Council, would, under any circumstances, surrender revenue, because they are responsible for the day-to-day development of the country. So far as that fear is concerned, it does not seem to operate on the distinguished authors of the report. One of the departments which the authors of this report have placed on the transferred lists is excise. What is the growth of revenue in this Presidency—about 15 lakhs from excise and between 4 to 5 lakhs from land revenue. This being the case, when the authors of the report were perfectly willing to trust an Indian minister with the department of excise, in which he can throw away, if he is so minded, Rs. 15 lakhs at any moment, is it reasonable to suppose that in land revenue they are likely to give away Rs. 4 lakhs? The tendency is rather the other way, to take care of every pie and to bring to the hotch-pot every item of revenue. I may say I have a little experience of collection of revenue, not land revenue but municipal revenue. I am not aware of the tendency of any municipal council to forego revenue improperly. If there are any instances of that kind, the Hon'ble Mr. Rajagopala Achariyar may hunt up references and tell us whether any municipality has been censured for surrendering any portion of the revenue unnecessarily. Speaking generally, I am not at all sure that this fear of land revenue being surrendered unnecessarily or on improper grounds is one that is justified. On the other hand, as I submitted, my Lord, it is quite likely that it may be the other way."

"These are the circumstances, the antecedent circumstances and the great success already achieved by Indians in the field of land revenue—I do not wish to quote Sir John Kees who referred to Raja Todar Mal in support of the argument—and there are many instances in the administration of Native States and also in British provinces, where the whole administration has been very ably conducted by Indian officers."

"These are my remarks, my Lord, on the question of land revenue administration. Two of my Honourable Friends have given notice of identical resolutions with certain reservations. I propose to move an amendment to the main proposition of my Honourable Friend Mr. Krishna Rao with a view to bring it in conformity with the general sense of all the resolutions on the subject. I do not know whether my Honourable Friend would like to exclude alluvion and diluvion. I should like that they should remain and go to the Public Works Department. I propose that the exception should be the Court of Wards. I propose that the following words should be added at the end of the resolution: 'With the exception of questions relating to the Court of Wards and encumbered and attached estates'—because it is to be found in the other resolutions—I formally move this: My reason for this exception is not that an Indian minister would not be able to look after the Court of Wards as well as other departments of Land Revenue; but my main reason is, my Lord, one purely of expediency on the present occasion. Honourable Members will remember that the zamindars presented an address to the Secretary of State and to Lord Chelmsford in which they asked—I am quoting from recollection—I am subject to correction—for some kind of responsible government in certain spheres of activity; but afterwards it was unfortunate that there was a split and that a section of the zamindars do not seem to be as enthusiastic about the reforms as the other section. I see a divergence of opinion as regards the reforms. I do not wish to complicate this question by bringing questions relating to the Court of Wards under an Indian Minister for the present. I do say it is not on the ground that an Indian Minister would be unable to exercise control, but if any zamindar has any desire that questions which are usually dealt with in the Court of Wards should continue to be dealt with by the Executive Council and Your Excellency, I would rather leave that for consideration for the present under the present administration. It is on that one single ground and with a view not to create any more hostility to the reforms than is necessary, that I propose this exclusion. I do not know the views of the zamindars. It is unfortunate that my Hon'ble Friend Mr. K. R. V. Krishna Rao who represents the northern zamindars is not able to be present here but my Honourable Friends, the Raja of Ramnad and the Raja of Bobbili, are here and subject, to their wishes, I propose this amendment to this resolution."

The Hon'ble the RAJA OF RAMNAD:—"I beg to support the amendment. That would indicate my wishes in the matter."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, I do not see why some of my Honourable Friends should adopt an apologetic tone as if we are going to surrender revenue."

200 RESOLUTION RE 'LAND REVENUE ADMINISTRATION' TO BE
A TRANSFERRED SUBJECT.

(Mr. Venkatapati Raju; the President; [22ND OCTOBER 1918.
Mr. Chidambaranatha Mudaliyar; Mr. A. S. Krishna Rao;
Surgn.-Genl. Giffard.)

What I respectfully urge is this: the proper attitude is that if it is necessary to reduce it, it would be reduced, and if it is necessary to increase it, we have to increase it. There is no doubt that so far as land revenue administration is concerned, it should be reduced for the simple reason that the whole administration was carried on during all these years under a misconception. That misconception was that they have to pay a larger proportion of taxation than the rest. The proper thing is that the revenue ought to be reduced. Even the Director-General of Statistics said long ago that a larger share of the produce should be left in the hands of the ryots so as to save them from the money-lenders and that 25 to 30 per cent would be necessary for this purpose. Under these circumstances, we should offer no apology to reduce the assessment. If necessary we have to reduce it. What I would suggest is that we should take more from the treasury and less from the general tax-payer. Though it is a paradox, it is absolutely necessary that we must economise our expenditure and utilize the revenue by efficient management. That is the way of tackling the problem. I support the resolution of the Hon'ble Mr. Krishna Rao without any amendments whatever."

His Excellency the PRESIDENT:—"I think we might take a division as there has been no opposition. We might take a division on this subject."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"Your Excellency, I would not detain the Council long. I wish to make a few observations on this particular resolution which is a very important one now before this Council. It will be clear that the province is almost entirely agricultural and almost the entire population depends upon land and as such any form of responsible government, if it means anything at all, must be responsible to them in some degree or other. And it cannot be responsible to them unless and until questions affecting land are entrusted to the ministers responsible to them. Under these circumstances, I believe that the proposition before the Council should be accepted by the Council as a whole. If, however, safeguards are necessary, I am willing to consent to the amendment proposed by the Hon'ble Mr. Ramachandra Rao in the view that there should be the least division among the non-official members of this Council. With these remarks, I heartily support the proposition before the House."

His Excellency the PRESIDENT:—"I propose if the Council is agreeable to put this resolution in the form in which it has been proposed by the amendment. The resolution we are discussing is No. II. It has been moved and seconded that this amendment should be added namely that the words 'with the exception of the Court of Wards and encumbered and attached estates' should be added to resolution No. II."

The Hon'ble Mr. A. S. KRISHNA RAO:—"May I request Your Excellency to put the amendment separately to vote?"

His Excellency the PRESIDENT:—"The first motion before the Council is whether or no this addition shall be made."

This was put and agreed to, seven voting for the addition and two against.

The resolution thus amended was put and agreed to, ten voting for and six against.

The Hon'ble Mr. A. S. Krishna Rao demanded a poll which was taken with the following result:—

For	Against
The Hon'ble Rao Bahadur V. K. Ramannuja Achariyar.	The Hon'ble Sir Francis Spring.
" Rao Bahadur M. Ramachandra Rao.	" the Most Rev. J. Aelen.
" Mr. P. Siva Rao.	" Sir Gordon Fraser.
" Mr. K. Rama Ayyangar.	" Sir Fairless Barber.
" Mr. B. Venkatapati Raju.	" Mr. K. K. B. Kavalappara
" Rao Bahadur Annamalai Chettiyar.	" Muppil Nayar.
" the Raja of Ramnad.	" the Rev. G. Pittendrigh.
" Mr. T. Ranga Achariyar.	
" Mr. A. Suryanarayana Rao.	
" Mr. A. S. Krishna Rao.	
" Mr. B. V. Narasimha Ayyar.	
" Mr. K. Chidambaranatha Mudaliyar.	

The resolution was then declared carried, twelve voting for and six against it.

The Hon'ble Surgn.-Genl. G. G. GIFFARD:—"The resolution should not be 'This Council is of opinion'; it is not the opinion of this Council."

His Excellency the PRESIDENT:—"It has been publicly announced that officials will not take part in the vote that will govern all the proceedings. We may have to make a general observation about the proceedings on the lines of the suggestion of the Hon'ble the Surgeon-General."

RESOLUTION RE 'INDUSTRIAL DEVELOPMENT' TO BE
A TRANSFERRED SUBJECT.

201

22ND OCTOBER 1918.] (Mr. Yaqub Hasan.)

RESOLUTION RE 'INDUSTRIAL DEVELOPMENT' TO BE
A TRANSFERRED SUBJECT.

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"Your Excellency, the resolution of which I have given notice runs thus:—

'VIII. The non-official members of this Council recommend that in addition to the list of subjects mentioned in the Illustrative List II of Appendix II of the Report on Constitutional Reforms questions relating to industrial development (item 19 of List I of the same appendix) should be transferred to the control of Ministers.'

"It will be observed that two lists are given in the appendix. List I shows the subjects which are proposed to be declared as provincial subjects; that is, subjects in which the Government of India will not interfere; and out of these subjects, which are 29 in number, some fifteen subjects are shown as to be transferred to the control of the Ministers. Of course, these two lists are tentative and they are only given by way of illustration. The intention of the two authors of the report is to show what subjects it would be advisable to transfer to the popular control and what subjects should be retained under the Executive Council. My resolution is that all these subjects which are mentioned in List II should be transferred, that is to say, no subject from this list should be brought back to the category of reserved subjects. In addition to that, I want, in this resolution, one more subject to be completely transferred. Why I consider it advisable that all these subjects which are given by way of illustration in the second list should be transferred subjects is this: In my opinion the division of subjects into the two groups should be made as equal as possible. Power should be equally balanced between the Executive Council and the Ministers. I am not one of those who advocate that most of the subjects should be transferred to the Ministers and only a few subjects should be left to the Executive Council. At the same time, I am opposed to the party which says that only a few subjects should be transferred to the Ministers so that the Indians may be put on their trial and their capacity for administration may be tested and later on when they have proved that they are capable of managing some departments, some more departments may be given to them. That does not seem to be the intention of the authors of this report. It is taken for granted that we are quite fit for managing these affairs, but it is not considered advisable that the whole responsibility should be transferred at once, but it should be done gradually. Therefore, I think that the division should be so made at least in the advanced provinces—and I consider Madras to be one of the most advanced provinces—that it may be as equally balanced as possible. Of course this report deals with the whole of India and they had to take all provinces into account. There are provinces which are less advanced, there are provinces which are very much backward, and perhaps there it may not be advisable to transfer a very large number of subjects. But in the advanced provinces, a large number of subjects should be transferred and, as I said before, Madras is one of the advanced provinces. Education has spread here to a larger extent and the sense of citizenship has also developed here more than is the case in other provinces, and there would be no dislocation of the administration, by a transfer of a large number of departments to the popular control. It is only when the division is made equal that there will be perfect co-ordination between the Executive Council and the Ministers. If extra weight is placed on one side or the other I consider that will be unfair and it will not be conducive to the success of the scheme.

"Coming to the particular item which forms the subject-matter of my resolution, it will be noticed that there are some departments which are completely transferred, but there are other departments which are only partially transferred. For example, item 5 in the first list is maintenance of law and order, and out of the long list placed under this heading only the subject of prevention of gambling is transferred. In the same way, in item 8, forests and forest products, only a portion is transferred. Under education, primary, secondary and technical education is transferred while college and university education, reformatories and industrial schools are reserved. In the industrial department, only development of arts, crafts and local industries is transferred whereas other subjects which come under the same heading and which are very important are reserved; for example, 'factories, dangerous and offensive trades, inland steam vessels and steam-boilers, registration of labour, labour exchanges, provident funds, industrial health insurance, friendly societies, apprenticeships, accident insurance'. Some of these subjects do not exist now, but as they come into existence and as they get more developed, they will form important subjects. All these are kept as reserved subjects and only the development of arts, crafts and local industries which is comparatively less important is transferred to the control of the Ministers. Your Excellency is aware that industrial questions will assume still greater importance after the conclusion of the war. One war is going to give place only to another war, the industrial and economic war which will be more far-reaching in its effects than the war which we are now having. Every nation will try to better its economic position at the cost of other nations. Among the Allies themselves there will be competition though they may come to a certain understanding on the lines of least resistance, but under certain limitations, each will try to gain advantage over the others. Then, within the Empire itself, the different members composing it will contend with one another for supremacy and there will be rivalry in industrial matters and many a question, tariff, for example, will crop up in order to acquire that

(Mr. Yaqub Hasan; Mr. Annamalai Chettiyar;
the President; Mr. M. Ramachandra Rao; Mr. Siva Rao.) [22ND OCTOBER 1918.]

supremacy. Such being the case, I think it is but right and proper that Indians should demand that they should be allowed a free hand to develop their industries and to arrive at all decisions concerning industries with as little check and interference from outside as possible. Of course, I am now dealing with the industrial question as a provincial matter and not as an affair of the Government of India. Of course, the Government of India can alone deal with the Imperial questions, but even as a Provincial subject, there will be many questions which will require very careful handling. It is due to their local importance that the industrial matters are placed as Provincial subjects, that is, subjects in which the Government of India will not ordinarily interfere except having a general control and I propose that this subject should be under the control of Indians. I have not lost sight of the fact that, at present, with most of our important industries Europeans are most vitally concerned. But I may say that Europeans need not have any apprehensions on this subject. They will be adequately represented on the Legislative Council and in the transitory period when the scheme is in operation, they will have the moral and material support of the officials. If the reform proposals are finally adopted in the main, and we are proceeding with the discussion to-day on the assumption that it will be so, and if in due course complete responsibility is to be granted to the provinces as well as to the central government, it is high time that Europeans and Indians begin from the very beginning of the reforms to cultivate mutual trust and dependence so that in the transitory period we might have adjusted ourselves to the new conditions and prepare for the time when complete responsible government will be granted to India. India is quite sensible of the great benefits which she has derived from the Europeans, both merchants and industrialists, and we do want them to remain here and prosper, but only with this reservation that their good as individuals or as a class should come out of the good of the country itself and that we Indians should have equal opportunities with Europeans for industrial pursuits. It may be said why not leave this department with the Executive Council who may be trusted to look after Indian interests as well as European interests. But I contend that we should try and forget that there are European and Indian interests, as far as industries are concerned. At present, they do exist; these interests are separate interests but they should no longer continue to be so. That can only be brought about by placing this subject under the control of the Indian Ministers.

"I need not go very minutely into the question and show how if industrial matters are placed under popular control, we may bring about the industrial development of the country and raise India to the status of a manufacturing country. That is a very broad subject and this is not the time or occasion for going into it at length. One thing must, however, be admitted that unless our industries are developed and unless India makes progress in this direction, all the boons that we may receive in the political field will not be so very beneficial as they should be. In fact this is one of the reasons why India is very keenly demanding self-government. The idea was that if self-government is granted to us, we will be able to spread education and to develop industries and commerce in a manner that will raise India at no very distant date to a position of equality with European countries and with Japan. It is to their industries, no doubt, that these nations and Japan owe their greatness and India cannot be an exception to the general rule. So, when responsible government is to be granted to us by stages, let this Department of Industry be the first thing with which reforms and the transfer of responsibility should begin. I appeal to you all, Indians and Europeans, to accept this resolution in the spirit in which it is proposed."

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR:—"Your Excellency, I beg to second the resolution. The resolution is a very important one. India is largely dependent upon foreign countries for manufactured goods. If the resources of the country are to develop, Government must take action and indigenous enterprise should be encouraged. It is a recognized fact that in this country people are unable to carry out their programmes without the help and guidance of Government, and to secure this help and guidance from the Government the popular opinion in this country is that the Department of Industries should be entirely controlled by the Indian Ministers under the Reform scheme."

His Excellency the PRESIDENT:—"Shall we take a decision on this matter or shall we adjourn?"

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"I should like to address the Council."

At this stage the Council adjourned for a short interval.

The Council re-assembled at 2.45 p.m. when the discussion on resolution VIII was resumed.

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I wish to say a few words in support of this proposition. The illustrious authors of the report lay down in paragraph 238 of the report certain principles for the differentiation of these subjects. They say 'The guiding principle should be to include in the transferred list those departments which afford most opportunity for local knowledge and social service, those in which Indians have shown themselves to be keenly interested, those in which mistakes which may occur, though serious, would not be irremediable, and those which stand most in need of development.' I submit, my Lord, that this subject of Industries is a subject which requires most development. In paragraph 331 of the report, in dealing with the industries and tariff, the authors of the report quote a statement made by the

22ND OCTOBER 1918.] (Mr. Siva Rao; Mr. Ranga Achariyar; Mr. A. S. Krishna Rao.)

late Mr. Ranade: 'the political domination of one country by another attracts far more attention than the more formidable though unfelt domination, which capital, enterprise and skill of one country exercises over the trade and manufactures of another. This latter domination has an insidious influence which paralyses the springs of all the various activities which together make up the life of a nation.' Now the question arises how to put an end to this sort of commercial domination and the question also arises which agency is more likely to effect this. I must, without any doubt, answer that the ministers of the popular assemblies are more likely to carry out this programme than anybody else. In the same connexion, they say that the Government ought to move in this matter. 'We believe that this is true in the case of industries; and that if the resources of the country are to be developed, the Government must take action.' They also say: 'We are agreed therefore that there must be a definite change of view; and that the Government must admit and shoulder its responsibility for furthering the industrial development of the country.' In another connexion they suggest 'conditions are ripe for the development of new and for the revival of old industries on European lines'; and they also say: 'We are advised, for instance, that tanning, glass-making, soap-making, sugar-refining, and the manufacture of a great variety of vegetable dyes, drugs and essential oils are instances of industries which are now pursued on primitive lines and which present obvious opportunities for the application of technical science.' The only reason that can be urged against the classification of these subjects under the head of transferred subjects is that technical knowledge will be necessary which will not be available in this country. As regards that, popular assemblies and popular ministers, if it should be handed to their control, will find it extremely easy to consult and have the service of experts. There would not be any difficulty in the matter. The other difficulty that will be raised is that the interests of the foreign trade, the interests of the foreign capitalists, will have to be protected. In a matter like this, I may say without trenching upon personal matters that when a conflict arises between indigenous enterprise and foreign enterprise, I have no hesitation in saying that the interests of indigenous enterprise should prevail and it is because there is this dual interest, that we feel strongly on this point that this department should be handed over to popular control."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Your Excellency, I support this resolution. The previous management of this department by the Government for generations together bears ample and eloquent testimony to the urgent need for the transfer of this department to the hands of the ministers who will take an intelligent and enthusiastic interest in the subject. It has been a fatherless department and I may say, it has been almost under the guidance of a step-mother, as it were. Persons who have been in charge of this department, with all respect for their patriotism for their own country and for the welfare of their own country, we must say and pointedly say, that they have neglected the interests of this country in preference to the interests of the Home industries. The present sad state of affairs in this country, if I may say so, is entirely due to this lack of sympathetic regard for the interests of this country and it is unnecessary for me to quote chapter and verse in support of this position. It is acknowledged in this report itself. It is acknowledged from page 210 onwards in this book and I will give a reference to paragraph 331. They say 'In the course of our discussion, the conviction has been forced upon us that economic factors enter largely into the political situation in India; and we feel bound so far to exceed the limits of strictly constitutional discussions as to take note of these also. There is truth, we think in words of the late Mr. Ranade, spoken as long as 25 years ago'—my Honourable Friend Mr. Siva Rao just quoted that statement of Mr. Ranade. We may say that the present war has brought out the industrial weakness of India in its nakedness. We cannot sit with folded hands and see the raw materials of this country neglected, the resources neglected, and all because of the want of enthusiasm and interest in the persons who have been in charge of this department. The time has gone by when we can any longer safely leave the interest in the same hands and it is better in the interests of all concerned, both in the larger interests of the Empire to which we have the honour to belong and the vital interests of this country that this department is placed in the hands of people who will take an enthusiastic and patriotic interest in its development. That is, I submit, a very strong argument in favour of the transfer of this subject to the minister, who, of course, will be assisted by the other councillors and by first-class statesmen from Home who will preside over the destinies of this Province. I do not see any danger at all. On the other hand, any danger that there is will only tend to develop the resources of the country; really, it is no danger, but it is profitable to all who have to live in this country and earn their bread in this country. As I stated already, the past management of this department is sufficient proof that it should no longer remain there uncontrolled."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, having given notice of a resolution on this subject, I wish to say a few words to point out that even according to the views put forward by some of my European Colleagues here, this subject should be transferred to the Indian ministers. I am quite happy to find myself in agreement with my Honourable Friend Sir Gordon Fraser, who, I am sorry, is not in this hall at present, when he stated that dual responsibility is not after all a satisfactory thing. Let it not be supposed for a moment that we accept the principle of dual responsibility or divided responsibility as a satisfactory solution of the problems which have to be solved in evolving a scheme of self-government. Everyone is agreed that, if possible, and if feasible, there must be a system of full responsible government without any divided responsibility. The more correct solution would be to have the necessary safeguards and checks in the machinery of the Government of India and to allow

RESOLUTION RE 'INDUSTRIAL DEVELOPMENT' TO BE
A TRANSFERRED SUBJECT.

(Mr. A. S. Krishna Rao ; [22ND OCTOBER 1918.
Sir Fairless Barber ; Mr. Rama Ayyangar.]

complete provincial autonomy. But because the authors of this report have, for various reasons stated therein, considered it necessary to divide responsibility and because they have conceded the desirability of some devolution of responsibility to Indian ministers, we have thought it the wiser course to accept it so far as it goes, hoping that in course of time we will justify the demands for further reforms in that direction.

"So far as this subject is concerned, I would like to point out that it finds a place in list No. I as also in list No. II. So far as list No. I relating to the provincial subjects is taken into consideration, it provides for industrial matters under head 19 in these terms:—'Factories, dangerous and offensive trades, inland steam vessels and steam boilers, registration of labour, labour exchanges, provident funds, industrial health insurance, friendly societies, apprenticeships, accident insurance. Electricity, petroleum, explosives, mines, geological survey for minerals. Development of arts and crafts and local industries.' We find that, so far as this subject is concerned, some matters are proposed to be transferred to the Indian ministers. It is not proposed to reserve the whole of this subject to the Governor in Council: a portion of it dealing with crafts and local industries is proposed to be transferred to the Indian ministers. I would suggest that here, in the division of subjects, we must not carry the principle of divided responsibility further than necessary. It has been found feasible to transfer some portions to Indian ministers. If so, there ought to be no difficulty whatever, in transferring the whole to the Indian ministers. The only possible objection that may be put forward is whether Indians have the necessary expert knowledge or the expert training to deal with the subject in a satisfactory manner. May I ask whether it can be pretended that everyone who has been dealing with this subject, either as member of the Executive Council or as Secretary to the department, is himself an expert? They have been dealing by obtaining expert advice and expert information, by trying to understand these subjects and by bringing to bear on the questions arising therein all the information that they can get. Why not expect the Indian ministers also to follow the same course as the present members have done, though they themselves are not experts. There is no force at all in the contention which is likely to be brought forward that these Indian ministers may not have the necessary knowledge and technical skill required for the purpose. It is always open to them to appoint the necessary officers who will be in a position to supply the necessary information."

The Hon'ble Sir FAIRLESS BARBER:—"Your Excellency, I wish to oppose this resolution. And in doing so I wish to point out a fallacy on the part of the Honourable Member. He stated in the course of his speech that European prosperity was due to commercial and industrial enterprise. I maintain, in the first instance, that European prosperity is due to a stable Government and as a result, commerce and industry were able to prosper. I would like to ask members of this Council if they have ever considered what the position of this country may be under the reform scheme with this transfer of subjects in industries. Would the credit of the country be anything like what it is at present? From my own knowledge of this country, the credit of the country has improved during the 25 or 26 years that I have been in this country and gradually money has grown cheaper. At present, I take it that the country is backward industrially because it is not yet fully developed agriculturally and the agriculturists will not be able to develop fully until plenty of money at a cheap rate is forthcoming. I do not think that the Government, as foreshadowed by the Honourable Member, is likely to find cheap money and private individuals would not be able to do so. I speak feelingly as an agriculturist. One of the drawbacks that we suffer from is the difficulty of getting money from the country. I do not think the fault lies with the Government. It is merely a matter of time and improvement on the present lines, before we get developed. Had it not been for the war, we would have had railways all over the land and that in turn would have brought more money and created more development in the country."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, to exactly understand the significance of this resolution, I would like to draw the attention of Honourable Members to the present condition of the present administration of the department relating to industries in this Province. We find here in item No. 19 of list No. I relating to industrial matters: factories, dangerous and offensive trades, inland steam vessels and steam boilers, registration of labour, labour exchanges, provident funds, industrial health insurance, friendly societies, apprenticeships, accident insurance. Electricity, petroleum, explosives, mines, geological survey for minerals.' The third class relating to 'development of arts, and crafts and local industries' has been transferred to the transferred list. The authors of the report clearly point out that they have not had time to discuss with respect to each province, the conditions of the province to say whether it should be in the reserved or in the transferred list. In fact, what I find is, it is only proper when we are considering this question to know where we stand in respect of the industrial progress in the province and whether the transfer to the ministry will, in any way, improve the position or make it worse. Of course, we have to take the scheme as it has been put forth. The Government will be a combined Government consisting of two parts, one the executive, the other the ministers. All expert advice will be available to the Government, His Excellency the Governor being enabled to appoint additional members if necessary who shall advise but shall not take part, so that it is that Government in which ministers will only take a secondary part, in which His Excellency the Governor will have the right to give the Council necessary help and even the right to control where it is apparently inexperienced and in all other cases, for practical purposes, the ministers will be allowed to have their way. It is

RESOLUTION RE 'INDUSTRIAL DEVELOPMENT' TO BE
A TRANSFERRED SUBJECT.

22ND OCTOBER 1918.] (Mr. Rama Ayyangar ; Mr. A. Suryanarayana Rao.)

that kind of ministry that is asked to control the present subject. The first item there is factories. This is not shown in the other illustrative lists. Whatever may be the conditions with respect to other provinces, so far as Madras is concerned, it is plainly seen that it affects mostly Indians in every part. I have got the administration report of the Department of Industries, G.O. No. 1051, dated 4th October 1916, Home Department (Education). Table 10 gives all the industries and the factories available. There we have in 'Agriculture and irrigation' 701 factories, mines and quarries about 21 factories, iron, steel and engineering trades 61 factories, metal trades other than iron and steel, 3 factories, textile trades about 248 factories, clothing trades one factory, food drink and tobacco trades 595 factories, chemical and allied trades 45 factories, paper printing and allied trades 35 factories, leather canvas and India rubber trades 5 factories, timber trades 22 factories, clay, stone, building and contracting trades 29 factories and public utility services, 31 factories, making in all about 1,792 factories. That is the list attached to the administration report.

"The next point that I would draw the attention of the Council to, is G.O. No. 1209, dated 19th September 1917, Home Department (Education), containing the report of the administration of the Department of Industries, the report made by Mr. Innes, Special Officer in charge of the Department of Industries. A mere look at the head-notes of the various things which now affect the officer in charge will show that there is the question of the Imperial Silk specialist, the pumping and boring department, the mechanical engineering section, the proposed demonstration of a gas suction engine, the proposed survey of the rice mill industry, the survey of a possible cement industry at Bezvada, Anderson oil-exPELLERS, hydraulic oil mill, etc. Most of them are owned by Indians. Again there is a reference to the glass factory which was subsequently taken up by Government, there is the penoil factory; then we get again the dyeing section, the weaving section and the industrial bureau which will be most useful hereafter and then industrial education. These are the various points that are now engaging the attention of Government. The question is whether there is any one department, which could be left with any body other than a gentleman intimately connected with the people. Suppose the information bureau gets the information to the ministers that a particular mineral is available in a particular part of the province and that that mineral could be utilized to start a factory, and if really no useful purpose can be served, it is the ministry that will intimate it properly to the representatives of the people immediately wherever these facilities exist, and where it will be found to be a paying concern, it will be conducted. It is said that so much money in India is tied up either in jewels or is lying idle in iron safes. So much of that money it will be possible to utilize if it will produce such results as would add to the economic condition of the country. That can be utilized properly only by its being placed as a transferred subject. My Honourable Friend Mr. Ranga Achariyar has referred to the previous work that has been done in that direction. The Hon'ble Sir Fairless Barber has raised a question whether Government should help at all, whether they should help private gentlemen who can maintain industries. That was the question raised and re-raised by the gentleman representing that view, but the Government have taken finally a definite stand on it and I do not think that question arises any more. Government have a duty to perform and unless the industrial condition of the country is sufficiently improved, there is no hope of improving its economic condition. That seems to be definitely put forth in the report itself. Under these circumstances, the question is which is the agency which will certainly improve the condition of the land, which will better utilize the opportunity and add to the prosperity and the economic condition of the people. There could be but only one answer that this department must be a transferred subject and there must be a representative of the people who can, immediately the information is got, be able to influence all sorts of people who could invest to start the industry, improve the condition of the country and add to its prosperity. Therefore, my Lord, one has really to see what the subjects are that are at present under the control of the department of industries and then to see whether the country will be better served by their being transferred. There is not a bit here which is not Indian and you have to develop the others only to see that money is invested properly in all these cases; it will be only proper to leave it as transferred subject in charge of the ministry. There is no danger of the thing being misused or misapplied. There is expert advice available. There is the mixed Government during the transitional period and the Government are sure to advise properly and take the responsibility as a whole, though for purposes of administration, it is divided. Under these circumstances, it is almost a clear case that it should be a transferred subject."

The Hon'ble Mr. A. SURYANARAYANA RAO:—"Your Excellency, I have only a few words to add to all that has been submitted on the resolution. I entirely support this resolution. There is no question that the industries in this Presidency are in a very neglected condition and I think that this department as a whole should be transferred to the ministers. I fail to understand why there should be so much despondency that, if the department is transferred to the ministers, the department will not prosper. If we are only in the transition period, the matter will be tried for four or five years and then we will be able to see how the matter has improved and if we find that the ministers have not tackled with the problem properly, then there is time enough to put it in the list of reserved subjects. I cannot understand this division in item 19 of list No. I. It contemplates industrial matters, but in regard to factories and other things, it has been said that as these develop they will be probably transferred to the transferred subjects, but only one portion of that item 19—the development of arts and crafts and local industries would, for the present, be transferred to the transferred subjects. It reads very well on paper

RESOLUTION RE INDUSTRIAL DEVELOPMENT TO BE
A TRANSFERRED SUBJECT.

(Mr. Suryanarayana Rao; Mr. Narasimha Ayyar; [22ND OCTOBER 1918.
Mr. Venkatapati Raju; Mr. M. Ramachandra Rao.]

to make a division of this sort, but in practice I do not think the division is a very happy one. When the industries have to be developed, I think the minister should have complete power to see that they are developed and I think the whole department should be transferred to him and not a portion. I therefore submit that the whole department should be transferred and a chance given to the ministers to see how they will manage the department hereafter. There is His Excellency the Governor always to advise and there is the Executive Council also to advise. Therefore, I have every hope that matters will never go wrong and if they do they can be mended in no time. But that is no reason why the department should not be handed over to the ministers."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, I wish to say only one word in support of the resolution and that is by way of answer to the Hon'ble Sir Fairless Barber. In trying to meet the argument, advanced in favour of the proposition that this department needs much development, which is one of the criteria referred to in paragraph 38 of the report, he contended that development pre-supposed funds, and development till now proceeded on the basis of a stable Government. The implication in the mind of the Honourable Member seems to be that stability will decrease. If so, I wish to point out that that assumption is purely arbitrary and unsupported by facts. I can refer to solid facts. In point of fact, the proposals now before us tend to broaden the basis of Government, the foundations will be greatly strengthened and therefore stability will be greatly increased by the proposals. Let us consider the other question he raised, namely, would more funds be available in case industries be transferred? The implication once again in the mind of the Hon'ble Sir Fairless Barber would be that somehow foreign countries, when they behold industries in the list of transferred subjects, will cease to send money to India and India will not be able to develop her agricultural industry. This again is a groundless assumption. On the other hand, a large number of industries will be developed and there would be more occasion for foreign countries to send money and there will be a great deal more money in India itself which will be applied more courageously. Therefore, that assumption falls to the ground. Therefore he can vote with a safe conscience for the transfer of industries to the list of transferred subjects."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, I have only one word to say. We have to consider who is responsible for the present backward condition. I can quote the authority of General Smuts who recently said that industry and commerce have never prospered in the past under bureaucratic rule and he said that they would never prosper in future. Therefore it must be the people's representatives that must be placed in charge of industries in order to improve industries."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, I do not wish to repeat any portion of the arguments adduced already, but I wish to point out that there is one important circumstance, namely, that this subject is placed in the transferred list. My Lord, one of our complaints hitherto has been that the industrial policy of Provincial Governments has been unnecessarily interfered with up to now by the Secretary of State in regard to the development of industries. I may perhaps bring to the notice of Honourable Members that in 1908 the Government, my Honourable Friend Sir Alexander Cardew was the then Revenue Secretary—made a comprehensive programme of industrial development and framed a scheme and sent it to the Secretary of State for sanction. That, of course, was opposed at the time in the Council by the members who represented European trade and commerce and I am very sorry that, on the present occasion, my Honourable Friend Sir Fairless Barber has not seen his way to support our present contention for industrial development. However, there is this fact to be recognized and I am sincerely glad the subject of industrial development has been placed on the provincial list. I sincerely trust, as one of the members of the Committee which has to decide this matter is in the Council, that no further limitations will be placed in the way of the provincial development of industries and that the Secretary of State or any higher authority would not interfere with the industrial development either in the supposed interests of the agriculturists in this country or in the interests of some other persons elsewhere. I trust, my Lord, whether it is a transferred subject or a reserved subject, that the present limitations as regards expenditure on industrial developments would be removed and that the provincial Government would be set free to do what it likes in industrial matters and what they consider necessary for the industrial well-being of the Presidency. I do not see any limitations here, but it is quite likely that some may be introduced hereafter. I trust that this subject will be free from the restrictions imposed by the Government of India or the Secretary of State. That is the first of the observations which I would like to make."

"The second is this: so far as this Presidency is concerned, the Department of Industries is already in the hands of an Indian Member; both as Secretary and the Member in charge of this department—the Hon'ble Diwan Bahadur P. Rajagopala Achariyar—is already in charge of this portfolio. I trust that that fact will be recognized and that there will be no differentiation as regards Europeans and Indians so far as this particular subject is concerned; whether it is an Indian minister or a Member of the Executive Council, the fact that the Member is an Indian *per se* would not be taken as a disqualification to be put in charge of this department."

"Having said all this, I wish only to point out a few practical difficulties as regards the division of the subject. Honourable Members will notice that item No. 9 relating to 'fisheries and connected industries and river conservancy' is placed in the transferred list. Then,

RESOLUTION RE 'INDUSTRIAL DEVELOPMENT' TO BE
A TRANSFERRED SUBJECT.

22ND OCTOBER 1918.] (Mr. M. Ramachandra Rao; Sir Fairless Barber;
Sir Gordon Fraser.)

agriculture is a transferred subject and agricultural industries will naturally fall into the group of transferred subjects. Then it is also stated that the development of arts and crafts and local industries would be transferred. So, Honourable Members will see that even on the assumption that the list of transferred subjects is not added to, there are three departments of industrial activity relating to fisheries, agricultural industries, arts and local industries which are transferred. Having placed so much in the transferred list, it seems to me that the other two items here in the reserved list, namely, 'factories, dangerous and offensive trades, inland steam vessels and steam-boilers, registration of labour, labour exchanges, provident funds, industrial health insurance, friendly societies, apprenticeships, accident insurance,' etc., should not be reserved. Another reason why those should not be reserved is this: the subject of insurance and friendly societies—this group of subjects—is now being dealt with by the Inspector-General of Registration. That officer would, I take it, come under the control of the ministers, because registration of deeds and documents is placed in the transferred list. I am pointing out these difficulties to show that it should be either in the one or in the other. Three branches are in the transferred list, and the officer who deals with insurance and friendly societies is already in the transferred list. Therefore, I would point out that the whole group of subjects should come under one department; whether it is under the Indian minister or whether it should be reserved department is a matter to be considered. As regards the propriety of its being placed in the transferred list, I have already said that this is one of the departments which requires development and it is one of the cardinal principles of the report that a department which requires development should be under popular control. I am really unable to see the point of my Honourable Friend Sir Fairless Barber who makes some reference to cheap capital. On that matter, I am certain that an Indian minister would probably be better able to stimulate indigenous capital."

The Hon'ble Sir FAIRLESS BARBER:—"Your Excellency, I said something about the credit of the country."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"I am glad for the correction, my Lord. I do not think the credit of the country will suffer in the slightest degree if the Department of Industries is transferred to Indian ministers. On the other hand, I think the credit of the country would be enhanced. Perhaps the Hon'ble Sir Fairless Barber must have realized by this time that the present moment is the occasion in which the want of industrial development has been keenly felt in this country. Mr. Montagu stated in one of his addresses 'how much more could India do for us had her industries been developed.' May I ask whether this statement of Mr. Montagu is not right? Would the development of industries suffer in the slightest degree if an Indian minister who knows the people and who can induce the people to come forward to help them were placed in charge of this department? Would the Hon'ble Sir Fairless Barber say that the Hon'ble Diwan Bahadur P. Rajagopala Achariyar has not done a great deal for co-operative societies in establishing the central urban bank here. Does he know that fact and how much of its success the central urban bank owes to his initiative? My Lord, it seems to me that it is a strange proposition that, if an Indian minister is in charge, Indian capital would not be available. That is the assumption which underlies the statement of the Hon'ble Sir Fairless Barber that the credit of the country would suffer. I deny that statement."

The Hon'ble Sir GORDON FRASER:—"Your Excellency, I had not intended to talk on this subject, but I must just mention that I oppose this resolution as I consider that the administration of industries should remain under present control and that the Government should be at liberty to appoint the best men available to be in control of the department, whether European or Indian. The Honourable Mover enunciated a very common fallacy when he claimed equal opportunities with Europeans to develop industries in India. I contend they have always had equal opportunities, but unfortunately they have not taken advantage of those opportunities. It is well known that Indians in Southern India—it is the only part of India with which I am acquainted—are very averse to take the risks which they must incur in investing their money in industrial ventures. They prefer to put their money in the sounder—to them safer—security of landed property. This has been shown during the last few years when a very large amount of money has been made in Madras and it has all gone into landed property with the consequent appreciation of landed property. I contend that if Indian capitalists would come forward with their money and take an interest in Indian industries, then the industrial development of this Presidency would follow. I have had twenty-three years' experience in Madras and I have always had an outlet for any capital that I could lay my hands on. The same position has existed with Indian capitalists; but unfortunately they have not taken advantage of these opportunities. They prefer to invest it in landed property."

"Another point—I understood the Honourable Mover correctly—he says that Indians do not want to drive away European merchants out of the country; he said: 'We do want them to remain here and prosper.' It is really very good of the Honourable Member to give us this assurance, but I think the very fact that he thinks it necessary to give us this assurance has rather an ominous aspect."

**RESOLUTION RE 'INDUSTRIAL DEVELOPMENT' TO BE A
TRANSFERRED SUBJECT.**

*(Sir Gordon Fraser; Mr. Chidambaranatha Mudaliyar; [22ND OCTOBER 1918.
the President; Mr. Yaqub Hasan.)*

"The Honourable Mover also asked quite correctly for mutual trust and confidence between Europeans and Indians. I contend here also that mutual trust and confidence does exist. I have worked with Indian gentlemen myself in business for many years now and I can certainly say that a very large degree of confidence and trust does exist. Under these circumstances, Your Excellency, I oppose the resolution."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"Your Excellency, I wish just to say a word in reply to the observations which my Hon'ble Friend Sir Gordon Fraser made. He conceded that equal opportunities have been given to Europeans and Indians alike. I wish just to ask him a question, why equal success has not attended them. He has himself answered it in his own way and that by observing that capitalists are afraid of risks. I only wish to assure this Council that one, if not the chief, of those risks, consists in its being entirely in the hands of Government. If the popular ministers who, under the new scheme, would become responsible to the public, are entrusted with the management and development of industries, I can assure this Council that that would be the most potent way of removing this fear in the mind of the indigenous capitalists. More than all, this is a department in which I share the feeling of my Honourable Colleagues in this Council, that it has been, I must say, not as properly attended to as it should have been, considering the real interests of the country. The country is sadly neglected and this Province particularly is one of the worst of Indian provinces and as such, I do feel that this would be the most powerful way of removing this defect in the economic condition of this Presidency, that is, by way of co-ordinating and taking the people more into confidence and entrusting fuller powers to the hands of ministers chosen by them."

His Excellency the PRESIDENT:—"I propose to take division unless the Honourable Member wishes to speak again."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Only one word, Your Excellency. This question has been fully debated and I do not wish to take up Your Excellency's time and the time of the Council by making any more contribution to it. I only want to say this. Sir Gordon Fraser when he said that the very fact that I have given the assurance that we Indians want Europeans to remain in this country and prosper, shows the need for such assurance; I admit there is need for such assurance and the need has come in this way—that lately there has been a discussion by European associations and individuals and they have shown some apprehension, that if the responsibility is transferred to Indians, their interests will suffer and so, I thought it necessary to give this assurance. The need for it came from them and not from us. There is, I know, and I, as a merchant moving with Europeans for a long time, can bear testimony to the fact, that among Indian and European merchants, there has been mutual trust and mutual confidence and as I said in my speech, this mutual trust will be enhanced rather than decreased by the transfer of the subject to Indians. The Hon'ble Sir Gordon Fraser himself said that it should be left to the Government to appoint the best man who would deal with this question, whether it be Indian or European. That is exactly what we want. The Hon'ble Mr. Ramachandra Rao has pointed out that the Indian Member of the Executive Council is already under the present system in charge of this department and if, in the new system, it remains a reserved subject, it is possible the Indian Member of the Executive Council may be in charge of it. But I move this resolution in order to inspire more confidence in the Indians themselves, the Indians who are said by the Hon'ble Sir Gordon Fraser to prefer to put their capital in property and land rather than in business and industrial concerns. Why I ask? It is because they do not feel confident that there will be the same return for the employment of their money in industrial concerns as there will be in the others. They feel they are handicapped in this field of industries and they will continue to feel the same if this department is not transferred to the control of the purely popular element in the Government. It will be left even then to the Governor to appoint a person whom he considers best fitted to deal with this and other subjects because, according to the Report, the appointment of the ministers is in the hands of the Governor. I need not say much about the question of cheap capital and railways and other things. These are economic questions and there are different factors at work which act and counteract on these things and they are brought about by the usual economic laws, and the mere fact that the industry is in the hands of Europeans or that the Government is stable, that the present Government is more stable than the future Government is likely to be, will not be a governing factor. I am sure the future Government will have its credit as high as the present Government and I think that a mere dependency is never trusted to the same extent as an independent government of the country having a better station and position. The question of stable government does not enter into this small matter of the transfer of a subject from one section of the Government to the other but still, as it has been brought in, I have had to refer to it. I have nothing more to add."

His Excellency the PRESIDENT:—"I shall take division."

The resolution was then put and agreed to.

**RESOLUTIONS RE 'INDUSTRIAL DEVELOPMENT' TO BE A TRANS- 209
FERRED SUBJECT AND BORROWING ON THE SOLE CREDIT
OF PROVINCIAL REVENUES.**

22ND OCTOBER 1918.]

*(The President; Rev. Mr. Pittendrigh;
Mr. M. Ramachandra Rao; Mr. Narasimha Ayyar.)*

The Hon'ble Yaqub Hasan Sahib asked for a poll which was taken with the following result:—

For	
The Hon'ble Rao Bahadur V. K. Ramachandra Rao.	The Hon'ble the Raja of Ramnad.
" Rao Bahadur M. Ramachandra Rao.	" Mr. T. Ranga Achariyar.
" Mr. P. Siva Rao.	" Yaqub Hasan Sahib.
" Mr. K. Rama Ayyangar.	" Mr. K. Chidambaranatha Mudaliyar.
" the Raja of Bobbili.	" Mr. A. Suryanarayana Rao.
" Mr. B. Venkatapati Raju.	" Mr. A. S. Krishna Rao.
" Rao Bahadur S. R. M. Annamalai Chettiyar.	" Mr. B. V. Narasimha Ayyar.

Against	
The Hon'ble Sir Fairless Barber.	The Hon'ble the Rev. G. Pittendrigh.
" " Gordon Fraser.	" the Most Rev. J. Aelen.
" " Francis Spring.	

The resolution was then declared carried, fourteen voting for and five against.

His Excellency the PRESIDENT:—"We will take Resolution No. X."*

The Hon'ble the Rev. G. PITTENDERIGH:—"May I ask your Excellency, whether this will rule out of order such a resolution as No. XVII†?"

His Excellency the PRESIDENT:—"Perhaps it is omnibus. Let the Honourable Gentleman confine his resolution to the question of borrowing."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"Perhaps Your Excellency will permit me to move a resolution at the end that all the subjects mentioned in the transferred list should be in the transferred list."

His Excellency the PRESIDENT:—"We should not fetter the liberty of individual members to move resolutions about specific subjects."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"May I know whether Resolution VIII* was voted? If so, there we have the words 'in addition to the list of subjects mentioned in Appendix II.'"

His Excellency the PRESIDENT:—"It is purely a question of industrial development. The words 'in addition to the illustrative list of subjects mentioned in Appendix II' will be omitted."

"We will confine the question to borrowing on the sole credit of Provincial revenues."

**RESOLUTION RE BORROWING ON THE SOLE CREDIT OF
PROVINCIAL REVENUES.**

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"Your Excellency, the resolution which I wish to move runs as follows:—

X (latter part). 'The non-official members of this Council recommend that the subject of "borrowing on the sole credit of Provincial revenues" should also be transferred to the control of ministers and should not be a reserved subject.'

"The resolution raises a single issue as to whether the power of borrowing on the sole credit of Provincial revenues should be transferred to the control of ministers. My Lord, perhaps it is necessary for me to briefly refer to the scheme of Government which has been formulated in this report in order to see why this subject of borrowing should be a transferred subject. In paragraphs 216, 218, 219 and 221, the authors of the scheme set out their views about the dual government in the provinces, proposed to be set up, one part of it comprising the head of the province and the Executive Council and the other part consisting of the Governor and the ministers. Paragraph 218 fully explains the scheme so far as this division of government into two compartments is concerned. 'The other part' they proceed to state, 'of the government would consist of one member, or more than one member, according to the number and importance of the transferred subjects, chosen by the Governor from the elected members of the Legislative Council. They would be known as ministers.' Then paragraph 219 explains the relation of ministers to the Governor. It says: 'The portfolios dealing with the transferred subjects would be committed to the ministers, and on these subjects the ministers, together with the Governor would form the administration. On such subjects, their decisions would be final, subject only to the Governor's advice and control. We do not contemplate that from the

* See page 256 infra.

† See page 257 infra.

RESOLUTION RE BORROWING ON THE SOLE CREDIT OF PROVINCIAL REVENUES.

(Mr. Ramachandra Rao.)

[22ND OCTOBER 1918.]

onset, the Governor should occupy the position of a purely constitutional Governor, who is bound to accept the decisions of his ministers.' Then they proceed to set out the limitations under which ministers can work. Then proceeding further, in paragraph 221, the authors of the scheme state that 'it is highly desirable that the Executive should cultivate the habit of associated deliberation and it is essential that it should present a united front to the outside.' But they qualify this statement and state: that 'the actual decision on a transferred subject would be taken, after general discussion, by the Governor and his ministers; the action to be taken on a reserved subject would be taken, after similar discussion by the Governor and the other members of his Executive Council, who would arrive at their decision in the manner provided in the existing statute. The additional members, if present, would take their share in the discussion, but would in no case take a part in the decision.' So that Honourable Members will see that the decision with reference to a reserved subject lies solely with the Governor and the Executive Council and the decision relating to a transferred subject would lie essentially with the Governor and the ministers. Further, they state in paragraph 222 that 'by dividing the Government into what will in effect be two committees with different responsibilities, we have ensured that members of the Government accountable to different authorities do not exercise the same responsibility for all subjects.' I am not criticizing the scheme but I am pointing out the assumptions on which we have to consider this question of borrowing, the assumptions being that the responsibility for decision on a reserved subject would lie with the Governor and the Executive Council and the responsibility for decision on a transferred subject would lie with the ministers and the Governor. This is the general scheme of provincial administration as set out in these proposals.

"My Lord, as regards the financial position, Honourable Members will find it discussed in paragraphs 255, 256 and 257 of the report. In these paragraphs, Honourable Members will see that it is the intention of the authors of the report that all proposals for taxation should be initiated only with the approval of the ministers. 'Such taxation proposals would be presented to the Legislative Council only with the approval of the ministers.' They also state as regards the scheme of financing this dual government: 'In these joint discussions, the provincial revenues will be estimated; the contribution to the Government of India will be set apart, the proposed allotments for the reserved subjects will then be carefully scrutinized and examined with a view to facing criticism in the Legislative Council, and remainder of the revenue will be at the disposal of the ministers. If such residue is not sufficient it is open to the ministers to suggest extra taxation either within the schedule of permissible provincial taxation, or by obtaining the sanction of the Government of India to some tax not included in the schedule. Such taxation proposals would be presented to the Legislative Council only with the approval of the ministers.' My Lord, I am at one with several of my Honourable Friends who have preceded me already in feeling grave doubts as to the system of diarchy such as that formulated in these proposals, a system under which two different principles of Government are combined, two different sets of authorities are created who look to different authorities for their responsibility—two different systems of finance which give preference to one set but first of all placing the revenues at the disposal of the Government of India leaving the ministers to get what they could after the reserved portion of the Government is satisfied. On this financial proposal for working this dual government, I have very grave doubts whether the scheme as it is, would be workable and whether it does not place the ministers at the mercy of the Governor in Council. I fully believe that this part of the scheme should be reconsidered if reforms are to be a success. The authors of the scheme state that the Government of India should have precedence in regard to their contribution. Then they say that the reserved portion should receive their supplies and there is no limit to that supply; the Governor in Council may ask for what they like and then the ministers are to develop those departments which require development and are supposed to get the balance of what is available after all the other needs are satisfied. If there is a deficit, the ministers will have to face it and ask for extra taxation. This scheme of running this dual government under this system of finance is, I submit, open to the gravest possible objection. I hope that Your Excellency in Council when these proposals come up for examination, will devise a scheme which will be equitable to both parts of the Government and which would not place the ministers at a disadvantage in undertaking a new experiment such as this.

"My Lord, therefore, first of all, before I deal with the question of borrowing, I wish to address Honourable Members about these financial proposals, not only non-official members but also the members of Your Excellency's Government both individually and collectively to improve this portion of the scheme and to devise a scheme which will not bring one portion of the Government into collision with the other and suggest modifications for removing administrative friction that must be caused if the scheme remains as it is. I must say that the collective wisdom of the Government of India and the Secretary of State's Government and the distinguished authors of this report has not enabled them to evolve a scheme which is not open to all these grave objections.

"Having said so much in criticism of the financial proposals I must make myself clear that if I give my adherence to this scheme, it is because we proceed on the principle that there must be for the present a division of the functions of Government and that assumption must be maintained, but the chances of friction and the chances of collision must be reduced.

RESOLUTION RE BORROWING ON THE SOLE CREDIT OF PROVINCIAL REVENUES.

22ND OCTOBER 1918.]

(Mr. Ramachandra Rao.)

The administrative experience of Your Excellency's Government will be fully useful in the direction of improving the scheme, and the success of the reforms greatly depends upon bringing your practical knowledge for devising financial proposals in such a manner as to make them equitable to both parts of the Government.

"Before I go to the actual subject of credit, Honourable Members will see that this is the first time, so far as the Government of India and the Secretary of State are concerned, that the power of taxation is proposed to be given to Provincial Governments. The matter came up before the Decentralization Commission, but the proposal was opposed. This is also the first time that it is proposed to place a minister in charge of particular departments. This is also the first time that it is proposed to permit Provincial Governments to resort to the open market. As regards the conditions under which they could borrow, it is also necessary that I should draw the attention of Honourable Members to paragraph 211: 'We come now to the question of the borrowing powers of Provincial Governments. In this respect, Provincial Governments are almost unanimous in desiring greater freedom. They recognize the difficulties which we have already discussed, and the impossibility of allowing them to compete with the Government of India in the open market. But they suggest that the Central Government should regard an application for a loan solely from the standpoint of finance and not from that of administration, and that, if it has the money and is satisfied with the arrangements for financing the loan, it should not withhold sanction. It has also been represented to us that there exist local sources which could be tapped by Provincial Governments but are not touched by Indian loans. A new argument for further liberty of action is afforded by our proposal to provincialize irrigation works on which a large capital expenditure is necessary. We think that in order to avoid harmful competition Provincial Governments must continue to do their borrowing through the Government of India. Also it may often happen that the Government of India will not be able to raise sufficient money to meet all provincial requirements. In that case, it may find it necessary to limit its total borrowing on behalf of Provincial Governments in particular years; and when that happens, it will be difficult for it entirely to avoid a reference to the relative merits of the schemes for which the loans are wanted. We think, however, in such cases there ought to be no insuperable difficulty in making a reasonably fair and equitable distribution between the Provinces.'

"Then they say, 'But we are prepared to go further. If the Government of India finds itself unable to raise the money in any one year which a province requires, or if there is good reason to believe that a provincial project may attract money which would not be elicited by a Government of India loan, we would allow the Provincial Government to have recourse to the Indian market. But in that case, we think that they should secure the approval of the Government of India to the method of borrowing, including the rate of interest, so as not to affect the investments in the Post office, and the time of borrowing, so as not to conflict with Indian loans.' I am in general agreement with all that is stated with reference to the conditions under which Provincial Governments ought to be permitted to borrow. But what I object to is to place this subject in the reserved list. As I already pointed out, the ministers have to give their approval for fresh taxation. They get a residue of revenue and that being so, assuming that a budget has to be made up first by the residue and then by the raising of fresh taxation and perhaps thirdly by resorting to loans both for productive and unproductive works, it must be left to the ministers who raise taxation also to deal with this question of borrowing. I may further illustrate this matter by a reference to the provincial loan account. Honourable Members will see that all questions relating to local self-government are on the transferred list. They will also notice that railways, light and feeder railways, district board railways, which are under the management of local bodies, will be in the transferred list. Co-operative credit societies are also on the transferred list, and if as proposed by my Hon'ble Friend Mr. A. S. Krishna Rao, major irrigation is placed in the transferred list, that will also be another department in which loans are required. I had better refer to the provincial loan account of this Government one of these years to see the departments, in which loans have now to be taken. The Provincial loan account is divided into five heads; loans to cultivators, loans to co-operative societies, loans to landholders and notabilities—fortunately we have none in this Presidency who have had to resort to Government for loans—loans to mufassal municipalities—they are the loans for water-supply, drainage and hospitals—loans to district boards,—they are for railways and miscellaneous loans and advances; so that Honourable Members will see that so far as loans are concerned, they are taken by local bodies mostly and also by cultivators, through the Revenue Department. But, my Lord, my present contention is that the departments in which most of the loans have to be taken are in the transferred list. Assuming that local self-government is transferred, a minister who wishes to give a loan to a municipality or who wishes to finance a district board railway or who wishes to help a co-operative credit society,—I believe it is also under contemplation to use co-operative societies for loans to agriculturists—the minister wants money, if borrowing is placed in the reserved department it will be within the competence of the Governor in Council to refuse him facilities to grant loans. Is that a state of things that can be contemplated? That is the essential point which I wish to raise by this resolution. Ministers are responsible for taxation and no taxation can be imposed without their approval. Ministers are responsible for the

212 RESOLUTION RE BORROWING ON THE SOLE CREDIT OF PROVINCIAL REVENUES.

(Mr. Ramachandra Rao ; Mr. A. S. Krishna Rao.) [22ND OCTOBER 1918.]

departments for which loans are required and yet, borrowing on the sole credit of the Government is placed in the reserved list. I think that the position will be intolerable, intolerable for a minister who wants money and who cannot get it. If he wants a loan he has to go to the other part of the Government and ask them to sanction the loan. I submit that the scheme as it is, is not a sound one. If you make the ministers responsible for taxation, I think the only thing that you can do is to make them the authorities for borrowing, and make them also responsible for it. I am sure that under this scheme, whenever there is a question of borrowing, it will be discussed in the collective Government, but the responsibility would lie with the ministers. That is a point on which I would lay much stress. My Lord, it has been one of our complaints for a long time that the progress of local bodies has been held up greatly for want of facilities for financing various schemes. Up to 1909 district board railways were placed on the provincial loan account and about that time, the Government of India ruled that the provincial loan account should not include any funds required for district board railways. What has been the consequence? For the last 9 or 10 years, several schemes have been matured and I believe the Hon'ble Mr. Gillman stated once in this Council that the total estimated value of the schemes which were ready for execution is about 340 lakhs. If the district board railways are on the transferred list, what is the position of a minister who wishes to see that these lines are constructed? It seems to me, therefore, considering the question from any aspect, this question of loans, and borrowing on the credit of Government should be placed on the transferred list.

"The second point I wish to mention about municipalities and local boards is that in western countries the development of these local bodies is greatly dependent not merely on their current revenues but upon large amounts always placed at their disposal in the shape of loans. I do not wish to weary the Council by quoting statistics as to what is raised in any average year in England by local bodies in the shape of loans. It is nothing less than 10 to 15 millions sterling. Here, there is no way of financing municipal schemes; while I welcome greatly this opportunity of the Provincial Government to resort to the open market though under the conditions mentioned by the authors of the scheme, I trust that nothing will be done to arrest development by making it impossible for ministers for securing that money which is so needed for the development of their work. I submit that the scheme as it is by placing it in the reserve department is unsound. The Hon'ble Sir Fairless Barber stated sometime ago that the credit of the Government might suffer. My reply is the same as that already given. The credit of the Government will be enhanced. It is true that we want foreign capital, but we also want the capital of the country to be invested in the country and the success of the last two war loans is an indication that there is capital in the country which if properly tapped, would be available. Under these circumstances, I cannot see what harm would be done by placing this on the list of transferred subjects. I submit there is everything in its favour and nothing against it.

"Then there is the question of major irrigation which if transferred, would require a large outlay. Take a case like the Kistna reservoir project or the Cauvery project. The amount required would be several millions and that will have to be raised by loans with the permission of the Government of India, all over the country a portion in Calcutta, a portion in England, a portion in Bombay and I am sure there will be talent enough to float these loans and there is the collective Government at our back. Under these circumstances, I commend this resolution to the acceptance of the Council."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I second this resolution. Your Excellency, so far as this question of borrowing is concerned, it is quite clear that it is one of the most essential problems which have to be solved in dealing with the future devolution of responsibility in the Provincial Government. The question relating to the allocation of subjects is of a different kind from the question which relates to the funds to be placed at the disposal of the Indian ministers for carrying on the work entrusted to their care. No doubt, we have not got the benefit of the views of the members of Your Excellency's Government regarding the various proposals made in this Council today. It is true that we are somewhat handicapped in that we are not in a position to meet any possible objections which might be urged by them. But I believe and trust that their attitude will be one of trying to understand the views of non-official Members of this Council on this occasion and then to formulate their own proposals to be submitted to the higher authorities in due course.

"The first problem for consideration will be whether it is a desirable step to invest Indian ministers with control in the matter of provincial taxation when it is not proposed to give them the power to borrow on the credit of provincial revenues. I only wish this Council to have a graphic picture of the position of the Indian minister when he is called upon to find funds for carrying out various improvements, when he is required by the statute to provide all the funds required for the transferred subjects by taxation. It will be found from the inquiries made, that there is not a large margin left for taxation. I need not go further than this report itself for that position. They themselves say in paragraph 332: "the economics of a country which depends to so great an extent as India on agriculture, must be unstable. Moreover, though as recent inquiries have shown, the standard of living among the peasant classes has improved perceptibly of late years, there is still no great margin of taxable capacity."

"Notwithstanding the limitations under which they made these inquiries, it has been admitted by all responsible ministers that there is no substantial margin left for additional taxation. Then the question naturally arises if, for carrying out improvements in the various

RESOLUTION RE BORROWING ON THE SOLE CREDIT OF PROVINCIAL REVENUES. 213

22ND OCTOBER 1918.] (Mr. A. S. Krishna Rao ; Sir Fairless Barber ; Mr. Ramachandra Rao ; Mr. Siva Rao ; Mr. Rama Ayyangar.)

directions, it is necessary to procure a large amount of capital, and if, as has been admitted by the best statesmen and administrators, there is very little margin left for extra taxation how are the ministers to get on with the work, if they are to carry on their work in a manner which will satisfy the people and the Government? It is therefore necessary that they must be given the power to borrow on the credit of Provincial revenues. Otherwise, I must pity the position of the ministers whoever they happen to be. When the Royal Commission goes round ten years hence, they will find that they are not in a position to carry on any large scheme of reform, to show any improvement either in industrial matters or in any other matter owing to want of funds, owing to their inability to borrow on the credit of Provincial revenues and owing to their inability to suggest any definite scheme of taxation in view of the poverty of the people. I would therefore request Your Excellency's Government to pay particular attention to this aspect and see whether it is reasonable, whether it is fair to give them the power to tax but not the power to borrow. I submit it is very unjust, unfair and inequitable. I hope the Council will support this resolution."

The Hon'ble Sir FAIRLESS BARBER:—"Your Excellency, I wish to oppose this resolution. In Your Excellency's opening remarks, Your Excellency advised the Council to remain cautious and go slowly. It seems to me that, in this resolution, the Hon'ble Mr. Ramachandra Rao would go fast. Here we are under the present regime where Local Governments are not empowered to borrow. Straightaway under this new Government, he wishes to see the borrowing power immediately transferred to the minister. I take it that the Hon'ble Mr. Ramachandra Rao means that the minister of each head of the department should have the borrowing power."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"That is not my meaning."

The Hon'ble Sir FAIRLESS BARBER:—"That is what I understood. The Hon'ble Mr. Ramachandra Rao mentioned the matter of district board railways and I think he said that for the last nine or ten years they have been greatly handicapped by not being able to borrow money. To my own knowledge in the case of local boards, one railway has been sanctioned with borrowed money. It is very refreshing to find the Hon'ble Mr. Ramachandra Rao has been able to find one of the evils in the divided responsibility between ministers and the Provincial Government."

The Hon'ble Mr. P. SIVA RAO:—"I shall add a word or two in support of this resolution. I believe that this power of borrowing is indispensable for the ministers for the reason that, under the proposed scheme of reforms, the revenues are charged in the first instance with contributions to the Government of India and secondly with the expenditure under the reserved heads and thirdly if any residue is left, it is to be devoted to these transferred subjects. So the transferred services, as I put it, in some other connexion, will have to be satisfied with the crumbs of the table; and they have to fall back upon their proposals for taxation. They have to face the country with proposals for taxation and they will have to incur that odium. I believe, under the proposed scheme, these so-called transferred services will be starved, unless this power is granted to the minister. When the minister faces the popular assembly with any proposals for fresh taxation, the popular assembly will say: there is absolutely no further margin for further taxation and then these transferred subjects are likely to be those which require the most development and development means more finances are requisite and more resources are necessary for fostering their growth. What is to become of the unfortunate minister who is likely to be refused support for his proposals for taxation, what is to become of him and what is to become of these services which require development if this power is not conceded to him? With these words, I support this proposition."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I have only to say a word. Paragraph 222 says: 'What we can do is to aim at minimizing causes of friction; and we have proposed arrangements that can be worked by mutual forbearance and a strong common purpose. It is our intention that the decisions of the Government should be loyally defended by the entire Government, but that the ministers should feel responsibility for conforming to the wishes of their constituents.' The reading of this passage will quite convince the necessity to leave this in the hands of the minister and treat it as a transferred subject. The whole Government have to work together in this matter, but the portion of the Government which is responsible for raising money and for spending it for departments for which no money is available will be the ministers. The ministers will be advised by the Governor and the matter will be discussed by the Provincial Governor and the ministers. There will be a common meeting in which all of them would agree to defend the acts of either side of the Government. If that is the common way in which this has to be carried on and if the ministers have actually to decide on the final borrowing, it is proper to leave it to them and for the other Government to advise them. It is borrowing on the credit of the total revenues and therefore this is unifying action of the Government and both sides of the Government will come in. The effect of it will be that it will ordinarily come to the ministers. It should be a transferred subject if the rest of the portions of the report which have been referred to by my Honourable Friend Mr. Ramachandra Rao should have their natural effect given to them. If the minister feels the necessity for the money and he is refused the right to borrow his position becomes dubious. It may be said that this unifying force will make him agree that borrowing is not needed. Then the question

RESOLUTION RE BORROWING ON THE SOLE CREDIT OF PROVINCIAL REVENUES.

(Mr. Lama Ayyangar ; Mr. Chidambaranatha Mudaliyar ; [22ND OCTOBER 1918.
Sir Gordon Fraser ; Mr. M. Ramachandra Rao ; the President ;
Mr. Narasimha Ayyar ; Mr. A. S. Krishna Rao.]

is ordinarily to be left to ministers. Therefore my Lord, in view of the statement contained in paragraph 222, and the other statements referred to by the Hon'ble Mr. Ramachandra Rao it becomes necessary that it should be a transferred subject."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR :—"Your Excellency, with reference to this resolution, there has been much said about the question of divided responsibility. I find it rather difficult to understand what exactly my Honourable Colleagues mean by that expression. I am one of those who think that, whether it be administration by the ministers or it be administration by the Executive Council, it is only directed towards one purpose and only one purpose and that is the true and best interests of the province as a whole and as such I strongly support the motion before the house that when the whole revenues of the province have to be made credit, when borrowing is to be made on the whole revenues of the province, and when the Government as a whole have to be responsible for such borrowing, I think it should be under the control of the Government as a whole and not be a purely reserved subject."

The Hon'ble Sir GORDON FRASER :—"The Honourable Mover of the resolution has laid stress on the necessity for the powers to borrow for the transferred subjects which subjects he fears will suffer by the proposed dual control of the budgeting. The Honourable seconder of the resolution laid stress on the fact that there was no margin for further taxation. I would just like to remind the Council of the fact that powers to borrow mean further taxation, both to pay interest on the borrowed money and to repay the borrowed money itself."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"My Lord, there has been some amount of misunderstanding as regards my position with reference to this resolution and the next one. I might perhaps say that when I sent up this resolution, it was one resolution. Resolution No. X* was the first part of the resolution (a) and Resolution No. II was the second part. I received a communication splitting up this resolution into two. At the time I gave notice of this resolution, I felt some difficulty about one or two points which have been referred to by the Hon'ble Mr. Chidambaranatha Mudaliyar and I believe also by the Hon'ble Sir Fairless Barber. I did not intend that the ministers, of their own responsibility and without any reference to the collective Government as a whole, should go direct to the market and raise a loan. What has been stated by me was that the power to allocate funds with reference to the transferred departments by way of loans should rest with the ministry. That is, assuming that in a department money is required, they should not be required to go to the other part of the Government for a decision as to whether that is required for the purpose of the transferred departments. I think, my Lord, as has been pointed out by the Hon'ble Mr. Chidambaranatha Mudaliyar it is not one portion of the Government that will be responsible in the open market for these loans, but it is the collective Government as a whole that will be responsible and therefore, when I say that borrowing on the sole credit of Provincial revenues should not be a reserved subject, I mean that the collective Government is responsible but that the responsibility for the necessity of the loan and for allocating the funds to the departments under their control, should lie with the ministers. The credit that is placed for the loan should be and would be the credit of the whole collective Government of the province. I do not think there should be any misunderstanding on this matter, because I do not suggest ministers of their own responsibility without reference to the collective Government should go to the market and raise loans. It is the whole Government that would be responsible for these loans. I make this explanation because, standing by itself independently of the other portion, it would be open to the construction that the ministers can resort to the market without any reference to the collective Government. That is not my intention. In that sense, I tender this explanation. I request Your Excellency to put resolution No. X* to vote."

His Excellency the PRESIDENT :—"Resolution No. XI* seems to me to represent the views of the Honourable Member better than resolution No. X*." The Honourable Member has said that borrowing should take place on the credit of the whole Government. If the Council would permit me to do so, I should put No. XI* to the vote and not X*."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"They seem to be alternative."

His Excellency the PRESIDENT :—"If you once put XI to the vote you cannot put X*."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"I suggest that X* may be X (a) and XI* may be X (b)."

His Excellency the PRESIDENT :—"No matter what you call them they would not agree with one another. You cannot do both. You cannot make borrowing a wholly transferred subject and at the same time make it not a transferred subject."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"My point is this. No. X says 'if it is found inexpedient or impracticable.'"

His Excellency the PRESIDENT :—"We shall have to leave that hypothesis; the motion was that this subject of borrowing as a whole should be transferred."

The Hon'ble Mr. A. S. KRISHNA RAO :—"I gave notice of a resolution in form No. VII.* There is some difficulty in No. XI* being adopted. It cannot be a reserved subject if the idea is that the Executive Government should deal with it. If the form originally

* See page 256 infra.

RESOLUTIONS RE BORROWING ON THE SOLE CREDIT OF PROVINCIAL REVENUES AND UNIVERSITY AND SECONDARY EDUCATION.

22ND OCTOBER 1918.] (Mr. A. S. Krishna Rao ; the President ; Mr. Siva Rao ;
Mr. Narasimha Ayyar ; Mr. M. Ramachandra Rao ; Rev. Mr. Pittendrigh.)

suggested be adopted with a slight amendment at the end, it will be all right—that the subject should be a transferred subject and the responsibility for borrowing should be with the whole Government."

His Excellency the PRESIDENT :—"That is a mere question of words. If the Council wishes to decide whether it is to be a transferred subject I shall put resolution No. X*. If it decides that it should be a transferred subject, it would be a transferred subject. If, on the other hand, it is the wish of the Honourable Member that the subject should be dealt with by the Government as a whole I will put No. XI,* but I do not think it is possible to combine the two."

The Hon'ble Mr. P. SIVA RAO :—"Resolution No. X* is all right. If it becomes a transferred subject, it will be considered by the Executive Government as a whole but the final decision will be arrived at by the Governor and the ministers and that will be binding on the Government as a whole."

His Excellency the PRESIDENT :—"I am not concerned with all that. I am concerned with the point on which the Honourable Member wants a decision."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"I thought the discussion was on No. X*."

His Excellency the PRESIDENT :—"Discussion was on No. X.* but the Honourable Member may choose to take XI* in this case."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"My point is : whether this should be a reserved subject or a transferred subject. It is now in the reserved list. No. XI* does not mean that it should be a reserved subject. The proposal is that the whole collective Government should be responsible. We wish to negative the idea that it should be a reserved subject. Subject to that idea being carried out, I would add the words 'should not be a reserved subject, but should be committed to the Executive Government as a whole' at the end of No. X*. (After some consultation) My Lord, I would prefer to put No. X* as it is; for this reason that even if the proposal is not accepted, there is the idea that it should not be a reserved subject. I prefer to leave it as it is."

His Excellency the PRESIDENT :—"Very well."

The resolution was then put and agreed to.

His Excellency the PRESIDENT :—"I have been consulting the Secretary as to how to express accurately the character of these resolutions. I think, on the whole, it should be 'the non-official members of the Council recommend' as a matter of historical accuracy."

"We will take resolution No. XV which will raise the question of education."

The Hon'ble Mr. B. Venkatapati Raju rose to address.

His Excellency the PRESIDENT :—"I am not sure whether it would not be better to take XVII. That would raise the issue more definitely. Honourable gentlemen can speak on XVII. I call upon the Rev. Mr. Pittendrigh to move No. XVII."

RESOLUTION RE UNIVERSITY AND SECONDARY EDUCATION.

The Hon'ble the Rev. G. PITTENDRIGH :—"The resolution of which I have given notice reads as follows :—

'XVII. The non-official members of this Council recommend that elementary, industrial and technical education should be included among the transferred subjects, while university and secondary education should be retained among the reserved.'

"In support of this resolution, I wish to say that I have the utmost sympathy with the desire to promote in some measure the scheme that has been proposed, namely, this division of subjects. It seems to me, however, that it is undesirable that certain of these subjects should be placed under the control of the ministers. I argue for this division of education in the interests of elementary education itself. It may seem absurd to many people who are accustomed to give little thought to education, but I believe there is no subject within the sphere of Government which is more important for the well-being of the community than that of education. There is no field therefore in which it is more important to proceed cautiously. You may make mistakes about roads and bridges, and no irreparable permanent harm is done, but a false step in education may have profoundly serious consequences for the nation."

"Now there is no question that the task of introducing compulsory elementary education is one of tremendous magnitude—one that the present Government with all its desire to be progressive has shrunk from, because of the enormous cost and the almost impossible task of securing trained teachers. Yet we are all agreed that universal elementary education must be attempted. The problems involved must be faced and the education to be given must not only be universal but must be real, much more real and serious than we have yet attained in our primary schools, which on an average the pupils attend for about two years, and they forget in a very short time the little they have learned. The compulsory education that we look forward

* See page 256 infra.

(Rev. Pittendrigh; Mr. M. Ramachandra Rao; the President; [22ND OCTOBER 1918. Mr. Narasimha Ayyar; Most Rev. Aelen; Mr. Yaqub Hasan.]

to must aim at least at four years' attendance at the start, rising in course of time to a considerably longer period. When it is remembered that this great net work of schools has to cover a population of 40 millions, it will perhaps be partially realized that the task we propose to place on the new controlling authority is much greater in extent than that which faced the British Government in introducing compulsory education in England. People talk lightly in an airy fashion of transferring this department and the next, as if it all could be accomplished by the stroke of a pen. This one department of elementary education alone is sufficient to give the thoughtful pause. My contention is that the new Government should not be saddled with the problems of University and secondary education, and my first argument is the greatness of the task before them in dealing with elementary education. My second argument is that secondary education will prove a constant drain on the finances that ought to go towards elementary education. Compulsory education is not really a popular thing, when we have to deal with an extended electorate. It is an excellent electioneering cry, but when we come down to hard facts, in the villages, and taxation must be imposed, for that is what it means, then hostility is awakened, and a dull solid opposition makes itself felt. On the other hand secondary education is always popular. It appeals to a more progressive class of the community, and to the more wealthy classes. It makes for show, it dignifies the village to have its high school. The consequence will be that in a popular assembly there will always be a temptation to favour secondary education at the expense of elementary. They will take the line of least resistance. I do not suggest at all that the members of our Legislative Council will have an exceptional dose of original sin. It is simply a tendency in human nature as manifested in a popularly elected assembly. I maintain, therefore, that until elementary education is well-established, it is desirable that secondary education should be retained among the reserved subjects.

"With regard to industrial education, it is naturally connected with elementary education; all vocational training of an elementary grade must form part of it. On the other hand, secondary education finds its natural connexion with the university. That is especially true in India, where the great majority of pupils in the higher classes of our secondary schools look to the university as their natural goal. The curricula of the University and the high schools are inter-dependent. The two therefore should go together. It is difficult to separate secondary education and University education. When the matter was discussed at a preliminary meeting called for the purpose of considering the draft of a new Education Bill, it was suggested that secondary education might well be separated from elementary education. It simply means that the high schools should belong to the Executive Council as distinguished from the ministers. I think it is hardly necessary for me to add anything about the importance of retaining University as a reserved subject, because I imagine that very few really will urge that it should be a transferred subject. The Universities with which I am familiar in Britain have got practical independence from Government altogether. We have sometimes felt that, even under the present Government, the Universities are not quite as free as we would wish them to be."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"I rise to a point of order. The question of University education may be raised under the Hon'ble Mr. Venkatapati Raju's resolution. The Hon'ble Mr. Pittendrigh may confine himself to the question of secondary education being excluded from the transferred list. Otherwise, Your Excellency may permit a debate on the whole subject of education under this resolution."

His Excellency the PRESIDENT:—"I have no objection."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"This deals with secondary education."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"The word 'University' is there in the resolution."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"If so, I have no objection."

The Hon'ble the Rev. G. PITTENDRIGH:—"I simply wanted to say that it seemed to me that the placing of the Universities under the control of a popularly elected assembly might lead to very great difficulties. Even now, in the present Legislative Council, proposals are made to instruct the Syndicate to accept certain marks, etc., in laying down rules for entrance into the University. If that is done in the green tree, what will be done in the dry? If the University is placed at the will of a popular assembly, it will be extremely damaging to the interests of the University. My contention then is, that as it is proposed to retain University among the reserved subjects, secondary education ought naturally to follow it, whereas elementary education and all connected with it such as industrial education should be passed on as a transferred subject."

The Hon'ble the Most Rev. ALEN:—"I second the motion."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"I wish to move an amendment."

His Excellency the PRESIDENT:—"Does any gentleman wish to speak on this motion?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I wish to oppose it, but I shall be brief, considering the lateness of the hour."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"At the same time, my amendment may be taken. If my amendment is taken, members can address both on the amendment and on the original proposition."

22ND OCTOBER 1918.] (The President; Mr. Narasimha Ayyar; Mr. Yaqub Hasan; Mr. M. Ramachandra Rao.)

His Excellency the PRESIDENT:—"If the Hon'ble Mr. Narasimha Ayyar will address and if the Honourable gentleman will hand the amendment to me, I shall be able to consider what effect it will have on the debate."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I shall be very brief. The Hon'ble Mr. Pittendrigh conceded a number of points which, I thought, were really points opposed to his resolution. He said that secondary education is just the thing which attracts popular fancy, that it is likely to be developed and he is afraid that in their anxiety to develop secondary education, they may forget the interests of elementary education. What are the tests laid down in paragraph 238? One of the important tests is the development that the subject needs. Here is an admission that secondary education will attract educated people and will find support at their hands. Therefore it is a very strong argument for making secondary education a transferred subject. I presume that the Council will consist of elderly people and not children who will spend the whole money on one subject. It is unnecessary for me to go into the matter. One thing that is needed for the development of secondary education I shall refer to. Looking at the past history of secondary education, many a man is disposed to shed tears as he sees how many secondary schools have been cut down one after another and even the authors of the scheme have felt the need for its development and therefore suggested that secondary education should come into the transferred list. As for the subject of University education, there is some point of difference. I notice that the authors of the report did not include it in the transferred list because they fancied that it might not stand so much in need of development and probably other considerations might have prevailed. But whatever it may be, I do not think that the argument of the Hon'ble Mr. Pittendrigh will stand. He says, seeing in this Council that there are some gentlemen willing to put forward a proposal about marks, the transfer is not desirable. But mistakes are committed everywhere. Public bodies are not the only sinners. In point of fact, taking the Department of Education, have we not had examples in this Council as to the turns about in educational policies, policies ushered in five years back are overturned and yet the educational world has not lost its balance, and India has not been ruined. Admittedly the mistakes have not proved irremediable. But the Hon'ble Mr. Pittendrigh says that, whereas mistakes in local self-government and other departments are remediable, mistakes in this department will be serious and are not remediable. I think, I have given a sufficient answer to the Hon'ble Mr. Pittendrigh and I submit that, so far as secondary education is concerned, it is absolutely clear that the illustrious authors of the report are right in including it in the transferred list."

"As for University education there is a certain amount of doubt. All things considered, I am rather inclined to think that it should go into the transferred list for the reason, as suggested by the Hon'ble Mr. Pittendrigh that it is very difficult to separate University from secondary education. That is the reason for University education also being included in the transferred list."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"May I move the amendment?"

His Excellency the PRESIDENT:—"I will put the resolution safeguarding what you wish. There is no necessity to move an amendment."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"The resolution as it stands even if rejected will not add University education to the transferred list."

His Excellency the PRESIDENT:—"I shall put it in two parts so that the Council can decide on both issues."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"If University education is to be added to the transferred list, another resolution will have to be added."

His Excellency the PRESIDENT:—"I will safeguard it in the way I put the resolution."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, I am surprised at the points which have been raised by the Hon'ble Mr. Pittendrigh. So far as secondary education is concerned, Your Excellency has lately adopted a policy of development through local bodies for which we are all very thankful. It is only recently, I believe in the beginning of this year, that Your Excellency's Government sanctioned the establishment of 18 secondary schools, complete secondary schools and a large number of incomplete secondary schools, about 48 or 50. If the policy of Your Excellency's Government is to develop secondary education through the agency of local bodies, the Hon'ble Mr. Pittendrigh wishes to take us now in the opposite direction. Local Government is a transferred subject and if secondary education is to be under the control of local bodies, I do not know whether he proposes that they should be deprived of their existing powers of expanding secondary education."

"My Lord, I consider that the organic connexion between one department of education and another must be borne in mind. Elementary education leads to secondary education and secondary education leads to University education and the courses are dovetailed with each other. The curricula and the courses are also connected and inter-related to each other; but I should think that this division of elementary education, industrial and technical education as suggested in this resolution would be disastrous to the cause of education. I feel very strongly that the whole subject of education should be committed to the ministers including University education, that the respective spheres of education, elementary, secondary and

(Mr. M. Ramachandra Rao ; Mr. Yaqub Hasan ;
the President.) [22ND OCTOBER 1918.]

University, have to be constantly correlated and adjusted and to put one branch of education, the lowest branches of education, elementary, industrial and technical under one authority, and to transfer University and secondary education to another would be fatal to a sound development of education.

"The second point that I should like to state is that, after all, the ministers, even if the whole field of education is placed under them, will have expert advice of educational officers. There seems to be an underlying assumption in the argument of the Hon'ble Mr. Pittendrigh that the ministers would act in educational matters without expert advice. I respectfully wish to point out that even if the whole subject of education is placed in the hands of a minister he would not deprive himself of expert educational advice in carrying out his duties as a member of the Government. My Lord, the Director of Public Instruction, who is the primary authority, who deals directly with the Government, with elementary and secondary education, according to the Hon'ble Mr. Pittendrigh's proposal, will have to pass under two authorities. He is now in charge of elementary education, industrial and technical education, and also in charge of collegiate education and is perhaps the intermediary between the Government and the University in university matters. The proposal of the Hon'ble Mr. Pittendrigh would amount to this: that he will have to work under two authorities, the ministers in regard to the elementary and technical and industrial education and with regard to University, secondary and collegiate education, he will have to be under the Governor in Council. It is bad enough to have two compartments in the Government itself, but it would be worse if the direct authority for education has to serve two masters. I think if there is one point with reference to the reforms and the way in which the new organization is to work, it is this: we do not want dual control over the departments and for that one strong reason, I would ask that the whole field of education should be placed under the ministers.

"As regards University education, I do not see what harm or what disaster would befall us if it is placed under a minister. Under the Universities Act, the direct administration of all University matters is confined to the University and the Government have a certain measure of control to initiate the policy and to nominate senators and generally to approve of their by-laws and a certain measure of interference with their resolutions. I should like to know why these functions should not be performed by a minister and what harm would come if they are placed under a minister.

"Then as regards collegiate and secondary education, nothing has been stated by the Hon'ble Mr. Pittendrigh as to why they should not be committed to a minister. He suggested that the subject of secondary education is more popular and the more progressive classes are after secondary education and if the underlying suggestion is that elementary education will be neglected to the detriment of secondary education, I submit that I do not share his views.

"On all these broad grounds, on the ground that the courses of study are inter-related to each other, that, as regards secondary education, the process of specialization has gone on in the secondary department so as to link them with the University courses, and on the general ground of the organic connexion between one branch of education and another, I believe that the whole field of education should be placed on the transferred list."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"I feel compelled to oppose this resolution as it stands. Elementary education and technical education are already on the transferred list. And as my resolution has been accepted, we have confirmed their being on the transferred list. My first resolution was that all the subjects that are in the second list should be considered transferred subjects. Therefore, elementary and technical education are, according to my resolution, already transferred subjects. Now the Hon'ble Mr. Pittendrigh was kind enough to bring industrial education also to the list of transferred subjects and that is as it ought to be. I am not opposed to that. But still, I am opposed to the whole resolution as it stands, because if this is carried, we will not be able to take up either Resolution No. XV† or No. V* in which it is proposed that the whole subject of education should form one undivided department and should be under the control of the minister."

His Excellency the President:—"Will the Honourable gentleman allow me to explain to him that I propose to put the issues separately in regard to secondary education and then in regard to University education so that the Council shall have a full opportunity of expressing its opinion on these two points and also in regard to the point of industrial education. None of the resolutions permits these separate issues to be raised. If the Council wishes that they shall be raised, and wishes to express its opinion separately, there is no alternative but to adopt the course that I suggest."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"As it is agreed that these parts shall be put separately, I am in order in saying that University education should be a transferred department and there should be one undivided educational policy. It will not do for secondary education to be in charge of the ministers and university education to be in charge of the Executive Council, while elementary and technical education would be in the hands of the minister. The Hon'ble Mr. Pittendrigh said that elementary education is such a big question and that the Council and the department concerned will be so much engaged with that subject that it will be cruel to place any extra burden of university education on the same department and under the same officials. The result of his proposal will be this. If secondary and university education are in the hands of the Executive Council, they may spend more money on that

22ND OCTOBER 1918.] (Mr. Yaqub Hasan ; Mr. A. S. Krishna Rao ; Mr. Ranga Achariyar.)

education and therefore elementary education will be starved. So the reason why the Honourable Mover wants that university education should not be in the same hands as elementary education loses its force. Either the Council will devote more attention to university education and spend more money on it, in which case there will be a rivalry between the two departments, one department spending money lavishly at the cost of the other or the other alternative may be that the Council may neglect university education, so that according to the Honourable Mover, elementary education may prosper and may not be starved. In any case, there will be a disadvantage and not an advantage in this bifurcation of the department. If all the branches of education are under one control, there will be a consistent educational policy and there will be a proportionate expenditure of money on the different branches of education and also the department will be one and policy will be carried out by one department and not by two."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I wish to oppose this resolution, so far as it suggests that university education and secondary education should be reserved. The main argument of the Hon'ble Mr. Pittendrigh for suggesting that these should be in the reserved subjects, proceeds upon a fallacy which deserves some examination. He stated that it was necessary to take special steps to improve elementary education, that it was even necessary to see that compulsory provisions were enforced for the expansion of elementary education, and that popular assemblies might neglect elementary education and prefer secondary education. I would have wished the Hon'ble Mr. Pittendrigh to have placed before this Council, some information as to the materials on which that conclusion is based. If he furnished some evidence as to the way in which popular assemblies have generally neglected elementary education and spent large sums on secondary education, we could have examined that state of things. But I believe the Hon'ble Diwan Bahadur P. Rajagopala Achariyar will bear me out when I say that, so far as expenditure by local bodies is concerned, they spend more on elementary education than on secondary education. It is only in the course of this year that owing to the grants made by Government, these local bodies have been used as the agency for the starting of secondary schools in various districts, a sum of Rs. 5 lakhs having been contributed by Government for the purpose; and several secondary schools have been started in various parts of the Presidency. I may bring to the notice of the Hon'ble Mr. Pittendrigh that that expenditure was not an expenditure incurred by popular assemblies out of their own funds, to the detriment of elementary education. The charge has been always the other way. The charge might have been that they paid too much attention to elementary education. Owing to the state of their funds, they are justified in concentrating their attention on elementary education as it affects the masses. The Government quite properly realized that defect and wanted to rectify it and help them in the opening of secondary schools; and they consequently allotted funds. If the Hon'ble Mr. Pittendrigh is in a position to furnish information to show that popular assemblies neglected elementary education when they had funds for supporting it, that would have been an argument in his favour. I am quite positive that things are the other way and that there is absolutely no ground for apprehension that they will neglect elementary education, which is dear to the hearts of the people. It is after all retrograde and undesirable to go back even from the recommendations made by the authors of the report and the suggestions made in the illustrative list. Secondary education has been shown in the list of transferred subjects.

"Coming to university education, I have not been able to find any specific reasons for retaining it in the reserved list except that it should go with secondary education. If the Hon'ble Mr. Pittendrigh has not convinced this Council as to the retention of secondary education in the reserved list, he does not take university education any further. The complaint he made against university education is more a complaint against the university than against the Government. The powers of control are limited and they are exercised with great care and caution. There is absolutely no danger of anything serious taking place, if university education is entrusted to Government, whether it is to the Executive Council or to the minister. It makes no difference at all. After all, the minister is bound by certain limitations. He is bound to work under the advice and control of the Governor. He cannot go and work without the advice of expert officers. When we have all these safeguards why should we hesitate to recommend that university education should be placed in the transferred list? I therefore request the Council to vote for the inclusion of secondary and university education in the list of transferred subjects."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Your Excellency, there is one aspect of the matter which I wish to emphasize in this connexion. The Hon'ble Mr. Pittendrigh is apparently anxious that elementary education should have a prior claim on the attention of the Government prior to university education and secondary education; by reserving those two subjects in the reserved branch, he places them in a more favoured position than elementary education in this way: because according to the arrangement in the report, reserved subjects have a prior claim upon the finances of the Province and it is only after meeting the expenditure on the reserved subjects that a minister can take money for the transferred subjects and the minister can only take the residue which is left after meeting the claim of the Government of India and of the reserved subjects. He comes last as the residuary legatee for whatever balance that there might be. On the other hand, the advantage of placing this department in charge of the minister would be that he would be able to take a comprehensive view of the needs of all the departments and he will be able to allocate the money accordingly. Already we are complaining that we are dividing the Government. That is the objection from the standpoint of some

(Mr. Ranga Achariyar; Mr. Chidambaranatha Mudaliyar; [22ND OCTOBER 1918.
Mr. Rama Ayyangar.]

Honourable Members, that by this proposal, the Government are going to be divided into two sections. When that is so, if we are going to divide the department itself into sections, it will be adding to the intricacy of the problem. I do not think there is any real danger to the policy which will guide the department in University and secondary education by placing it in the hands of ministers. The minister will, after all, be guided by the experts who will be in charge of the department and I dare say there will be the Secretary to Government and the head of the department to guide him and as regards University affairs,—they will mostly be questions of policy which will be mostly in the hands of the University. It is only in the matter of secondary education that the Government will have more voice in controlling its direction. I do think, having regard to the inter-connexion between the various branches of education, the interests of the subject will be best served by placing it in the hands of one minister."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"Your Excellency, if I rise to say a few words against this motion, it is on these grounds. I feel that education is one of those subjects which above all in this country deserves to be nationalised and I also feel that our attempt in that direction, so far as we can judge from the past has been certainly very far from what it should have been. If we really feel that, in the best and true interests of the country, education should be nationalised, I think it should be among the transferred subjects, education as a whole. As regards certain difficulties, which the Hon'ble Mr. Pittendrih placed in favour of the resolution that he has moved before this Council, I believe my Honourable Friends who have spoken previously have fairly answered the whole thing. His main objection is that elementary education may be starved in preference to the others, and he has stated other possible difficulties. As previous speakers have pointed out, I am one of those who think that on the whole the interests of education would be better and more adequately served by its being entrusted to the minister who would be chosen by the national assembly. The one and only effective way in which education can be nationalised would be to entrust it to these ministers."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, the proposition has been moved as though immediately the transfer of the subject is made, something very bad will happen to the whole subject itself. Paragraphs 238 to 240 together deal with this subject. In paragraph 238 it is said: 'In dealing with each subject the powers of the provincial legislatures to alter Government of India Acts on that subject will have to be carefully considered. We have indicated in paragraph 240 infra certain other reservations which seem to us necessary.' And in paragraph 240 it is said: 'We do not claim that this list of reservations is exhaustive or definitive; we look to the committee to assist in making it so. Our aim must be to secure to the Official Executive the power of protecting effectually whatever functions are still reserved to it and to the Government of India of intervening in all cases in which the action of the non-official Executive or Council affects them to their serious prejudice. For otherwise, the official Government which is still responsible to Parliament may be unable to discharge its responsibility properly.' The Universities Act—how far it will be controlled by the new body that will take charge of education is not a question that we now raise. That will be considered by the Committee—how far the constitution of the Universities should be altered; probably it will be said that it will have to be altered with the permission of the Government of India. The Universities Act will be preserved with all the expert opinion that India can command and probably Parliament can command. It will be sought to overrule the provisions of that Act. So that we may take that the Hon'ble Mr. Pittendrih used not at all be afraid that some wild change will be immediately adopted as soon as it becomes transferred. The next point that I wish to make is that the conditions of this province are opposed to those of the other provinces. We have got in 1916-17 according to the statistics on education, 31,276 institutions in all, of which we have colleges to the extent of 48, inclusive of oriental colleges and professional colleges, secondary schools going up to 460 and elementary schools about 28,867. We find here that of these, Government keep only a few colleges and a few secondary schools and a few elementary schools. The total number was only about 167 out of nearly 30,000 elementary schools. The rest is left to the local boards and municipalities or to private management. If you consider the whole position, it is in the hands of the people; it is looked after by the people; while the Bombay, Bengal and the United Provinces, they spend much more on Government public institutions, Madras spends least. In fact that is the point noted by the Education Commission as the peculiar position of this province. My submission is, knowing as we do, which colleges, which high schools and which primary schools exist in the Presidency, we have to find a machinery which will serve the interests of the public best. I can very well understand the authors of the scheme putting primary education as a reserved subject, because that will be a very proper thing to do. They should have asked the Executive Government to see to the education of the masses in every village and utilize local bodies. I can quite understand that. The Hon'ble Mr. Pittendrih seems to take no objection to that. He seems to think that these people will rivet attention on secondary education, absolutely sacrificing elementary education. On the other hand, funds are not available and Government feel that they cannot give as much expansion to elementary education as possible. That subject is transferred and nobody objects to that. It is a scientific process that must be adopted to see that elementary education is spread throughout the length and breadth of the country so that the prosperity of the province may be quite well assured. If this is left out, what is the University? It is not a body that has institutions of its own to manage, but it is purely an examining body. It has

22ND OCTOBER 1918.] (Mr. Rama Ayyangar; Mr. M. Ramachandra Rao;
the President; Mr. Siva Rao.)

added on to its lists now certain professors who give lectures. But what is the harm which the Hon'ble Mr. Pittendrih expects if it is left in charge of the ministers. Does he mean that they will cancel the whole Universities Act? As I have referred to in paragraphs 238 and 240, it is not that we are now asking you to go into the whole question, though I sent up a resolution asking for a committee to go into the question of what rights might be reserved to alter the Government of India Acts. I thought it was a matter within our province. I did not know Your Excellency's announcement this morning, but whatever that may be, these are the safeguards and it is not that the Hon'ble Mr. Pittendrih's advice will be thrown away in the University. In the Senate there are people enough to safeguard the interests of the University and, in fact, there is too much safeguarding. We say that education has not been appreciated as it should be. There will be a great contest, if it is sought to be interfered with. I do not think it is going to be so easily handed over to the people to have control over, especially collegiate and University education. That being so, I think the whole foundation of the fear expressed in this Council disappears. Then the question arises, is there any chance of money available for primary education being diverted to secondary education and is there any chance of primary education dying out in the land? I do not think it is the policy of Government to start model schools. It is only a question of encouraging certain institutions under the management of local boards. That being so, it is a clear position that we must see that the subject of education must be handed to the control of the ministers who will have a large body of elected members to see that education spreads as far and wide as possible without its being confined as often it was thought to primary education. It was once said by Government that secondary schools might all be closed unless they keep up to a certain level and that brought a retrenchment of 200 secondary schools, but recently the policy changed and we have added to the number of schools. In that state of affairs, I do not think there is any fear of the ministry any way changing the policy of the Government and starting schools at the expense of the public. On the other hand, they will be able to find out proper localities and, with probably much less assistance from Provincial Governments, will be able to maintain them as efficiently as possible. Of course, the budget is to be considered by the combined Government and the whole thing will be considered with the advice of the Governor who will advise both parties properly and there is no reason to fear that the minister will be able to carry out his wishes as he likes, and the assembly will let him do as he likes. He cannot be turned out by the vote of the Council, he will join with the other Members of the Government in seeing that education is not adversely affected. We have not forgotten that most municipalities were prepared to tax themselves extra if it is a question of having compulsory education. The Hon'ble Mr. A. S. Krishna Rao has often fought in this Council to allow certain municipalities to tax themselves extra to have compulsory education. I do not think, so far as education is concerned, any zeal will be wanting on the part of the ministers or on the part of the Legislative assembly which will become so representative especially when we know that territorial and property qualifications will be the main ground for representation and when we know that these people will be anxious to see that mass education improves, as also secondary and collegiate education. Under these circumstances, it will be only very proper to allow the whole thing in the hands of the ministers and not unnecessarily allow it as a reserved subject for the Government to vex itself too much with expenditure on them. On the other hand, the people may be told: 'There is education with you, you may find out fresh money by fresh taxation'. Under these circumstances, it will be quite proper to leave it to them and see how far they progress. Of course, the science of education will not suffer."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"I suggest an adjournment now."

His Excellency the PRESIDENT:—"I think it will be convenient for the mover and the seconder if the subject is finished now."

The Hon'ble Mr. P. SIVA RAO:—"It is an important subject and some of us wish to say something."

His Excellency the PRESIDENT:—"I suggest we may arrive at a decision now."

The Hon'ble Mr. K. RAMA AYYANGAR:—"The report says that the views of non-official members will have to be collected, so that it is not merely a question of non-official members voting upon it. Their views should be put forward."

His Excellency the PRESIDENT:—"The reporter is taking down everything that is said."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Any new opinions that might be given will be useful for consideration. It is not a matter of closing discussion."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I wish to be very brief. The Hon'ble Mr. Pittendrih has failed to convince us why secondary education should be omitted from the list of transferred subjects. I have carefully listened to him. There was a sneering reference made by him about electioneering 'cry'. But I wish really to know what is the calamity that he apprehends if this subject of secondary education is transferred. My Lord, the defects in the present system of education are summed up in the report on reforms in paragraphs 121 to 187. We have observed already that one of the greatest obstacles to India's political development lies not only in the lack of education among its peoples taken as a whole, but also in the uneven distribution of educational advance. The educational policy of Government has incurred much criticism from different points of view. Government is charged with neglect, because after sixty

(Mr. Siva Rao; the President; Mr. Venkatapati Raju; [22ND OCTOBER 1918.
Mr. M. Ramachandra Rao.)

years of educational effort only six per cent of the population is literate while under 4 per cent of the total population is undergoing instruction. It is charged, on the other hand, with having fostered education on wrong lines, and having given to those classes which welcomed instruction a system which is divorced from their need in being too purely literary, in admitting methods of unintelligent memorising and of cramming, and in producing far in excess of the actual demands of Indian conditions, a body of educated young men whose training has prepared them only for Government service or the practice of the Law. The system of University education on western lines is represented as cutting off the students from the normal life of the country, and the want of connexion between primary education in the vernaculars and higher education in English is regarded as another radical defect. They also say 'Attempts towards direct moral training were always impeded by the desirability of avoiding the difficult and delicate domain of religious beliefs.' Then there is also the question of female education, the progress of which has been very slow; and the authors of the report wind up by saying: 'It is part of the political advance that we contemplate that the direction of Indian education should be increasingly transferred to Indian hands. Only so, we believe can the stimulus be forthcoming which would enable the necessary money to be found. The weak points are recognized. A real desire for improvement exists. Educational extension and reform must inevitably play an important part in the political progress of the country.' I do not think there can be any better authority for the position that education should be handed over to popular control and it is impossible to divorce secondary from primary education. Secondary education should not merely be included in the transferred list, but higher and collegiate education also and University education also should be similarly handed over."

His Excellency the PRESIDENT:—"In order that the Council may be quite free to express its decision on the two parts, I propose to put first Resolution No. XVII down to the word 'subjects' in the second line. Then I will take University education and secondary education separately."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Would it prevent me from moving my resolution separately which refers to colleges?"

His Excellency the PRESIDENT:—"Yours is not quite a good resolution. It confuses the issues. We would have to alter your resolution if we took it."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I shall move the motion as an amendment."

His Excellency the PRESIDENT:—"Your amendment will not be necessary. As I understand it, the object of all the resolutions is to give Honourable Members who are present here a full opportunity of expressing a clear and definite opinion on each part of education. That is the end which is sought by various resolutions and I think, if I put this resolution in three parts, that will enable the Council to give a clear decision on every part. If I take the other resolution, I shall have to cut that up in the same way. I hope the Honourable Gentleman follows me."

The Hon'ble Mr. VENKATAPATI RAJU:—"The question of colleges is not discussed under this resolution."

His Excellency the PRESIDENT:—"College education is identical with University education. I do not think we need be under any difficulty on that score."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"The administration of colleges and the management of colleges is quite a different thing from University education."

His Excellency the PRESIDENT:—"Very well. We will take colleges separately and Universities separately."

"I propose, first of all, to put the first portion of Resolution No. XVII to the Council:—

'The non-official members of this Council recommend that elementary, industrial and technical education should be included among the transferred subjects.'

The Hon'ble Rao Bahadur Mr. M. RAMACHANDRA RAO:—"May I say that they are already on the transferred list?"

His Excellency the PRESIDENT:—"I am perfectly aware of it. I have read the report on the constitutional reform and I have referred to it on several occasions. Somebody has to guide the discussion and if you will allow me to do it, you will see that we will get through the thing all right."

The first portion of Resolution No. XVII was put to vote and agreed to.

His Excellency the PRESIDENT:—"It is unanimously agreed by those present that these branches should be transferred subjects."

Now I will put 'secondary education to be included in the transferred list.'

The motion was agreed to.

His Excellency the PRESIDENT:—"Now we take the question of collegiate education being included in the transferred list."

The motion was put and agreed to.

22ND OCTOBER 1918.]

(The President; Mr. Suryanarayana Rao;
Mr. Ranga Achariyar; Mr. A. S. Krishna Rao;
Mr. Rama Ayyangar; Mr. Rajagopala Achariyar.)

His Excellency the PRESIDENT:—"Now we take University education."

The motion was put and agreed to.

His Excellency the PRESIDENT:—"The Council has now agreed that elementary, industrial and technical education, secondary education, collegiate education and University education should all be transferred subjects."

"I want to try and arrange for the convenience of the Council the business for to-morrow. I have been looking through the agenda and it seems to me that the following are the principal individual subjects. Resolution No. XII* should be taken. There are several resolutions which raise the same issue. Then resolution No. XX† should be taken which raises another issue. Then No. XXII† should be taken which raises another issue. There is another question, namely, the question of law, justice and police. There are two or three resolutions dealing with law, justice and police. There is one resolution No. XIX† dealing with 'Civil justice' and I do not know whether it is necessary to take that separately or whether the Council would prefer to take the whole subject of law, justice and police."

The Hon'ble Mr. A. SURYANARAYANA RAO:—"Civil justice is separately dealt with as a reserved subject. I wish it to be separately discussed."

His Excellency the PRESIDENT:—"We will take it as No. 4. Then comes law, justice and police—No. 5. There is another matter, the question on which I undertook to make some examination. There is the question of some resolutions which were not placed on the agenda owing to the interpretation put upon the word 'lists.' There are three resolutions in regard to railways. I propose to issue this paper to-morrow which will contain these three resolutions and I think the best resolution to take is in the name of the Hon'ble Mr. Ramachandra Rao. We shall see to-morrow about it."

"There is a resolution under the same category as regards income-tax in the name of the Hon'ble Mr. T. Ranga Achariyar. I do not know if there is much use in taking it."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I will consider the point."

His Excellency the PRESIDENT:—"You will let us know to-morrow."

The Hon'ble Mr. A. S. KRISHNA RAO:—"There is another resolution with regard to light feeder railways."

His Excellency the PRESIDENT:—"We shall just see whether we cannot combine both these in one resolution of the Hon'ble Mr. Ramachandra Rao."

The Hon'ble Mr. K. RAMA AYYANGAR:—"There is the control of Imperial services in the provinces."

His Excellency the PRESIDENT:—"That is another subject and I do not think it comes within the category."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"It comes indirectly under resolution XII."

His Excellency the PRESIDENT:—"If we discuss that resolution under resolution XII* that will be suitable. The Council will now adjourn."

The Council then rose for the day.

N. E. MARJORIBANKS,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

* See page 256 infra.

† See page 257 infra.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Wednesday, the 23rd day of October 1918.

P R E S E N T :

His Excellency the Right Hon'ble JOHN, *Baron PENTLAND* of Lyth, P.C., G.C.S.I.,
Governor of Madras—*Presiding*.
The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.
The Hon'ble Mr. H. F. W. GILLMAN, C.S.I.
The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR AVARGAL, C.I.E.
The Hon'ble Mr. L. E. BUCKLEY, C.S.I.
The Hon'ble Mr. M. E. COUCHMAN.
The Hon'ble Mr. L. DAVIDSON, C.S.I.
The Hon'ble Mr. H. S. DUNCAN.
The Hon'ble Major-General G. G. GIFFARD, C.S.I., I.M.S.
The Hon'ble Mr. B. A. GRAHAM.
The Hon'ble Mr. W. J. J. HOWLEY.
The Hon'ble Mr. A. R. KNAPP.
The Hon'ble Mr. S. B. MURRAY.
The Hon'ble Diwan Bahadur E. RAMACHANDRA RAO AVARGAL.
The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).
The Hon'ble Mr. C. G. TODD HUNTER.
The Hon'ble Mr. M. YOUNG.
The Hon'ble the Rev. G. PITTENDRIGH.
The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.
The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU GARU.
The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.
The Hon'ble Mr. P. SIVA RAO.
The Hon'ble Mr. B. V. NARASIMHA AYYAR.
The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR AVARGAL.
The Hon'ble Mr. K. RAMA AYYANGAR.
The Hon'ble B. RAJA RAJESWARA SETUPATI alias MUTTURAMALINGA SETUPATI
AVARGAL, Raja of Ramnad.
The Hon'ble Mr. B. VENKATAPATI RAJU.
The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.
The Hon'ble Yaqub Hasan Sahib Bahadur.
The Hon'ble Khan Bahadur A. T. G. M. AHMAD Tamsi Marakkayar Sahib
Bahadur.
The Hon'ble Sir GORDON FRASER, Kt.
The Hon'ble Sir FAIRLESS BARBER, Kt.
The Hon'ble the Most Rev. JOHN ALEN, D.D.
The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR AVARGAL.
The Hon'ble Mr. T. RICHMOND.
The Hon'ble Sir FRANCIS SPRING, K.C.I.E.
The Hon'ble Raja, RAJA SRI RAYU VENKATA KUMARA KRISHNA RANGA RAO
Bahadur, of Bobbili.

RESOLUTION RE CONTROL OF SERVICES OF TRANSFERRED DEPARTMENTS TO BE A TRANSFERRED SUBJECT.

(The President; Mr. A. S. Krishna Rao.) [23RD OCTOBER 1918.]

The Council re-assembled at 11 a.m.

His Excellency the PRESIDENT :—"We now proceed to the business of the day. We take resolution No. XII."

RESOLUTION RE CONTROL OF SERVICES OF TRANSFERRED DEPARTMENTS TO BE A TRANSFERRED SUBJECT.

The Hon'ble Mr. A. S. KRISHNA RAO :—"Your Excellency, I have the honour to move as follows" :—

'XII. The non-official members of this Council recommend that matters affecting the conditions of service and the control of services of the transferred departments shall be included in the list of transferred subjects?'

"I believe that owing to some inadvertence or oversight the question of the conditions of service and the control of the services relating to transferred subjects has not been shown in Illustrative List No. II. We find in Illustrative List No. I, Provincial subjects, 'the appointments, conditions of service and control of all Provincial services,' with the remark 'subject to any existing privileges enjoyed by those now in service.' If once it is agreed as one of the principles of devolution of responsibility that certain departments should be transferred to Indian ministers, it certainly stands to reason that the conditions of service and the control of the services so far as those departments are concerned, should also be included in transferred subjects. Otherwise, we would get into a state of affairs which cannot be considered satisfactory. If the conditions of service and the control of the services regarding the departments under the management and control of Indian ministers should be in the Governor in Council and if they should be merely called upon to administer those branches it will lead to anomalous results. What, after all, are the difficulties that are likely to accrue by transferring that portion of the subjects to the Indian ministers? I have not been able to find in the report any cogent reasons adduced for keeping that subject under the control of the Governor in Council in regard to the departments transferred to the Indian ministers. That is why I suggested at the outset that it is possibly due to inadvertence or omission. I find that the authors of the report consider this question about the future conditions of the services and come to some conclusions. They consider the future position of the European services in the country and the work awaiting the English official and sum up the position as follows: 'It may conceivably be that the utilities of the European official in India will gradually undergo a change; that instead of continuing to the same degree as now as the executive agency of Government, he will stand aside more from the work of carrying out orders and assume the position of a skilled consultant, a technical adviser and an inspecting and reporting officer. To attempt to forecast the future organization and disposition of the services would be idle. These matters will settle themselves in the course of political evolution. But we can see no reason for alarm. Our policy is irrevocably declared and it ought to content all sober minds. We are no longer seeking to govern a subject race by means of the services; we are seeking to make the Indian people self-governing. To this end we believe that the continued presence of the English officer is vital, and we intend to act on that belief. So long as Indians are employed in increasing numbers wherever they are fit, there can be no just complaint of the retention of the Englishman; if that condition is not fulfilled, there is an appeal to the periodic commission.' Later on, they make some provision for the protection of the services: 'On more than one occasion, we have declared our intention to protect the interests of the services if necessary; and it may be well to make it clear what we mean by this phrase. The question of methods depends on a number of Acts and rules and regulations, for which reason we reserve it for detailed consideration hereafter in connexion with the question of demarcating functions and powers. But our purpose is that any public servant, whatever the Government under which he is employed, shall be properly supported and protected in the legitimate exercise of his functions; and that any rights and privileges guaranteed or implied in the conditions of his appointment shall be secured to him. No changes that will occur can be allowed to impair the power of the Government of India or of the Governor in Council to secure these essential requirements.' That is why we find in the first list showing Provincial subjects it is expressly stated 'subject to any existing privileges enjoyed by those now in service.' With these safeguards, can it be suggested for a moment that the conditions of service and the control of the services handed over to Indian ministers, should not vest in them?"

"It cannot be suggested that this is not an important question for consideration. One of the complaints made and one of the suggestions also put forward from time to time has been that the present system of administration is one of the most costly systems in the world. It has been suggested as one of the means of reducing the cost of the administration that there should be a larger employment of indigenous agency in the public services. If this principle is accepted, it will have to be considered whether Indian ministers would not be in a better position to regulate the conditions of service regarding the departments which are to be under their control and find out what are the terms under which they can secure duly qualified, efficient members for the various branches of work. They will be able to obtain the advice of the other members of the Executive Government and consult them in all important matters and consult them in regard to the privileges of the services. I cannot pass over this aspect without referring to the complaint which has been raised owing to the suggestion made in the report as to the increase of allowances to various departments of the public service. The authors go

RESOLUTION RE CONTROL OF SERVICES OF TRANSFERRED DEPARTMENTS TO BE A TRANSFERRED SUBJECT. 227

23RD OCTOBER 1918.] (Mr. A. S. Krishna Rao; Mr. Siva Rao; the President.)

further than the members of the Public Services Commission. It is, therefore, necessary that so far at least as the departments transferred to the ministers are concerned, the question will have to be considered and kept within proper limits. Otherwise, I have no doubt that the administration which is already costly will become even costlier and will be a burden to the tax-payers."

The Hon'ble Mr. P. SIVA RAO :—"I should like to know whether there will be a separate discussion on resolutions XXX† and XXXI† of which I have given notice, which relate to the same subject, but with some variation."

His Excellency the PRESIDENT :—"Resolution XXXI† is really included in this motion which we are discussing. But resolution XXX† regarding maintenance of law and order need not be grouped with this."

The Hon'ble Mr. P. SIVA RAO :—"I made a mistake. I meant XXXI† and XXXII†."

His Excellency the PRESIDENT :—"I think they are included in No. XII*. Will the Honourable Gentleman point out in which particular they are not?"

The Hon'ble Mr. P. SIVA RAO :—"Resolution No. XII* says 'conditions of service and the control of services of the transferred departments shall be included in the list of transferred subjects,' but it does not include appointments. It refers to the conditions of service and control of the services. Only with regard to item 4, in Illustrative List I, I have asked that in the case of the Provincial services, the appointments, conditions of service and the control of the services shall be transferred subjects and even in the case of all other services, all-India services, the control of those services should be transferred subjects. That is why I have sent in a consolidated resolution."

His Excellency the PRESIDENT :—"I shall be very glad if the Honourable Member will come and speak to me. As far as I can make out, resolution XXXI† relates to all the Provincial services, relating to transferred subjects, including those of the future ministers."

The Hon'ble Mr. P. SIVA RAO :—"Yes."

His Excellency the PRESIDENT :—"Would they not be transferred subjects?"

The Hon'ble Mr. P. SIVA RAO :—"Yes."

His Excellency the PRESIDENT :—"It is not necessary to mention it separately. That disposes of XXXI†, which is within the motion we are discussing."

"Then as to XXXII†, we had better not take that, because it is an omnibus resolution. It is one of the same kind which we rejected yesterday. It rejects the whole of the subjects in List I, and adds it to List II."

The Hon'ble Mr. P. SIVA RAO :—"I shall omit XXXII†, but I wish to bring in an amendment to this resolution 'that this Council recommends that the appointment, the conditions of service and the control of all Provincial services connected with the transferred departments including those of the future ministers and the control of all services relating to the same departments shall be included in the transferred list.'"

His Excellency the PRESIDENT :—"You do not add anything except that you have repeated it three times. The only thing is the question of appointment and matters affecting the conditions of service and the control of the services. Appointment may be taken to come under the conditions of service."

The Hon'ble Mr. P. SIVA RAO :—"It may be added formally."

His Excellency the PRESIDENT :—"If I have to accept an appointment, I must consider conditions of appointment. Future ministers will have control of the transferred subjects. You say all transferred departments; it includes all departments."

The Hon'ble Mr. P. SIVA RAO :—"If that is so, it is all right."

His Excellency the PRESIDENT :—"The Honourable Gentleman's fears are unfounded."

The Hon'ble Mr. P. SIVA RAO :—"Then I beg to second this resolution. The resolution relates to three matters. I must say, first, with regard to the conditions of service and control of all the Provincial services; secondly it relates to ministers and thirdly to all services, whether Provincial or all-India services. It does not require any elaborate argument to convince any body that when the departments are themselves transferred, the accessories thereto, the staff that works these departments should be transferred along with them. It would be very anomalous that the framers of the report should have provided for the transfer of certain departments without providing for the transfer of control over the employees who are supposed to work these departments. It will be absolutely impossible for the ministers to work these departments without having control over the staff employed therein."

"I was just trying to find out the reasons why these services should have been placed in the reserved list. The only reason that can be urged is that certain services need protection that if the recruitment and the conditions of certain services are allowed to remain in the hands of ministers and popular assemblies they may so work them or so lay down or prescribe rules that the efficiency of the services may be impaired. There may also be one other reason in the minds of the illustrious authors of the report that if the services were handed over to popular assemblies and Indian ministers, they would not attract Europeans. All these fears seem to

* See page 256 infra.

† See page 258 infra.

RESOLUTION RE CONTROL OF SERVICES OF TRANSFERRED DEPARTMENTS TO BE A TRANSFERRED SUBJECT.

(Mr. Siva Rao ; Mr. Venkatapati Raju ; Mr. Yaqub Hasan ; Mr. M. Ramachandra Rao.) [23RD OCTOBER 1918.]

be unfounded. This resolution is very modest and does not seek to have the appointment and conditions of service of the Imperial services. It only asks for the control of these services. Under these circumstances, there cannot be any objection to passing this resolution."

The Hon'ble Mr. B. VENKATAPATI RAJU :—"Your Excellency, I have great pleasure in supporting the resolution moved by the Hon'ble Mr. Krishna Rao. I find the reason why they wanted to include this matter in reserved subjects in paragraph 259 with reference to the relation of the services to the Government. All that they say is that they will be under the control of the Executive Government including the ministers and therefore the orders will go out as those of the Executive Government instead of in the name of the Governor and the ministers. My objection to that explanation is that so far as the transferred subjects are concerned, they want to make the ministers responsible for those subjects and actually they say they are to be held responsible. In those circumstances, if they give the responsibility for these departments, it necessarily means that the control of the services also goes with them. Without control I have not heard of any responsible government anywhere. For instance, we passed yesterday a resolution that education should be a transferred subject. If the ministers have not got the power of appointment and control, what is the use of placing education under the ministers? We know that in 1886 the Education Commission made their report and they suggested unanimously that we ought not to introduce young men from England in the matter of education and what was the practice thereto should be modified or cancelled. Instead of following that course, they introduced additional men. If it were in the hands of people's representatives they would have followed the recommendation. There is one general reservation with reference to the already existing services. Whether it is Provincial Service or Imperial Service, the existing rights and contractual obligations entered into by the Government must be respected. They cannot reduce their pay. With reference to the future appointments and conditions of service, they must have control. Until they have control, it is a misnomer to say that they have control over the services. It simply amounts to saying that ministers are to have the responsibility without any power to enforce their opinion."

The Hon'ble Yaqub Hasan Sahib Bahadur :—"I fail to see the necessity of this resolution. Transfer of subjects means transfer of the relative services also. Although in the Report it is not laid down specifically, it is contemplated that it should be so. For example, in paragraph 128 it is stated: 'Further, as the principle of popular control is admitted into the Government through the medium of the legislative councils, some means must be devised of enabling the established services to fall in with the new order of things.' In paragraph 325 they say: 'On more than one occasion we have declared our intention to protect the interests of the services, if necessary'. They say that that question will be considered in detail in connexion with the question of demarcating functions and powers which will be investigated by the committee and they go on: 'But our purpose is that any public servant, whatever the government under which he is employed, shall be properly supported and protected in the legitimate exercise of his functions'. It is contemplated that they will be under the control of the council or the ministers, whichever departments they belong to. At the same time they will be protected. With the change of government in the transitory period as well as after the reforms are fully introduced, the interests of the services should not suffer and special measures are contemplated to see that they do not suffer. The control will be with the Minister or with the Council as the case may be. That being so, I do not see any necessity for bringing this resolution, unless the intention of the Honourable Mover is that there should be no ambiguity on this subject. If that is the object, I have no objection. My impression is that the control of the services goes with the departments."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"My Honourable Friend Mr. Yaqub Hasan must be under some mistake in thinking that the authors of the report contemplated the transfer of the services along with the subjects which are on the transferred lists as pointed out by him. It is true that some portions of the report are not quite clear. At one place it is conceded that the popular government should have full scope to proceed along the lines which are chalked out in this report, but as has been pointed out many times after the publication of this report, the one point which is clear is that the authors of the report are over-cautious with reference to the powers which they propose to confer on the ministers. The Hon'ble Mr. Yaqub Hasan will see paragraph 240; they have hedged these powers with regard to transferred subjects with so many limitations, both as regards powers of intervention of the Government and as regards the administrative control of the services. They have definitely stated that the appointments, conditions of service, and control of all Provincial services have been placed in List I. Therefore, it is clear that, so far as the authors of the report themselves go, they do not seem to contemplate that the ministers should make appointments to the services which are under their control. The conditions of service and the control of the public services do not seem to have been contemplated by the authors of the report. It is one of the most elementary propositions of administration that the ministers who are administering their departments should have full control over the staff appertaining to the departments. Unless that is conceded, the whole of this scheme would stand self-condemned. It has been more than once pointed out by the Decentralization Commission that the services should be controlled by those who are responsible for administering those departments. If ministers are to be held responsible for the departments to be ultimately placed in the transferred list, they must

RESOLUTION RE CONTROL OF SERVICES OF TRANSFERRED DEPARTMENTS TO BE A TRANSFERRED SUBJECT.

23RD OCTOBER 1918.] (Mr. M. Ramachandra Rao ; Mr. Rajagopala Achariyar ; Mr. Suryanarayana Rao.)

have a free hand with the services employed by them. As an illustration take the medical service. The Medical department is in the transferred list; the Medical department from the Surgeon-General downwards should be under the control of the ministers. If the department of education is a transferred subject, the appointment of the Inspectorate and the Director of Public Instruction and the departments which deal with collegiate education, female education, technical education, every department that you find in the Quarterly Civil List relating to education must automatically come under the control of the ministers. I do not understand what is meant by saying that the department of education is transferred to the control of ministers if the members of the department are not subject to the disciplinary control of the ministers. Then, as regards agriculture, the forest department, the departments relating to agricultural research and education—all these must pass automatically to the control and be amenable to the control of the ministers. Then again you have the civil veterinary department. Then you have the department of industries. Appointments such as those of the Director of Industries, the Leather Expert, the Dyeing Expert and the whole body of persons who are directly under the department of industries must be under the disciplinary control of the ministers. Therefore it seems to me, my Lord, that unless this fundamental proposition is conceded, there is no use of having any transferred list—I mean the principle that ministers should have control of the departments.

"There is one other important question, my Lord, with reference to the services in the departments transferred to the ministers. Taking agriculture as an illustration, there is an Imperial Agricultural Service. Then again there is an Imperial Service so far as the civil Imperial Agricultural Service. Then again there is an Imperial Educational Service. The authors of the scheme assume that these Imperial Services would be constituted on an all-India basis. I do not wish to attack the principles of the constitution of the Imperial Services. But what is asked for under this resolution is that even in the case of those Imperial Services whose appointments are not made by the Provincial Governments, but by the Government of India, they should be subject—even though they are not appointed by the Provincial Governments and though the conditions of service are not settled by the Provincial Governments, for these are settled by the Government of India and the Secretary of State and they are recruited elsewhere—so far as the control is concerned, the Imperial Services are now under the control of the Provincial Governments for disciplinary purpose—control should automatically pass to the extent to which the Imperial departments are employed under ministers to the ministers. As I have already said, the Imperial Agricultural Service must come under the control of the ministers and its officers must be under the control of the Provincial Government exactly in the same way. Whatever may be the departments transferred ultimately, even taking the departments in the Illustrative List, for example, the Departments of Agriculture or Industries or Education, I say that Imperial Officers as well as Provincial Officers will have to be appointed and the ministers should have such control as the Provincial Government now has with reference to the appointment, conditions of service and general control of the services. Otherwise, the position of the ministers will be quite anomalous. To compare small things with great, it will be like the office of the president of the district board who has to exercise control over the medical institutions, but has very little power over medical subordinates of the district board. Unless full powers of control, transfer and discipline over these departments are given, I do not know what the minister is going to do. Take the case of the Surgeon-General who is at the head of the Medical department. If the Medical department is placed under the control of the minister, the minister must have the choice of appointing the Surgeon-General and he must have the choice of appointing the members of the Provincial Medical Service; he must have the power to transfer medical subordinates from one station to another; he must be able to settle the conditions of service. All these are powers incidental to the due performance of their duties with reference to these departments. Otherwise, the position of the ministers will not be the same as that of the Provincial Executive Government."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I am not quite sure of that."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"Otherwise I think the position of a minister will be that of a subordinate. He will have to go to the Executive Government and say: 'Let this man go from Rajahmundry to Chicacole or from Ramnad to Madurai'. He would have no power to transfer a District Medical and Sanitary Officer. If this scheme is to succeed and the minister is to have any control over the departments which are to be allocated to ministers, he must have the full choice of every officer from the head of the department down to the lowest man over whom he can exercise control. Otherwise it is quite easy to disorganize a department under a minister if the Executive Government does not like a particular proposal made. It seems to me to be absolutely a corollary from the transfer of these departments to the control of the ministers alone, that the whole power and the responsibility of appointment, control and responsibility for the efficiency of these departments is implied. Unless these essential conditions are also carried out in the report and unless these too cautious proposals which are to be found in the report are modified, I am certain that there will be a deadlock between the two departments of the Government."

The Hon'ble Mr. A. SURYANARAYANA RAO :—"I have only one word to submit. In paragraph 195 it is stated: 'It is thought that wherever a board pays for a service, it should control such service.' I submit that the same analogy applies here. If ministers are to

RESOLUTION RE CONTROL OF SERVICES OF TRANSFERRED DEPARTMENTS TO BE A TRANSFERRED SUBJECT.

(Mr. Suryanarayana Rao; Mr. Narsimha Ayyar; [23RD OCTOBER 1918.
the President; Mr. Rama Ayyangar.]

administer certain departments, they must have control of the services in those departments. I fail to understand why a distinction should be drawn with reference to transferred subjects. If the local boards should have full control over their services, the same analogy applies to the ministers, and they should have control over the services under them. I have therefore great pleasure in supporting the resolution proposed by the Hon'ble Mr. Krishna Rao."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I beg formally to move that the word 'appointment' be inserted because later on it may give rise to misunderstanding."

His Excellency the PRESIDENT:—"We may insert this word."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I find it very difficult to follow this debate. A close reading of the lists makes it difficult to follow it. List I includes the appointments, conditions of service and control of all Provincial services. List II does not have this. It has therefore to be taken as a reserved subject from the lists alone. Going to paragraph 259 of the report, I find: 'That there are difficulties in either case we do not deny, but they would certainly be greater if one and the same officer received his orders from two governments instead of one. The objection may be taken that the same authority may not be felt to attach to orders coming from ministers as to orders coming from the Executive Council. We do not admit that they will come from either. All orders will come from the Government and they will all be Government orders. At the present time it is not the business of an executive officer to differentiate between an order conveyed to him by the Secretary to Government in one department and an order conveyed to him by the Secretary in another department, and the procedure will not differ in the future.' That is the wording of that paragraph. Then the Executive Government as per paragraph 222 and the previous paragraphs is to consist of two portions. One portion, the Executive Council, is to consist of one Indian and one European member and the other portion is to consist of the Governor and the minister. We have to take that, in relation to the appointment, conditions of service and the control of the Provincial services the orders in respect of the services in the Transferred List shall issue from the Government, but that Government will consist of the Governor and the ministers. In paragraph 259 they ask the officers concerned to treat the orders whether issued by one department of the Government or the other as Government orders. Therefore, the effect of this will be that in respect of the transferred departments, the orders will practically go from the Governor and from the ministers, because it is the ministers and the Governor that will constitute the portion relating to transferred departments. Taking paragraph 259 with this particular clause it becomes very difficult to understand whether the Government order referred to will be a Government order, an order of the Government inclusive of the ministers or of the Governor and the Executive Council, because they do not wish the officers to distinguish the orders. If really what is meant is that actually the Governor and the ministers shall not be the Government that issues the orders to the officers of the transferred subjects, but they shall be the orders of the Executive Government who have to issue such orders, the difficulty practically comes in. It is because of that difficulty that the proposition becomes quite relevant. The question is if it is meant to say that the Government orders in such cases must proceed only from the Executive Government because reserved subjects are under the control of the Executive Government and if actually the subject is to be considered by the Governor and the ministers, what it comes to is this. The Governor and the ministers shall decide that particular officers in the transferred departments shall have certain orders, but if these orders related to the conditions of service or the appointment or the control of the services they cannot issue the order immediately; must go to the Executive Government and ask the orders to be issued. I do not think the authors of the report after they have put in that language in paragraph 259 meant that the Governor and his ministers should in communicating the order to the officers in the transferred departments appeal to the Governor and the Executive Council to issue an order of that kind when it related to one of the three points, viz., appointments, conditions of service and the control of the services. If in regard to appointments the Governor and the ministers should say an appointment should be made but they cannot issue that order unless they consult the Executive Government, that will be an anomalous position. My position is that this must be cleared up as the report stands. If really it means that the joint government issue the order though the department which issues the orders on transferred subjects will be the Government consisting of the Ministry it is all right. If, on the other hand, it is meant to be treated as powers vested in the Executive Government, it deserves to be immediately altered."

"The only difficulty that might be pointed out is in the case of appointments and probably conditions of service. It may be stated that when people are enrolled in the service on certain conditions, the existing services must be protected and hereafter the Executive Government alone shall make the appointments. Once the appointment is given to them, the question of conditions of service will have to be settled by them. Suppose there is a difficulty in arriving at a conclusion. I shall take the third, the control of the services. How can it ever be left to the Executive Government if the department is to be administered by the ministers? If the control of the officers employed in connexion with these subjects is to be exercised not by the Governor and the ministers who are actually in charge of those subjects, the results will be disastrous. Then as regards the two other questions, appointments and conditions of service, it may be said that in the case of the Imperial services the whole appointment and conditions of

RESOLUTIONS RE CONTROL OF SERVICES OF TRANSFERRED DEPARTMENTS TO BE A TRANSFERRED SUBJECT AND 'PRISONS' AND ADMINISTRATION OF PRESS, ETC., ACTS TO BE TRANSFERRED SUBJECTS IN ADDITION TO THOSE IN LIST II.

23RD OCTOBER 1918.] (Mr. Rama Ayyangar; Mr. Chidambaranatha Mudaliyar;
the President; Mr. Siva Rao; Mr. Narsimha Ayyar.)

service and control of the services are taken up by the Government of India. There is recruitment by the Government of India for those services and it is found practicable that the Provincial Government make reports and they have certain disciplinary jurisdiction over these officers and they have been able to get on till now. Why not the same thing be done hereafter with reference to the conditions of service, and appointments to the Provincial service? My submission again is that the Executive Council is part of the Government. The other part is the Governor and the Ministers and they are the heads with regard to transferred subjects. Where the subject is transferred, there is no meaning in the appointment and conditions of service being left to another portion of the Government which has nothing to do with the department which is being administered by the Ministers. The whole tendency of the report at present is that the executive head of the province shall have all the power to see that the Ministers are not allowed to go astray and they have the power to control the Ministers where through inexperience they miss the point. In those circumstances it is not only not necessary to have the executive arrange the appointment and conditions of service for the transferred subjects, but it is only proper that it should be left to the Governor and the Ministers and they together should have full control in order that the services may be efficient and there may not be unnecessary complications. I support the resolution."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"I strongly support the motion before this Council. I have only one word to say. It is clear as the proverb goes that one should pay the piper and another call the tune would be a very anomalous thing. On that ground more than anything else, I most strongly support the resolution before the Council."

His Excellency the PRESIDENT:—"As it seems to be the view of some Honourable Members, I propose to insert the word 'appointment' in the resolution."

The Hon'ble Mr. P. SIVA RAO:—"Will your Excellency include the word 'Ministers' also?"

His Excellency the PRESIDENT:—"That is not necessary. Ministers will be in charge of the transferred subjects and there cannot be any possible mistake in the wording as it stands. It is perfectly clear."

The resolution was put to the Council and agreed to.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Is it unanimously carried?"

His Excellency the PRESIDENT:—"I do not think so. I will take a poll if you want it."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Yes."

A poll was taken with the result that no one voted against the resolution and the following members voted for the resolution, viz:—

The Hon'ble Mr. V. K. Ramanuja Achariyar.
" Mr. M. Ramachandra Rao.
" Mr. P. Siva Rao.
" Mr. K. Rama Ayyangar.
" the Raja of Bobbili.
" Mr. B. Venkatapati Raju.
" the Raja of Ramnad.

The Hon'ble Mr. Yaqub Hasan.
" Mr. A. T. G. M. Ahmad Tambi Marakkayar.
" Mr. K. Chidambaranatha Mudaliyar.
" Mr. A. Suryanarayana Rao.
" Mr. A. S. Krishna Rao.
" Mr. B. V. Narsimha Ayyar.

RESOLUTION RE 'PRISONS' AND ADMINISTRATION OF PRESS, ETC., ACTS TO BE TRANSFERRED SUBJECTS IN ADDITION TO THOSE IN LIST II.

His Excellency the PRESIDENT:—"There is resolution No. XX* against the name of the Hon'ble Mr. Ranga Achariyar. He is not here. I will take No. XXII*."

The Hon'ble Mr. K. RAMA AYYANGAR:—"The Hon'ble Mr. Ranga Achariyar told me that he would leave word with the Secretary that I might move it."

His Excellency the PRESIDENT:—"The Honourable Gentleman may move it."

The Hon'ble Mr. K. RAMA AYYANGAR:—"The resolution which I have the honour to move runs as follows:—

'XX. The non-official members of this Council recommend that, in addition to the list of subjects mentioned in Illustrative list II of Appendix II, prisons 5 (iii) and the administration of the Acts relating to incitements to crime, seditious meetings, press and arms [item No. 5 (v) of list I of Appendix II] should be placed in the list of subjects to be transferred to the control of Ministers.'

"My Lord, I would urge for the acceptance of this proposition first that this province has to be treated separately from other provinces in this matter. Madras has been peculiarly

* See page 267 infra.

(Mr. Rama Ayyangar.)

[23RD OCTOBER 1918.

fortunate in that it has been ever known as one of the most peaceful provinces in all India. Up to date it may not be possible to say that Madras has given room for any real impression being created that it has been any to the least extent disloyal or wanting in loyalty. If there are any aberrations or unrest, a close analysis of the affairs of the province for a decade or two will clearly show that there has been no room for the impression that any subject of the province has been a party to organized crime or seditious meetings or offences against the State, or offences against the Press Act or the Arms Act. There might have been occasions when this view was questioned by the officers, but I think the Government have uniformly held that all such doubts thrown have not been based upon any real facts, for investigations have clearly established that there has been no reason for the apprehension that the province is in any way affected by any indication of crimes of the kind that I have already referred to. This being so, it becomes proper to consider how far the subjects regarding these matters should be placed in the reserved head. It would be seen from clause 5 of the Illustrative List I that (1) administration of criminal justice including village courts, (2) police including railway police, (3) prisons, (4) criminal tribes, (5) working of particular Acts, for example, incitement to crime, seditious meetings, infanticide, press, arms, European vagrancy, (6) poisons, (7) gambling, (8) dramatic performances and cinematographs are brought under 'maintenance of law and order'. Prisons, working of particular Acts, for example, incitements to crime, seditious meetings, infanticide, press, arms, European vagrancy, have been included there. This resolution only deals with two clauses, clauses 3 and 5 and in clause 5 only three portions.

"The next question that arises is the authors of the report say in paragraph 234: 'Their guiding principle should be to include in the transferred list those departments which afford most opportunities for local knowledge and social service, those in which Indians have shown themselves to be keenly interested, those in which mistakes which may occur though serious would not be irremediable and those which stand most in need of development. In pursuance of this principle we should not expect to find that departments primarily concerned with the maintenance of law and order were transferred'. That is the opinion that the authors of the scheme have expressed. As I have been placing my case before the Honourable Members, I do not want to go against the spirit of that observation. I merely base my argument on the fact that in the Madras Province matters are absolutely different from the other provinces. If owing to excitement or owing to various disturbing causes or owing to the fact of opinions that particular people might hold in particular districts, sudden ideas, offences against the Press Act or the Arms Act are becoming too many—if there are reports received we may ordinarily take it that these reports come from persons who have not correctly grasped the situation. In most cases we may take it there is something wrong on the part of the officers of the locality and there has been a misconception. That is the inference to be drawn. Exceptional circumstances may come in. But the ordinary circumstances that happen in this province never come under that category. Therefore, the main point that will have to be brought out or understood is to actually analyse the situation with a cool head probing the thing to see if the officers themselves have an aberration to say that the conditions of locality are bad. This will have to be gone into with perfect calmness. Even if there is a committee appointed to go into all cases of this kind for the last 25 years in this province and if they are asked to go into the details of each case I have not the least doubt that they will make a unanimous report that it is not possible to prove that in this province there existed at any time a state of affairs which called for a special establishment to go into the question of incitement to crime, seditious meetings and offences against the Press and Arms Acts. Of course, it may not be out of place for me to refer to what has been stated in the Sedition Committee's report. They have unanimously come to the conclusion that in Madras there have been no indications of any organized sedition or incitement to crime or anything of that sort. The Ashe murder case is referred to and the other occurrences in the province are referred to only for a unanimous conclusion to be arrived at that Madras has proved to be one of the most peaceful provinces. I only refer to that to show that questions of that kind crop up only to tend to confirm the belief of the authorities and the people that the people are good and quite loyal and order is soon restored. It is owing to some wrong administrations that difficulties crop up. This is not the time to go into the other details, because these things are not relevant to the present discussion. We will have to raise this question more clearly at another time. I am sure the Government will agree with me in thinking that the conditions of this province have always been very peaceful. Under these circumstances, it becomes very important that the subjects relating to incitements to crime and seditious meetings should be transferred to the ministry.

"In fact it might often happen if differences arise that the Ministers might catch hold of the representatives of the locality and see that the whole matter is investigated properly and actual peace restored much more easily than by a regular investigation, as I said yesterday, by a highly centralised authority which acts on private reports of one officer or another. Most of these disputes are better settled by mutual understanding. Of course, where there is organized conspiracy or armed preparation or bomb throwing or any conspiracy to join with enemies, we can well understand that precaution should be taken. But all these rights that exist in the executive Government are not taken away by what is asked for in this resolution. The so-called incitement to crime, seditious meetings, offences against the Press and the Arms Act should therefore be in this province in proper hands under Ministers, for the Governor and the Ministers will be able to deal with the situation, whatever it may be.

23RD OCTOBER 1918.]

(Mr. Rama Ayyangar ; Mr. Narasimha Ayyar.)

“ Another portion that is added is the administration of prisons. The administration of prisons and matters connected with the inmates of the prisons is certainly a matter which an Indian will be quite competent to sympathetically attend to as to what is to be done to the population in the prison and so on. So far as diet and the work to be done by them are concerned and in every other way to see that the inmates of the prison are properly attended to and that the industrial articles they produce are of the best kind, it would be proper to place these matters in the hands of Ministers. Having passed a resolution that industrial matters should be in the hands of Ministers, I should urge that it will be proper when we know that the prisons have been producing various articles of late and have been used for industrial work that this department should be in the charge of Ministers. How well the inmates of the prison can be utilized should be decided by the Ministers. For all these reasons the proposition deserves acceptance and these subjects may be put in the transferred list.”

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—“ Since the majority of the non-official members are of opinion that the maintenance of law and order should be a reserved subject and that only prisons should be a transferred subject, I suggest that the words in the resolution after the words ‘prisons 5 (iii)’ and before the words ‘should be placed in the list of subjects’ to be transferred to the control of Ministers’ be deleted.”

The Hon'ble Mr. K. RAMA AYYANGAR:—"Prisons' may be removed."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Prisons" is the only thing that will remain. That will be in accordance with the view of the majority.

The motion fell through for want of a seconder."

RESOLUTION *RE* FORESTS AND 'FOREST PRODUCE' TO BE
TRANSFERRED SUBJECTS WITHOUT LIMITATION.

The Hon'ble Mr. K. RAMA AYYANGAR :—“ I beg to move.”

'XXII. The non-official members of this Council recommend that the whole subjects of "Forests and Forest Products" be transferred to Illustrative List II and not only "unclassified and some protected."'

“To understand this resolution I have to refer to the report of the Forest Committee which was issued on the 15th January 1913 with the orders thereon. The Committee proposed to divide the forests into six classes. Class 6 is ‘those reserves which are so barren or so deteriorated that they are worthless for any purpose, even for grazing.’ Class 5 is ‘those reserves which are so much more useful for grazing than for any other object that for practical purposes grazing alone need be considered.’ These are forests which are asked by the report to be handed over to the village panchayats. Class 4 relates to ‘those reserves which adjoin villages and which, while useful for grazing, contain tree growth which it is necessary to preserve for working in the near future, or which are already worked to a small extent for rural supply’. The Committee recommend that on certain conditions they may be transferred to the village panchayats. Class 3 is ‘fuel plantations, especially the casuarina plantations on the coast, including lands taken up for that purpose and not yet planted.’ This class is recommended to be in the hands of the department because they will not be useful for grazing purposes as they are taken up for purposes of plantation, and they also recommend that such taking up of lands should be as restricted as possible. Classes 1 and 2 remain. The first class relates to ‘those reserves which must be preserved for climatic purposes and for the protection of water-sources as well as those reserves which are not in close contact with villages and cultivation’. The second class is ‘those reserves which, although not remote from villages and from cultivation, are valuable as producers of timber or fuel, and which are, or are capable of, being intensively worked for this purpose, and in which grazing is altogether a secondary product.’ These two classes of forests are recommended to be put absolutely in the hands of the forest department.

“ The next position that I want to place before the Honourable Members is that in dealing with each one of the classes of forests, with reference to the method of treatment of each class of forest, we find that in the case of classes 1 and 2 the Committee recommend that they may be used for grazing cattle ; a limited number of cattle which will be decided on or determined, may be permitted to graze in portions of the forests which are allowed by the department to be utilized for that purpose. Class 3 is not of much use, it is only casuarina plantation. The others are forests which are permitted to be handed over to the village panchayats. I shall draw the attention of the Council to is statement No. 73, and I shall leave it to the Council to decide whether it is necessary to take any further action in the matter.”

The others are forests which are permitted to be handed over to the village *pahtunayats*.
 "The next point I would draw the attention of the Council to is statement No. 73, annual form No. 73 in the administration report. I have got the report for 1916-17 and this statement appears on page xx of the appendix. We find from there that in classes 1 and 2 except in the northern circle in all other circles more than 80 per cent of classes 1 and 2 are allowed for grazing cattle. I find more than 60 per cent is thrown open for grazing in the northern circle even in reserved forests. Therefore, my submission is that in forest administration, while it has on the one hand to be carefully conducted with the help of expert officers trained for the purpose, the whole thing is meant for the use of the masses, and it is absolutely

234 RESOLUTION RE FORESTS AND 'FOREST PRODUCE' TO BE TRANSFERRED SUBJECTS WITHOUT LIMITATION.

(Mr. Rama Ayyangar ; Mr. Chidambaranatha Madaliyar.) [23RD OCTOBER 1918.]

essential that the use of these forests should be carefully regulated and not treated as almost a close preserve for forest officers to allow them to be made use of by the people. Of course they should decide carefully that the real growth of the forest is not interfered with and the only proof that I could give of the certainty that the Ministers will be able to discharge their duty very properly will be the Forest Committee's report. Two of the members of the committee have been staunch advocates of the people's cause and two respected members of this Council, one of whom is the lion'ble Mr. Ramachandra Rao and the other Mr. Kesava Pillai. On the point I have referred to, both of them have unanimously supported the recommendation of the Forest Committee. Mr. Kesava Pillai has written a minute of dissent, but that does not refer to the point I have mentioned. They are anxious to see that the forests are preserved for most useful purposes and this can be done if they are not interfered with by ignorant folk. When the department is placed under Ministers, they will be able to properly appreciate the object of the forest, and to see that the classes and the masses are benefited so long as it is not adverse to the department itself. This is only a negative certificate I give. We shall have also to see whether they will be positively useful. The Ministerial Government will properly manage this department, because there will not be unnecessary reasons for complaint when the grievances of the people are properly understood for which there is not so much chance in the case of the Executive Council as in the case of the Ministerial Government. The main part of the recommendation in the report deals with the fact that the people will take considerable interest and will be able to place the facts before the Government and such subjects therefore should be transferred. That is the scheme of the report of the Viceroy and the Secretary of State, and I submit that it is therefore proper that this should be placed in the hands of the Ministerial Government.

"Going to the administration report for 1916-17 we can see that the question of protective staff is referred to in various pages, 50, 51 and 53. In each circle the protective staff is separately considered. We find that the protective staff is generally inefficient and unsatisfactory. I will read from the report: 'The conduct of this branch was unsatisfactory on the whole. One forester was convicted; six forest guards and two watchers were dismissed; two foresters, sixteen forest guards, forty-four watchers, eight tannadars and one plantation overseer were removed; nine foresters, seventeen forest guards, eleven watchers, six tannadars and one plantation overseer were suspended; two forest guards and one watcher were reduced. It is hoped that a modification of the "patrol system" as at present in force will have some effect in improving the conditions of service'. This is with regard to the northern circle. We find similar complaints with regard to the other circles also. This is the state of affairs that exists because sufficient care is not taken and sufficient industry is not exhibited to see that the subordinate staff are efficient to protect the forests. Even in that view I should think that the transfer to the Ministerial Government of these forests and forest produce will enable the people to take a real interest and afford the department such officers as will be able to work the department more efficiently.

"The next point that I wish to mention in connexion with this is the recent occasion given to the Forest Department to prove its utility to supply products which have been used during the war which have been exhibited in Madras. That clearly shows how far industrial forest products could be utilized for the benefit of the country and the public and it clearly shows that there is considerable scope for improvement in the utilization of forest products. That is again a point which must be placed in the hands of the Ministry so that the people at large may well know how they can utilize forest products and how they could industrially improve their position so as to improve the economic position of the country.

"There is only one other point which I wish to mention. The Industrial Department, as has been pointed out yesterday, is in charge of an Indian Member and everything is found to go on well. That is another reason why the whole of forests and forest produce should be transferred to the Ministerial Government. For all these reasons I submit that it is only proper that this should be transferred."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"I second the motion. There are eighty thousand square miles of forests and they are very fairly distributed all over the province. I need hardly remind the Council that agriculture and forests are so closely related to each other that it is in the best interests of the people that they both should come under one system of supervision. As I am entirely in favour of land revenue being in charge of the Ministers, I strongly support forests being placed under the control and supervision of the Ministers. I have also to make another observation. I am one of those who think that forests have not been developed as they ought to be in a province like this where development is certainly possible and absolutely needed. There has been one consistent policy which has been adopted in the past with regard to these forests, and that I believe is more or less the policy of making the best possible revenue out of them, the highest possible income out of the forests. I feel that in the best interests of the province, particularly of the land-holding population, forests ought to be developed as much as possible even sometimes at the cost and sacrifice of revenue. As an instance I may mention that I am one of those who believe that any reckless destruction of forests for wider cultivation of tea, coffee or other industrial crops ought, in the true interests of the province, to be condemned. I believe that forests as such should be preserved to the utmost possible extent and also developed in all possible directions. For these reasons I strongly support the motion before the House."

RESOLUTION RE 'FORESTS' AND 'FOREST PRODUCE' TO BE TRANSFERRED SUBJECTS WITHOUT LIMITATION. 235

23RD OCTOBER 1918.] (Mr. Venkatapati Raju ; Mr. Narasimha Ayyar ; Mr. Yaqub Hasan.)

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, in considering this resolution and also similar resolutions whether it is possible or not to transfer some department from the hands of the Council to the Ministers, the chief point to be considered is what is the advantage of having a transfer and what is the disadvantage in keeping it under the same system which has prevailed till now. The main difference is that just like the present Government the Executive Councils would attach more importance to the experts' advice than to public opinion. If the Ministers control this department, they will have better knowledge of the conditions of the people than the experts and they will be in touch with the people. They will have a true sense of proportion when they have to reserve a portion of the forest or to throw it open to the villagers. That will be an advantage to a greater extent than the corresponding disadvantage. It is the fault of the experts, whether in this country or elsewhere, that they have not a sense of proportion which is essential to understand the wants of the people. If this department is given to Ministers, they can understand what the experts say and they know what the people really think. With that object we request that this department or any other department should be transferred to the control of the Minister. Forests and forest produce should go along with the subject of the industries. Most of the forest produce would be serviceable for the development of indigenous industries. There may be certain considerations whether foreign exploitation and control should not be reduced and if forests are under the control of the Ministry they will safeguard Indian interests."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I wish to give two very brief reasons in support of this proposition. From list No. II which mentions that only unclassified and some protected forests should be considered as transferred subjects, one may surmise that the more important classes of forest may be thought to be endangered if forests as a whole become a transferred subject. It is commonly spoken of in the Forest Department that there has been to a large extent denudation of valuable forests and that the people of the villages in the neighbourhood or at some distance are responsible for such serious denudation. Perhaps there is an unconscious association of that fact when they say that the whole of the Forest Department should not be reserved. Possibly also of the four tests put forward in paragraph 238 it is the remediality or irremediability of mistakes that is the basis of the conclusion that we find in list No. II. It may be that it is considered that if once valuable forests are denuded it may take generations for the country to get good forests and therefore the harm caused by careless management is irremediable.

"I wish to answer the objections that I have raised. In the first place I must admit as a fact that valuable forests have been denuded and that by the grossly improper conduct of some villagers. Looking to the causes, what are they? Luckily in this matter we have the advantage of the Forest Committee's report. There they point out that the forest administration has not worked smoothly and the main difficulty is that that administration has proved a very bitter pill to the villagers and the villagers who had been accustomed to exercise certain privileges were deprived of those privileges. Facilities should be given to the people if you want to popularise the forest administration. It has been pointed out by some of the witnesses before the Committee that a lot of denudation that goes on is by way of revenge. If the Forest Department is severely worked so as to deprive the people of immemorial rights, the people get into the forests and cut down trees or set fire to them and otherwise cause damage. Therefore, in the interest of the real protection of the forests what is wanted is to make the administration popular. That is a very good reason for placing the entire Forest Department in the transferred list, because it will be more popularly administered.

"Then, as for the fear that the policy of the Ministers may be such as to encourage denudation and there may be too much pressure by the popular assembly, that is a cardinal mistake. We have no right to assume that the Ministers will yield to undue pressure and the argument based on that assumption should not find support.

"One further reason I will give and I will close. That is, as far as possible when we take a department it is rather undesirable to split the department into two parts, one reserved and one transferred. It is better to keep the department under one control. When a portion of the Forest Department is brought under list II, it is but reasonable to make the whole department a transferred subject."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"My attitude in this matter is the same as in that of education and industries. I do not want this department to be divided. Why I do not want it to be divided is just for the reasons I have mentioned in regard to the resolutions on education and industries. If this department was entirely a reserved subject, I would not have moved for the transfer of the control to Ministers. We are vitally concerned with all the twenty-nine subjects. If there should be a diarchy, some departments will have to be left in the reserved list and some will have to be transferred. As it is proposed in the list itself that the reserved list should be partially transferred to popular control, there seems to be very good reason why the whole should be transferred. Those reasons have been mentioned by the previous speakers. I only say instead of transferring it partially transfer it fully."

The resolution was put to the Council and agreed to.

236 RESOLUTION RE 'XIX. CIVIL JUSTICE' TO BE A TRANSFERRED SUBJECT.

(Mr. Suryanarayana Rao ; Mr. Rama Ayyangar.) [23RD OCTOBER 1918.]

RESOLUTION RE 'XIX. CIVIL JUSTICE' TO BE A TRANSFERRED SUBJECT.

The Hon'ble Mr. A. SURYANARAYANA RAO:—"Your Excellency, the resolution that I have the honour to move is in these terms:—

'XIX. The non-official members of this Council recommend that No. 15. Civil Justice should be included in the list of transferred subjects.'

"As I understand from the report, paragraph 238, it is only those subjects that relate to the maintenance of law and order that are proposed to be completely reserved subjects. But with regard to the other subjects they are to be included in the transferred list. Those departments which afford most opportunity for local knowledge and social service, those in which Indians have shown themselves to be keenly interested, those in which mistakes which may occur, though serious would not be irremediable, and those which stand most in need of development are regarded as proper subjects to be transferred. With regard to civil justice, on reference to the Illustrative list II, it will be seen that it is a reserved subject. In list I you find under 5. 'Maintenance of law and order' that the administration of criminal justice including village courts should be a reserved subject but civil justice has been put down as a separate subject No. 15, and it includes "administration, including village courts, legal practitioners, law reports, local Acts and interpretation of local Acts." Civil justice has not been put down under No. 5. "Maintenance of law and order." The authors must have had very good reasons for drawing the line between civil and criminal justice. I think they were anxious that criminal justice should be exclusively a reserved subject. With regard to civil justice, they were not quite so sure, because in this very paragraph 238 they say 'nor should we expect the transfer of matters which vitally affect the well-being of the masses who may not be adequately represented in the new councils, such for example as questions of land revenue or tenant rights. As an illustration of the kind of matters which we think might be treated as provincial and those which might be regarded as transferred we have presented two specimen lists in an appendix to this report. We know that our lists cannot be exhaustive; they will not be suitable to all provinces; they may not be exactly suitable to any province—but they will serve at all events to illustrate our intentions if not also as a starting point for the deliberations of the committee. Our lists are in the main mere categories of subjects.' So I believe that the authors were not quite sure whether civil justice was to be excluded from reserved subjects or should be included, because they themselves observe that the list may not suit all provinces equally.

"Taking the history of our Presidency there is no doubt that if there is any subject in which the people take a keen interest and in which they have sufficient information, it is civil litigation. We are now considering the question of village courts, arbitration courts and panchayat courts. There is no doubt that it is the opinion of all that litigation should be minimised as far as possible and curtailed by private settlement of these matters by panchayats or arbitrators or by private individuals. It is also known that minor litigation should, as far as possible, go to village courts and that the district munsifs' courts should not have so much work with regard to petty suits.

"No doubt some difficulties would be suggested regarding the separation of functions, because for the present except munsifs' courts and the sub-courts the district courts are exercising functions both civil and criminal and the High Court has both civil and criminal jurisdiction, it might be suggested that there would be some difficulty in the separation of these functions. But even at present we are observing a distinction, because with regard to criminal cases it is the district magistrate and others that exercise jurisdiction, and with regard to civil cases it is the district court and the High Court that exercise jurisdiction. If this suggestion should lead to a separation of executive and judicial functions, civil or criminal, I think we would only welcome the change. Civil Justice is for the masses and the masses take a keen interest in the matter and the masses are anxious that litigation should be cheapened and should be made cheaper in the sense that the interference of the courts is minimised and that arbitration and other systems are encouraged. I think civil justice would fare better in the hands of Ministers than in the hands of Government proper. I, therefore, submit for the consideration of the Council that civil justice may be a transferred subject instead of being retained in the hands of the Government as per list I as a reserved subject."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, I beg to second this resolution. Resolution No. 21 of which I have given notice is to the same effect. The whole administration report of civil justice when analysed will show that the main portion of the civil litigation of the province rests on the village courts and the small causes side of the munsifs' and subordinate judges' courts. Original suits are fairly large in number but nothing compared with the others. We have got the appellate jurisdiction of the sub-courts, district courts and the High Court which is the highest court. In this matter of civil justice even the present Government leave the whole thing practically in the hands of the High Court. In fact highest court in the land practically has charge of civil justice. Appointments and transfers of sub-judges upwards are kept with the Government, but even that is only exercised mostly in accordance with the recommendations of the High Court. The contention on this side has always been that as far as possible civil justice might be entirely left in the hands of the High Court. It is not necessary to refer to the recent Public Services Commission's report, because while distinguishing all other features and using considerable force in argument relating to peace,

RESOLUTION RE 'XIX. CIVIL JUSTICE' TO BE A TRANSFERRED SUBJECT. 237

23RD OCTOBER 1918.] (Mr. Rama Ayyangar ; Mr. M. Ramachandra Rao.)

order and good government and also relating to the Police department, so far as civil judiciary is concerned, the Public Service Commission report makes it clear that considerable advance could be made and the charge of civil justice might be left in the hands of Indians, so much so that they would add so many Indian district and sessions judges.

"That being so, this question of civil justice is considerably one in which keen interest is taken and the statistics for the whole of India clearly show that the Madras Province contributes largest number of suits in the whole of India. We have 39,442 cases; the total of all litigation in India is 427,302. The rent suits in Bengal added to other suits come up to that, otherwise Madras stands almost unique. The rent cases in Bengal amount a considerable number; there are a number of summary suits, about 229,000. If that is left out, it is found that Madras has practically the largest number of suits in civil courts. As I say, the small cause jurisdiction of the sub-courts and district munsifs' courts and the village courts and panchayat courts consume three-fourths of the litigation. The masses of the people are intimately connected with this litigation, and it is very proper to constitute courts which will be very near these people. Most of the suits of small cause nature must be disposed of by a Government intimately acquainted with the needs of the people. Recently village panchayat courts have been considerably added to, and Bench Courts Act has also been under consideration; and the practical effect of it will be that if original jurisdiction is exclusively given to these courts up to Rs. 50, considerable relief will be given to the other courts. As regards munsifs' courts, a close examination of the valuation of suits shows that below Rs. 100 and 200 more than 60 per cent of suits are disposed of; they are of that value.

"The more serious litigation is very much less. That portion of it also will very properly be controlled by a representative Government. Greater difficulty arises when we consider the higher courts, the sub-court, the district court and the High Court. It is there as I originally pointed out, my Lord, that Ministers will be quite willing—that has been the aim of this side of the Legislative Council—to be guided absolutely by the advice of the High Court which would be left untrammelled as much as possible. The constitution and composition of the High Court being on an Imperial basis and not affected by this Government, I submit that the proper portion of the Government which should be in charge of civil justice will be the ministerial Government. That Government will be really able to point out the sources of dissatisfaction in the administration of civil justice whether it be in the matter of execution of decrees or in the actual selection of people and other things. They would not interfere with the High Court. Just as the Government do, they will indicate the lines on which improvement might be made in the administration of civil justice and practically the hands of the High Court will be left free. It is very proper that the representative Government should be in charge of it."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU:—"My Lord, this is one group of subjects which may come generally under the category of the departments or subjects relating to the maintenance of law and order. In this report the distinguished authors lay a great deal of stress on the fact that the transferred subjects should be such as require development and should be those in which Indians have shown special aptitude and have exhibited a great deal of interest. But they say also that the departments which deal with maintenance of law and order should be the last that should be entrusted to the popular representatives. My Lord, I do not want to challenge that position, not because it is absolutely sound but because we are anxious to see that these reforms are inaugurated on the assumptions of the authors of the report and we do not wish to do anything so far as it lies in our power or to state anything in this Council which will call into question the fundamental assumptions of the authors of that scheme. They assume that the departments which deal with the maintenance of law and order should not be transferred but only those departments that require development and those in which Indians have distinguished themselves. My Lord, perhaps most of the Honourable Members are aware that nearly one-third of India is under the administration of Native States, and that peace and order have been maintained by those in authority in the Native States and no serious harm or no harm at all has arisen. The Police department and criminal justice are administered by Indians in Native States. Therefore so far as the assumption itself goes, it seems to me that the whole group of departments which comes within this category is already administered for the whole group of departments which comes within this category is already administered elsewhere by Indians. Therefore so far as the assumption itself goes, it seems to me that the facts are against the authors of the report inasmuch as elsewhere these functions have been successfully discharged by Indians under the conditions which prevail in the Native States. Though these are facts myself and several of my Honourable Friends in this Council are perfectly willing to accept the position of the authors of the scheme and in guiding public opinion in a way which will be conducive to the success of reforms. It is for these reasons that the general trend of political opinion in this country has accepted that these departments of law, peace and good government should be excluded from the category of those which should be entrusted to the popular representatives. We do not challenge the fundamental basis of this report that the department of peace and order should be the last to be transferred. We give our adherence to that principle not because in the hands of Indians these departments will not be properly administered—perhaps they will be administered better or at least as efficiently—but merely because we do not want to raise a contention on such an essential matter. It is on that ground that my Honourable Friend's proposition with reference to the group of subjects relating to incitements to crime, seditious meetings and the Press and Arms Acts did not find support; it was not because we had any apprehension but because the authors' fundamental proposition was one which we were not willing to challenge.

(Mr. M. Ramachandra Rao ; Mr. Yaqub Hasan.) [23RD OCTOBER 1918.]

" Having said that, with your Excellency's permission I would say why civil justice should be excluded from this category. It will be within the recollection of most of the Honourable Members that in the evidence which was given before the Public Service Commission only five or six years ago all opinions were unanimous, almost unanimous in pronouncing that if there was one subject or department in which Indians had distinguished themselves to the satisfaction of very eminent authorities both in this country and in England it was in the department of Justice, civil justice especially. Sir Ralph Benson furnished two statements to the Royal Commission which showed that the whole bulk of litigation was disposed of by Indian judges, I mean the whole bulk of civil litigation. Then the Chief Justice also made a statement very complimentary to the Indian Judges. I submit therefore that this one department comes within the category of those departments in which Indians have specially distinguished themselves. We may look at the organization of the department. The High Court has several Indian judges. The sub-judges are Indians and the munsifs are all Indians and there are number of Indian district judges. The Judicial staff is wholly Indian. This is one of the reasons of the recommendations of the Public Services Commission for a wider employment of Indians in the field of civil justice.

" The second point is that the powers of the Local Government in regard to civil justice are very circumscribed. So far as the High Court is concerned, it makes the appointments of district munsifs. Subordinate judges are appointed, I take it on the recommendations of the High Court, by the Government, and the district judges are appointed by the Government. Therefore the powers of the Government in regard to matters relating to civil justice are comparatively very few. Partly it is a question of patronage with reference to appointments above that of district munsifs. Myself and most of the Honourable Members would like to see that these appointments are made by the High Court. Those who are in immediate touch with the administration of justice should select the judges. We would not be averse if this power is immediately transferred to the High Court. There seems to be no question as regards civil justice except that of making the appointments. I know the Local Government have some other powers, they have to approve of the rules made by the High Court, and they have powers under various enactments of issuing rules and generally reviewing the work of the judges and they have various residuary powers which are reserved to them under various enactments both local and imperial. If there is one department where Indians have distinguished themselves it has been admitted that they have done so in this. Where the department is already manned by them and where there is absolutely no doubt that the Government are assisted by the Judges of the High Court in making these appointments and the High Court is in direct charge of the administration of criminal and civil justice, it seems to me that there is no harm, no public injury if this department is placed on the transferred list.

" Therefore I wish to explain this position with reference to the group of departments relating to peace and order. We acquiesce in the fundamental assumption in the report that this should be last department to be transferred. We are quite willing to give our adherence to that principle, not because Indians will be incompetent to discharge these functions or there will be public danger, but because that is the assumption of the authors of the report, and we do not wish to go into the fundamentals now and to challenge the principles of this report in order that there may be no delay in giving effect to this report. This is the one department in which Indians have specially distinguished themselves and this comes within the principles which the authors of the report have laid down for the guidance of the committee. Therefore, I wholeheartedly support the resolution. I trust the Honourable Members also quite appreciate our readiness to fall in with the view of the authors of the report, while making recommendations such as this, contained in this resolution."

The Hon'ble YAQUB HASAN SAHIB Bahadur :—" My Lord, I am opposed to this resolution. I would leave civil justice as a reserved subject, not because I have any misgivings about its proper administration by Indians, but I would leave it as a reserved department because some departments have to be left as reserved subjects. The National Congress in its special session resolved that only three departments should be reserved, Law, Police and Justice, and all the other departments should be transferred. Congressmen in loyalty to the Congress should be consistent. I was opposed to any of the three departments being reserved because it implied that there was something about these departments which necessitate their continuing to be administered by the Executive Council and there would be some danger if they were transferred. That inference must follow if you reserve one portion to the Council. That was not the idea of the framers of the resolution nor the idea of the members who supported it. I would have said: 'If you want to leave three departments as reserved departments, tell the Government here is the list, select any three departments; it is immaterial what departments you take as long as you confine yourself to three.' That would have been much better than leaving any specific departments as reserved and transferring the others to the transferred list. But in regard to any system of diarchy the question of division of subjects comes in. We do not care for diarchy, but that is the only solution that is found for the gradual transfer of responsibility to popular control. Therefore some departments have to be kept as reserved and some transferred to the Ministers. Amongst those that are to be reserved, according to the Congress resolution I would leave Law and Justice and Police during the transitory period. For that reason I would oppose this resolution and not for any other reason. The first resolution on the agenda of this Council was in fact the resolution of the Congress, but Your Excellency has not allowed that to be moved because it looked like an omnibus resolution. If you take one department after another and transfer it, the

23RD OCTOBER 1918.] (Mr. Yaqub Hasan ; Mr. M. Ramachandra Rao ; Mr. A. S. Krishna Rao.)

cumulative effect of that will be that almost all the departments will be transferred, because with regard to each subject you are quite ready to ask that it should be transferred and you can give very good reasons for doing so. I myself agree with all that has been said by the Hon'ble Mr. Ramachandra Rao in support of transferring civil justice, but at the same time some departments should be left as reserved; and what would you leave after your deliberations are over? If the result of your deliberations be that all the departments should be transferred, you are going against the spirit of their deliberations and discussions should be this, that we should leave a fair number of departments to the Executive Council and transfer a good number of departments to the control of the ministers. As I said in my very first speech, I would personally like these two Governments to have equal powers equally balanced between them and one should not be heavier than the other. On that principle alone I oppose this resolution."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—" My Lord, I should like to make a personal explanation with reference to the observation of the Hon'ble Mr. Yaqub Hasan. I should only point out we are not transferring the departments, we are making proposals and stating the case as to which particular departments might with advantage be transferred and why. It may be that after the reshuffling that has to be done by the committee some departments may be transferred and some may not. It has been suggested that a wrong set of departments has been proposed for transfer. I do not know what subjects would be eventually transferred. It may be that the committee may decide to transfer some that are on the list and also some which are not on the list. We simply state the case for the transfer of civil justice on the principles laid down in the report. I am as conscious as the Honourable Member himself as to what we have done elsewhere."

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—" I appreciate the attitude taken by the Hon'ble Mr. Yaqub Hasan. There is something to be said in favour of the position he has taken. He has stated clearly that there can be no objection to transferring the department of civil justice but his position is that in so far as we proceed upon the assumption of the devolution of responsibility only in respect of certain subjects and in so far as three departments Law, Justice and Police were agreed to be reserved even at the last session of the Congress, why not confine ourselves to that position? Why should we distinguish between criminal and civil justice? Why should there be an exception created in respect of civil justice? That is his position. In the first place, we are handicapped in not knowing what the attitude of the Government is likely to be or that of the members of the committee. If there is a fair indication of the support which they are likely to give regarding the transfer of various subjects which have been recommended by non-official members, it will no doubt be necessary for them to pause for a while and see whether they cannot stop with the list already transferred and to pause for a while and see whether they cannot stop with the list already transferred and to pause for a while and see whether they cannot stop with the list already transferred and to pause for a while and see whether they cannot stop with the list already transferred. Not whether they cannot desist from asking for the transfer of the department of civil justice. Not knowing exactly how the members of Your Excellency's Government would in the first instance deal with the various recommendations which have been made by the non-official members of the Council regarding the transfer of the various departments, it is necessary for us to consider each subject on its merits independently of other considerations. We all accept the principle that there should be some subjects reserved and some transferred. If we proceed without an adequate conception of the nature of the subjects, we will probably come to wrong conclusions."

" I am not able to follow the Hon'ble Mr. Ramachandra Rao when he stated that civil justice is one of the subjects which has a bearing on the subject of maintenance of law and order, but which he would like to see excluded because Indians have distinguished themselves in the department of civil justice even according to the report of the Public Services Commission. The authors of the report have made it fairly clear in the illustrative list; we need not have any apprehension that the department of Civil Justice is likely to be brought in under the description 'maintenance of law and order.' It is better to have a clear conception with regard to that. As to maintenance of law and order there has been a fair consensus of opinion in this country that they may, for the time being, during the transitional period, be reserved. But Illustrative List No. I classifies those subjects: and we may take it that the authors of the report paid some consideration to it. Under the head 'maintenance of law and order,' you find the following subjects referred to: (i) administration of criminal justice including village courts, (ii) police, including railway police, (iii) prisons, (iv) criminal tribes, (v) working of particular Acts, e.g., incitements to crime, seditious meetings, infanticide, press, arms, European vagrancy, (vi) poisons, (vii) gambling, (viii) dramatic performances and cinematographs, (ix) coroners. These are the subjects dealt with under the head 'maintenance of law and order.' So far as civil justice is concerned, it is dealt with as a separate subject in clause (xv) and it includes 'administration, including village courts, legal practitioners, law reports, local Acts and interpretation of local Acts.' According to Illustrative List II, village courts—civil and criminal—are transferred subjects. Therefore, it is clear that we need not be under the impression that civil justice will be brought under the head 'maintenance of law and order.'

" That being so, is there any reason for excluding civil justice from the control of ministers? I do not think any argument can be advanced for the retention of it in the hands of the Executive Council. There may be only one argument. It may be stated that it is somewhat difficult to differentiate between civil justice and criminal justice, that the agency by which civil justice and criminal justice are being administered is one and the same, and that it would result in some complication. But it is only when we come to the District and Sessions Judges

240 RESOLUTION RE 'XIX. CIVIL JUSTICE' TO BE A TRANSFERRED SUBJECT.

(Mr. A. S. Krishna Rao; Mr. Siva Rao; [23RD OCTOBER 1918.
Mr. Venkatapati Raju.]

that is there a duplication of functions as regards civil justice and criminal justice? So far as Subordinate Judges are concerned as also the machinery below that, they deal only with civil justice. So far as the magistrates are concerned, they deal with criminal justice. It is only when we come to District Judges that we find a combination of functions. If we accept the principle that it is desirable to hand over this department to ministers, there is no difficulty in separating the two functions. Even independently of that, I am one of those who would suggest that this combination may be removed as early as possible. I think we are all agreed that the method by which civil courts exercise civil functions is satisfactory, and that it satisfies the litigants more than anything else. If it is possible to separate the functions—it would not be very costly to appoint separate officers to exercise criminal functions and separate officers to deal with civil justice, it would lead to a better state of things and improve the efficiency. In support of this position I would only recall the attention of Honourable Members who are well conversant with the administration of law to the fact that this combination of functions, namely, the trial of sessions cases and the trial and disposal of civil cases, leads to difficulties in the administration of justice. Therefore this objection is not an insuperable one in the way of accepting this resolution."

The Hon'ble Mr. P. SIVA RAO :—" I wish to say a few words in support of this resolution. I have tried to follow the reasoning of the Hon'ble Mr. Yaqub Hasan, but I have to say with regret that I cannot understand it nor can I appreciate the arguments advanced by him. He starts by saying that the basis of the proposed scheme of the illustrious authors is that there should be some differentiation, a diarchy, and some division of functions between the two heads reserved and transferred. He asks 'if we take away one by one all the departments from the reserved list, what will be left reserved in the hands of the Executive Government or Council? That is not the principle on which these matters should be decided. The right principles which ought to guide us in classifying the subjects will be those laid down by the illustrious framers in paragraph 238. Applying those principles to the resolution in question, civil justice should be classified as a transferred subject. One of the principles laid down here is 'those in which Indians have shown themselves to be keenly interested'; in other words, those in which Indians have distinguished themselves. This is one of those subjects in which Indians have not merely shown keen interest but have distinguished themselves. It is enough to quote in this connexion the unanimous testimony of the witnesses who were examined by the Public Service Commission which has been referred to by the Hon'ble Mr. Ramachandra Rao. There is also another test laid down, viz., 'those in which mistakes which may occur though serious would not be irremediable.' This is also a department in which mistakes even if they occur will not be irremediable. It fulfills all the tests for being classified as a transferred subject. The Hon'ble Mr. Yaqub Hasan asks what should be reserved subjects according to us. The framers of the report themselves throw some light. They say that law and order should not be transferred in the first instance. The illustrious authors have taken care to classify under law and order: criminal justice, police, and other connected subjects, and they have taken care to exclude civil justice. In another connexion they also say that the basic obligation of the Provincial Government is to secure law and order. In a matter like this we may agree that law and order should form the last subject that should be transferred to ministers."

"One other consideration which arises is, which is the agency which is at present administering civil justice. I can unhesitatingly say that civil justice is mostly in the hands of Indians, and absolutely no harm can be done by transferring it to popular control. I may say that it is a standing cry in this country that the court-fee charged on plaints and documents filed in court in the mufassal is prohibitive and the Judicial department is making too much profit out of this concern and it is a question whether these fees should not be reduced. Then as regards the provincial judicial departments, the question is whether their prospects should not be improved. Which is the agency which is most 'suitable' to deal with the administration of civil justice? I need only refer to the evidence which Sir Ralph Benson gave before the Public Services Commission. It is: 'to put the matter shortly, so far as the decision of civil cases, original or appellate, that is so far as purely judicial work is concerned, it could be done quite satisfactorily by 'Natives of India' of proved merit and capacity and character though not members of the Indian Civil Service."

"It should be clearly realized that by far the greater part of the work is in the hands of Indians, and the proportion in their hands is steadily and rapidly increasing under the existing system."

"There is again the question of village panchayats which is part of the administration of civil justice and which should be left in the hands of popular representatives. Village panchayats and arbitration courts ought to be at once placed in the hands of the popular representatives."

The Hon'ble Mr. B. VENKATAPATI RAJU :—" Your Excellency, I regret I have to rise to oppose this resolution moved by my honourable friend. The question is not whether we are capable of managing this department or that. So far as Indians are concerned, they are capable of administering every department not only provincial but imperial as well. The only question is whether we should accept the division suggested by the illustrious authors. They want some subjects to be reserved, whatever subjects we can possibly say that they can take up. We say law, justice and police can be taken, because the authors are anxious to have them. Therefore let us give law, justice and order. If you say there should be no division, I am in

RESOLUTIONS RE 'XIX. CIVIL JUSTICE' TO BE A TRANSFERRED SUBJECT AND QUESTIONS RELATING TO BUSINESS CONCERNS TO BE 'TRANSFERRED.' 241

23RD OCTOBER 1918.] (Mr. Venkatapati Raju; Mr. Narasimha Ayyar; the President; Mr. Chidambaranatha Mudaliyar; Mr. Suryanarayana Rao; Mr. Yaqub Hasan.)

favour of it; but when we agree to division I do not agree with the position taken by the Hon'ble Mr. Ramachandra Rao, that we agree to their proposition but we want this amendment as regards civil justice. What is it that we can do in the matter of civil justice which we cannot do in the matter of criminal justice? Both departments are worked by Indians. What is the reason that prompted our friends not to rise to second the resolution under police? The only point here is the appointment of Sub-Judges. There is already a complaint that it is mostly manned by lawyers and lawyers are interested. We do not care for the patronage of appointments of District Munsifs and Sub-Judges. The Hon'ble Mr. Ramachandra Rao said not only the appointment of Magistrates but of Judges should be transferred to the High Court. When we want to give law, justice and order to Government, let us do it ungrudgingly."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" What seems to be the underlying idea of Honourable Members is this: I do not think there is any difference of opinion. All are agreed that the popular government can control and take over this subject and on that question there is no difference of opinion. The Congress resolution which was quoted by the Hon'ble Mr. Yaqub Hasan and to which he and others including myself have been parties distinctly stated that civil justice can be part of the work of ministers. Against my own name there is a resolution that law, justice and police should be transferred subjects. I say they are subjects which could possibly be transferred. We have the terms of reference to the Franchise Committee and the Subjects Committee. They are asked to consider what should be first transferred and what should be ultimately transferred. Ultimately all subjects should be transferred. As a first step we say civil justice should be transferred. On that there is a good deal of agreement. If we have some assurance, we may be able to tell the Committee that in our opinion if the subjects that we mention are going to be transferred we will be willing to leave the others as reserved subjects. But as stated by the Hon'ble Mr. Ramachandra Rao there is no such guarantee that all the subjects that we ask should be transferred will be given to us. Therefore this subject of civil justice should be a make-way. The question is how the opinion of the Council is to be taken. The question is whether as a first step this is to go in. We ought not to act on the supposition that the other subjects recommended for transfer are agreed to. Civil justice is a subject fit to be transferred much more fit than other subjects suggested by us for transfer."

His Excellency the PRESIDENT :—" The Honourable gentleman offers an ingenious interpretation but I am obliged to stick to plain English in presiding over this meeting. I must put the resolution according to the wording."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR :—" Your Excellency I wish to explain my attitude towards this resolution before the Council vote on it. As a practical body of people I think the Council would be well advised in adopting the attitude suggested by the Hon'ble Mr. Yaqub Hasan. I will also add that there must be a complete separation of judicial and executive functions before the department of justice is placed entirely in charge of the Executive Council. With that restriction I support the attitude of opposition to the motion."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" The resolution might be withdrawn."

The Hon'ble Mr. A. SURYANARAYANA RAO :—" As there is a difference of opinion the resolution may be put to the vote."

The resolution was put and lost.

The Hon'ble Mr. B. V. Narasimha Ayyar demanded a division which was taken with the result that seven voted for and ten against the resolution. The following was the division :—

For		Against	
The Hon'ble Rao Bahadur V. K. Ramanuja Achariyar.		The Hon'ble Sir Gordon Fraser.	
" " M. Ramachandra Rao.		" the Most Rev. Archbishop Aalen.	
" " Mr. P. Siva Rao.		" Sir Francis Spring.	
" " K. Rama Ayyangar.		" Sir Fairless Barber.	
" " A. Suryanarayana Rao.		" Mr. K. Chidambaranatha Mudaliyar.	
" " A. S. Krishna Rao.		" Mr. B. Venkatapati Raju.	
" " B. V. Narasimha Ayyar.		" Mr. G. Pittendrih.	
		" Mr. T. Richmond.	
		" Mr. Yaqub Hasan.	
		" Mr. A. T. G. M. Ahmad Tambi Marakkayar.	

RESOLUTION RE QUESTIONS RELATING TO BUSINESS CONCERNS TO BE 'TRANSFERRED.'

The Hon'ble Yaqub Hasan Sahib Bahadur :—" Will your Excellency take up No. IX*?"

His Excellency the PRESIDENT :—" If the Council will allow, I have no objection. (The members said that the resolution No. IX* might be taken up.) We will now take up resolution No. IX* and next to that we will take up the resolution in regard to railways."

**242 RESOLUTION RE QUESTIONS RELATING TO BUSINESS CONCERNS
TO BE 'TRANSFERRED.'**

(Mr. Yaqub Hasan; Sir Gordon Fraser.) [23RD OCTOBER 1918.]

The Hon'ble Yaqub Hasan Sahib Bahadur:—"The resolution which I have to move is in these terms:—

'IX. The non-official members of this Council recommend that in addition to the list of subjects mentioned in the Illustrative List II of Appendix II of the Report on Constitutional Reforms, questions relating to business concerns (item No. 21 of list No. I of the same appendix) should be transferred to the control of ministers.'

"This is subject No. 21 'business concerns, banks, insurance and other companies' in Illustrative List No. I; in the remarks column it is stated 'Power of legislation to remain with the Government of India. Provinces to have such administrative powers as Government of India may permit.' Even as a subject of provincial concern some restrictions have been laid down. My resolution, if it is carried, will be subject to these restrictions so far as the orders of the Government of India are concerned. In regard to the preceding subject No. 20, 'co-operative credit' which is on the transferred list, a similar remark has been made 'The power of legislation normally to remain with the Government of India, though amendments to the principal Acts might be permissible to the provinces. Administration to be provincial.' Even in business concerns the administration will be provincial. I can quite understand why this limitation has been put here. It is a broad question which affects the entire country at large just as the question of industrial matters affects the whole country. In my opinion, these matters, business concerns and banks and commerce are related so much with industrial matters that they cannot be separated but must go together. If there was no diarchy these two departments would have been in one hand, industries as well as banking and commercial matters. There are many port-folios and they are at present divided amongst four persons. Under the new system there will be two members of the Council and two ministers and all the port-folios will be divided amongst them in similar manner. These subjects should go into one hand as it would have been the case if there was no diarchy. If industrial matters are to be a transferred subject and if banking and commerce are reserved subjects, I anticipate great difficulty and so I move that this should be a transferred subject.

"My other reason for suggesting it is this. This is a great and vital matter. In support of my proposal I need only quote the Report itself. The authors of the Report have admitted that 'On all grounds a forward policy in industrial development is urgently called for, not merely to give India economic stability, but in order to satisfy the aspirations of her people who desire to see her stand before the world as a well-poised up-to-date country'."

The Hon'ble Sir Gordon Fraser:—"May I know what paragraph you are quoting?"

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Paragraph 236. Later on they say that in order to attain this end more attention should be paid to industrial and fiscal questions than is possible under the present system of Government. It is therefore naturally desired that these subjects should be placed under the Indian element in the Executive Government and not under the Executive Council. The authors of the report have grasped the situation thoroughly and have perfectly well stated the feelings of the Indians in this matter, and I cannot better support my resolution than by quoting the authors themselves. The question of capital comes under this head, because no industries can get on without investment of capital. There can be no investments of capital unless the control of all the money matters and banks is placed in the same hands as that of industrial matters. Regarding capital the authors of the Report say: 'We have been assured that Indian capital will be forthcoming once it is realized that it can be invested with security and profit in India; a purpose that will be furthered by the provision of increased facilities for banking and credit.' They have thus treated industrial matters and banking and credit together. That is one reason why I want them to remain together. Again they say 'conditions are ripe for the development of new and for the revival of old industries on European lines; and the real enthusiasm for industries, which is not confined to the ambitions of a few individuals but rests on the general desire to see Indian capital and labour applied jointly to the good of the country, seems to us of the happiest augury.' Again, they say speaking of particular industries 'the old metallurgical and chemical industries of the country, which have fallen even more completely into decay through the importation of foreign articles, also offer opportunity for profitable investment on a large scale if conducted on modern lines.' So all along it will be noticed that there is a general desire on the part of Indians to take their proper share in the matter, both fiscal and industrial. There will be great disappointment if they are not given a free hand in this matter.

"Speaking of capital, of course, we have certain difficulties to get over in so far as Indian capital is not flowing into industries as much as we desire to have it. There are good reasons offered and those reasons have been taken note of by the authors of the report. One of these reasons is that there is no certainty of success owing to the indifference of Government towards it. The authors of the Report say: 'We do not know whether he—that is the Indian politician and industrialist—pauses to reflect that these industries will be largely financed by foreign capital attracted by the tariff, although we have evidence that he has not learnt to appreciate the advantages of foreign capital.' I do not agree that we have not learnt to appreciate the advantages of foreign capital. We do know that the industrial development

**RESOLUTION RE QUESTIONS RELATING TO BUSINESS CONCERNS 242
TO BE 'TRANSFERRED'.**

23RD OCTOBER 1918.]

(Mr. Yaqub Hasan; Mr. A. S. Krishna Rao;
Sir Gordon Fraser.)

of India is to a very large extent due to foreign capital invested here through the British merchants and industrialists. It is not true that we do not appreciate it. We do appreciate it. 'But whatever economic fallacy,' the authors say, 'underlies his reasoning, these are his firm beliefs; and though he may be willing to concede the possibility that he is wrong, he will not readily concede that it is our business to decide the matter for him.' That is to say, it is not the business of the present form of Government to decide the matter for him. They say: 'He believes that as long as we continue to decide for him, we shall decide in the interests of England and not according to his wishes; and he points to the debate in the House of Commons on the differentiation of the cotton excise in support of his contention.' There they give what exactly we feel in this matter. Whatever the Executive Government may decide, it would not carry the same conviction in the minds of Indians as it would do if the same thing came from the minister; because England itself is a large industrial country, it is the pioneer of industries, we look to England for guidance and for help in all these matters, but at the same time it will not be human if the people of England do not look to their interests first and then to our interests. That is only natural and when I ask for this department to be placed under Ministers, I am only echoing the feelings of a very large number of people in this country. They feel that this is just the time when there should be a revival of industry and commerce and Indians should take their part in it and they should receive all the encouragement that will be possible for the Government to give. This Report wants the Government to give that encouragement.

"The British people who have put in so much money in these industries and, as they say, have so much stake in the country need not be afraid that it will injure their interests in any way. I will only echo what the authors of the Report want us to see in practice. They say: 'No less is it the duty of Indian politicians to respect the expectations which have been implicitly held out; to remember how India has profited by commercial development which only British capital and enterprise achieved; to bethink themselves that though the capital invested in private enterprises was not borrowed under any assurance that the existing form of Government would endure, yet the favourable terms on which money was obtained for India's development were undoubtedly affected by the fact of British rule; and to abstain from advocating differential treatment aimed not so much at promoting Indian as at injuring British commerce.' What the authors of the Report advise us to do I can tell them we are prepared to do, whatever our attitude may be against the importation of foreign goods, and whatever obstacle we may put against the importation of those goods. For example what has Australia done in the matter of tanned skins and hides? A great prohibitive tariff has been imposed against tanned skins and hides. Our tanned skins go to Japan and America but they are prohibited in Australia. We might have a tariff against some Colonies in order to protect our own industries as Australia has done to protect its tanning industry. Whatever we may do to limit the importation of foreign goods and to protect our own industries there will not be any obstacle between race and race in India itself. English and Indians will compete amongst themselves on an equal basis. The disabilities which South Africa has placed against Indian merchants will not be introduced in India, at any rate they will not be introduced during the course of the transitory period. They will surely not be introduced after full responsible government is restored even though we will continue to be handicapped by the British people. There is no denying the fact that the English people have had training as merchants for a number of centuries, they have organizing power, they are very enterprising and they are bolder than ourselves. All these qualities which they possess will give them an advantage, but we will take our own chance and compete with them and we do not propose that any artificial restriction should be placed in India itself between race and race simply on racial grounds. That being the case, I do not see why foreign capital, British capital, should not continue to be attracted to India even after the subject is transferred to the control of the Indian element in the Government. The authors of the Report anticipate—they themselves say—that if Indians think foreign capital will not be attracted they are mistaken. The very tariffs that we may impose will attract foreign capital to the protected industries. Many foreigners will think of going to India and start manufactories here that would pay them. It will bring more capital and I am quite sure that Indian capital would be handicapped in that way. But that is not a matter to be discussed now. We Indians are quite alive to the fact that, unless we ourselves are enterprising enough and train ourselves for all the industrial development, we cannot depend upon any artificial props for giving us the prosperity, commercial and industrial prosperity, that we desire. I therefore propose that this department be transferred just as the industries department is proposed to be transferred."

The Hon'ble Mr. A. S. KRISHNA RAO seconded the resolution.

At this stage the Council adjourned for a short interval.

The Council re-assembled at 3 p.m.

The Hon'ble Sir Gordon Fraser:—"I wish to say a few words on the resolution before the Council. I warn the Council against supporting this resolution. I do not propose to discuss the relative merits of having the subjects of banking and insurance companies under the Ministers or the Governor in Council. But I warn the members that even at the present moment capital is getting shy in coming to India. There is a tendency more the other way."

**RESOLUTION RE QUESTIONS RELATING TO BUSINESS
CONCERNS TO BE 'TRANSFERRED'**

(Sir Gordon Fraser; Mr. Ramachandra Rao;
the President; Mr. Yaqub Hasan.)

[23RD OCTOBER 1918.]

There is a tendency to realize and remit money to England for investment there and I would strongly advise the Honourable Members of this Council not to accept anything which would accentuate this feeling.

"I oppose the resolution also because I do not consider that past and present experience justifies the transfer of these subjects of banking and insurance companies to Ministers. The Honourable Mover of the resolution quoted in support of his contention from paragraph 336 and added that the authors of the report had so thoroughly grasped the situation that he could not do better than quote them in support of his arguments. I think that these were his words. I am also in the same position. I cannot do better than quote paragraph 336 in support of the arguments that I advance against the transfer. If you refer to paragraph 336 you will find that it opens by saying:—'The ineffective attempt to boycott British goods and the losses and disappointments occasioned by the failures of indigenous enterprises, started with high hopes and inspiring motives, were followed by the more serious failures of Indian banks in the Punjab and Bombay. Side by side with this went on the steady progress of enterprises under British control and a marked expansion of foreign trade. We feel no surprise that there remained a feeling of bitterness among the advanced party. But the moral of these disastrous adventures is one for all parties to read. The people have recognized their inability to carry out their own programme without the help and guidance of Government: and they confine themselves for the most part to pressing their claims for state assistance and for a policy of tariff discrimination against foreign imports.' Referring to the other paragraph quoted, namely 338, the distinguished writers of the report state in that paragraph that India's capital has not been generally available:—'In the past and partly as a result of recent Swadeshi experiences, India's capital has not generally been readily available; among some communities at least there is apparent distaste for practical training, and a comparative weakness of mutual trust.' I do not quote these passages from the report in any spirit of antagonism but only to put this point forward in the nature of a warning. We are entirely dependent upon foreign capital for almost all our enterprises. If I should start an enterprise I am entirely dependent on outside capital, not on Indian capital. I would therefore strongly advise the Indian members of the Council to accept this position and allow the question of business control to remain as a reserved subject. Later on conditions may change, but at first I should think that it would be a false move to accentuate the present feeling which some non-official members who are not businessmen do not realize the existence of. But this feeling does exist; and to accentuate it under the present conditions would, I think, be a very unsound policy."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—I have been in some difficult position to understand the attitude taken up by the Honourable Mover and the Hon'ble Sir Gordon Fraser. As regards the particular subjects of insurance companies, banking concerns and other companies the remarks against that particular item show that the power of legislation would remain with the Government of India."

His Excellency the PRESIDENT:—"The Honourable Mover has said that he does not propose to interfere with the power of legislation."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"That being eliminated what power do the Provincial Governments have? A further remark is made that the provinces ought to exercise such powers as the Government of India may permit. It seems to me, my Lord, that we are not in a position to appreciate what it is we are being asked to accept—whether it should be a provincial subject or a transferred subject. That is my difficulty. It seems to me that all these considerations of capital coming into this country or staying outside, according as it is a reserved subject or a transferred subject seem to me academic with great deference to my Honourable Colleagues who have spoken on the subject. That is my difficulty in recording my vote on this resolution."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Your Excellency, as pointed out by the Hon'ble Mr. Ramachandra Rao there is very little in this line that is being transferred by the Government of India to the Provincial Government. It is mentioned in the remarks column that the power of legislation will remain with the Government of India and in the matter of administration the provinces will have as much administrative power as the Government of India may permit. So far as the particular subject such as banking, insurance companies and commercial matters are concerned we have very limited power. At first it occurred to me to move that this subject might be made entirely provincial. But I did not move a resolution to that effect. I want this subject to be transferred even with the limitations imposed."

"As to the remarks made by the Hon'ble Sir Gordon Fraser I, as a merchant, would be reluctant to suggest any steps that would constitute a false move and that would drive away capital from India. I do not want capital to be driven away. I do not see how by the mere fact that one little subject is to be placed in the hands of Ministers instead of in the hands of the Executive Council will create widespread feeling of insecurity that will prevent capital from going into India. I am not at all afraid of that. In fact, capital did come to India even when the British had nothing to do with the governance of this country. They came here as merchants in the days of the John Company. They established themselves as traders and through trade they occupied the country. When the British enterprise was so very great and so very strong that it overcame all difficulties then, will it now fight shy as regards capital coming into India, simply because a Minister, instead of the Executive Council,

**RESOLUTIONS RE QUESTIONS RELATING TO BUSINESS CONCERNS 245
TO BE 'TRANSFERRED' AND LAND ACQUISITION TO BE A TRANS-
FERRED SUBJECT**

23RD OCTOBER 1918.]

(Mr. Yaqub Hasan; the President;
Mr. Narasimha Ayyar; Mr. A. S. Krishna Rao;
Sir Alexander Cardew; Mr. Venkatapati Raju.)

is to deal with this subject? If there is any tendency for the capital not to flow into this country there must be other reasons for it. If the remittances are being made Home instead of capital coming into this country, there must be other reasons and not because there is to be a transfer of this department."

"As regards the failure of certain banks some time ago there have been causes for it which I need not enter into here. The Hon'ble Sir Gordon Fraser has quoted the Report against me. I may tell him that the very paragraph that he read says in the opening portion that the Indian capital feels shy and later on the authors of the report say that the Indian capital will come in if people feel confident about the matter. I do not think that the Hon'ble Sir Gordon Fraser has made out his case any the stronger by quoting from the same report that I have quoted from. He has quoted the preliminary remarks which lead to the conclusions which I have quoted. I need not say much about this. As it is, very little is proposed to be given to the Provincial Governments as regards this department. But I want that that little should be in the same hands as the one which deal with industrial matters. I do not think that the departments should be with the Executive Council. With these words I commend the resolution."

The resolution was put and agreed to.

The Hon'ble Sir Gordon Fraser demanded a poll which was taken with the following result:—

For		Against	
The Hon'ble	Mr. K. Rama Ayyangar.	The Hon'ble	Sir Gordon Fraser.
"	Mr. B. Venkatapati Raju.	"	the Most Rev. John Aelen.
"	Yaqub Hasan Sahib Bahadur.	"	the Rev. G. Pittendrigh.
"	Mr. A. S. Krishna Rao.	"	Sir Fairless Barber.
"	Mr. B. V. Narasimha Ayyar.	"	Mr. T. Richmond.
"	Mr. K. Chidambaramatha Mudaliyar.		

His Excellency the PRESIDENT:—"The resolution has been carried six voting for and five against. I should like to ascertain from the Council what resolutions remain to be moved, so that we may measure our business. I leave resolution No. I out of consideration."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I propose to drop resolution No. XXVII† with one word of explanation."

His Excellency the PRESIDENT:—"You must either move it or not."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I think a word of personal explanation may be allowed. We are entitled to ask for the whole, but we only put forward a small item."

His Excellency the PRESIDENT:—"What about resolution No. XXVIII‡?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"It may be dropped."

His Excellency the PRESIDENT:—"What about No. III*?"

The Hon'ble Mr. A. S. KRISHNA RAO:—"I propose to move it."

RESOLUTION RE LAND ACQUISITION TO BE A TRANSFERRED SUBJECT.

His Excellency the PRESIDENT:—"What about resolution No. VI*?"

The Hon'ble Mr. A. S. KRISHNA RAO:—"I propose to move it."

His Excellency the PRESIDENT:—"Does not land acquisition come under land revenue?"

Sir ALEXANDER CARDEW:—"It is dealt with in the Land Revenue Department."

His Excellency the PRESIDENT:—"We have already decided to transfer it, as we have decided the fate of the Land Revenue Department."

The Hon'ble Mr. A. S. KRISHNA RAO:—"That item may be put separately."

His Excellency the PRESIDENT:—"I have no objection. Will you move it?"

The Hon'ble Mr. A. S. KRISHNA RAO:—"I formally move the following resolution:—

"VI. The non-official members of this Council recommend that the subject of 'Land acquisition' should be a transferred subject."

The Hon'ble Mr. B. V. Narasimha Ayyar seconded the resolution.

The resolution was put and agreed to by the non-official members present.

His Excellency the PRESIDENT:—"The whole thing was merely a technical point whether it was under land revenue or not. I now come to resolution No. XIII*. I do not think the Honourable Gentleman wished to move it."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"No."

His Excellency the PRESIDENT:—"What about resolution No. XIV†?"

* See page 256 infra.

† See page 257 infra.

‡ See page 258 infra.

246 RESOLUTIONS RE LAND ACQUISITION TO BE A TRANSFERRED SUBJECT; AGRICULTURE TO BE A TRANSFERRED SUBJECT AND SUBJECTS IN LIST OF APPENDIX II TRANSFERRED.

(Mr. Venkatapati Raju; the President; the Raja of Ramnad; Mr. Siva Rao; Mr. Ramanuja Achariyar; Mr. Ramachandra Rao; Mr. Narasimha Ayyar; Mr. Rama Ayyangar.) [23RD OCTOBER 1918.]

The Hon'ble Mr. B. VENKATAPATI RAJU:—"No."

His Excellency the PRESIDENT:—"We come to resolution No. XVI†. Does the Hon'ble the Raja of Ramnad wish to move it?"

The Hon'ble the RAJA OF RAMNAD:—"Yes."

His Excellency the PRESIDENT:—"Then that remains to be taken up. We come to resolution No. XXX. I do not think the Hon'ble Mr. Siva Rao wishes to move it."

The Hon'ble Mr. P. SIVA RAO:—"No."

His Excellency the PRESIDENT:—"Then there is resolution No. XXXIII‡. Do you wish to move it?"

The Hon'ble Mr. P. SIVA RAO:—"Yes."

His Excellency the PRESIDENT:—"Now we come to XXXVI‡, XXXVII‡ and XXXVIII‡. I have no instructions from the Hon'ble Mr. Sadasiva Bhat about these resolutions. I propose to let them drop."

RESOLUTION RE AGRICULTURE TO BE TRANSFERRED SUBJECT.

The Hon'ble Mr. V. K. RAMANUJA ACHARIYAR:—"What about resolution No. XXXIV?"

His Excellency the PRESIDENT:—"It has been taken up."

The Hon'ble Mr. V. K. RAMANUJA ACHARIYAR:—"That refers to agriculture?"

His Excellency the PRESIDENT:—"Does not that go with land revenue; if not will the Honourable Gentleman move it formally? We will take a vote."

The Hon'ble Mr. V. K. RAMANUJA ACHARIYAR:—"I beg to move—"

XXXIV (part.) 'The non-official members of this Council recommend that Agriculture—the whole—be included in the transferred list.'"

The Hon'ble Mr. B. Venkatapati Raju: seconded the resolution.

The resolution was put and agreed to by the non-official members present.

His Excellency the PRESIDENT:—"That takes us to resolutions XXXVI‡ and XXXVII‡. The Hon'ble Mr. Ahmad Tambi Marakkayar is not present here. But we shall ask him later on about it. I have seen him here to-day. That leaves us with resolutions Nos. III*, XVI† and XXXIII‡. This disposes of the printed agenda paper."

RESOLUTION RE SUBJECTS IN LIST II OF APPENDIX II TO BE TRANSFERRED.

The Hon'ble Mr. M. RAMACHANDRA RAO:—"May I have a word on the first part of resolution No. X*."

His Excellency the PRESIDENT:—"You would like to have a decision on the point."

The Hon'ble Mr. M. RAMACHANDRA RAO:—"Yes. I beg to move the first part of resolution No. X*, which is as follows:—"

X (first part.) 'The non-official members of this Council recommend that in the opinion of this Council the portfolios relating to the subjects mentioned in illustrative list II of Appendix II (printed at page 177 of the Report on Constitutional Reforms) should be immediately committed to the control of ministers as suggested in paragraphs 218 and 219 of the report.'"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I beg to second the resolution."

The resolution was put and agreed to by the non-official members present.

The Hon'ble Mr. K. RAMA AYYANGAR:—"I should like to move the first portion of resolution No. XXIV† regarding the police employed in detective duties, i.e., the village police."

His Excellency the PRESIDENT:—"That resolution does not include the village police. We cannot put it now."

The Hon'ble Mr. K. RAMA AYYANGAR:—"The reports of the village police are the basis of all police actions. If Your Excellency rules me out of order it is all right. But I want the point to be recorded."

His Excellency the PRESIDENT:—"That leaves us with resolutions III*, XVI† and XXXIII‡. I want now to proceed to the supplementary agenda paper § before us. This includes all the resolutions which were not placed on the printed agenda paper on the special ground that they referred to matters relating to the subjects mentioned in the Illustrative List No. 1. The first is a motion in the name of the Hon'ble Mr. A. S. Krishna Rao asking that

* See page 256 infra.

† See page 267 infra.

‡ See page 258 infra.

§ See page 269 infra.

RESOLUTIONS RE SUBJECTS IN LIST II OF APPENDIX II TO BE TRANSFERRED AND CONTROL AND ADMINISTRATION OF RAILWAYS.

23RD OCTOBER 1918.] (The President; Mr. M. Ramachandra Rao.)

the Provincial Governments should be given a free hand. But I do not think that this is a specific resolution. The resolution is not worded sufficiently definitely to claim a place on the order paper. Next comes the resolution of the Hon'ble Mr. Rama Ayyangar regarding the administration and control of railways, and also one in the name of the Hon'ble Rao Bahadur M. Ramachandra Rao dealing with railways. I think that the better resolution is in the name of the Hon'ble Mr. M. Ramachandra Rao. It is clearer and more definite. I therefore propose to take it up first, i.e., the resolution No. IV on the list*. Then there remains the question of Income-tax. I would suggest that it is not worth while to discuss the resolution on Income-tax. That is an Imperial subject and I would suggest that it should be left alone. The only resolution therefore that I wish to take up in the supplemental list is the resolution in the name of the Hon'ble Mr. M. Ramachandra Rao. That leaves us with one resolution in the supplemental list and three on the printed agenda paper."

RESOLUTION RE CONTROL AND ADMINISTRATION OF RAILWAYS.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"I beg to move

'IV (supplemental). The non-official members of this Council recommend that the control and administration of railways in a province should, subject to such general control of Governor-General in Council as may be decided upon, be a Provincial subject and should be included in Illustrative List No. I of Appendix II of the Report on Constitutional Reforms.'

"Honourable Members would have noticed that according to the scheme of this report there are two lists which have been appended to the report illustrative of the subjects proposed to be transferred, one to the Provincial Governments, the second list suggesting the departments which in the opinion of the distinguished authors of the report may be immediately transferred to the control of the Ministers. They proceed to state in paragraph 238 of the report that these lists are provisional and should be discussed in the Legislative Council. So, my Lord, it is open to us to suggest both inclusions and exclusions in regard to either list. I propose to suggest that, subject to the control of the Imperial Government, the railways should be placed in the list of provincial subjects.

"The whole subject of railway administration has exercised the public mind for a good length of time; but what I propose to say is not to assert any right on behalf of the Provincial Government, independently of the general control over railway administration by the Government of India. It has been stated more than once in this Council that, owing to want of powers on the part of Provincial Governments, the railway administrations are not amenable to Provincial Governments in any matter affecting the convenience of the travelling public and in the rectification of the numerous complaints in regard to passenger traffic and goods traffic and generally in regard to matters which promote public convenience and safety. The whole subject of control over railway administrations has been discussed in this Council more than once. In April 1916 I gave notice of a resolution in these terms:—

"XIII. This Council recommends to the Governor in Council that a representation should be made to the Government of India that the powers of the Local Government should be enlarged in regard to the control, the administration and construction of railways in this Presidency, more especially

(a) by the reconstitution of the Railway Secretariat of the Government or by providing the Government in some other manner with an expert adviser in railway matters;

(b) by empowering the Local Government to deal with all complaints from the travelling public against the railway administrations in this province and to issue such instructions to them as the Government may think it necessary to remove such complaints, and generally to exercise the same control in railway matters as before the abolition of the Railway Secretariat; and

(c) by giving a free hand to the Local Government in the development and construction of district board railways."

"The last point really covers the two resolutions of which notice has been given by my two Honourable friends Mr. A. S. Krishna Rao and Mr. K. Rama Ayyangar. Now, my Lord, the whole question is whether the administration of railways should be centred in the Government of India and in the Railway Board. There is a volume of literature on the subject such as that which appeared in the press from time to time—that this centralization of control has been detrimental to public interests and people have been complaining that the Local Government have been absolutely powerless as against the railway administrations and their boards either here or at Home to compel them to do their duty by the travelling public. At the time I moved this resolution I brought to the notice of the Honourable Members that the present powers of the Local Government were very little—the present powers of delegation under the Indian Railway Act. I went into the question of the unsympathetic attitude sometimes assumed by the railway administrations in regard to the construction of district board railways in which not only your Excellency's Government but every district board is interested. I also brought to the notice of this Council various matters connected with railway travelling during the last several years by means of interpellation and resolutions—matters connected with overcrowding of trains, the situation of platforms and waiting rooms, the question of level-crossings and

* See page 259 infra.

(Mr. M. Ramachandra Rao; Mr. Venkatapati Raju; [23RD OCTOBER 1918.
Mr. Rama Ayyangar; the President; Sir Francis
Spring; Mr. Gillman.]

various other questions in which the Local Government with their local knowledge and influence should be in a position to exercise a healthy control over the Railway Board and the Railway administrations. Facilities for making the local knowledge useful are not afforded under the existing scheme. I pointed out that the position of the Local Government ought to be improved and that they should have certain administrative powers. If the Local Government had powers, they could bring pressure to bear upon local railway administrations to serve the public much better than they are doing. I also brought to the notice of your Excellency's Government that in the construction of district board railways the Local Government were handicapped in pressing schemes of certain district board railways, because matters have practically to be settled by the Railway Boards and not by the Local Government. I need not repeat the arguments urged by me on that occasion. The Honourable Members can look into that debate on the 6th April 1916 and see the arguments used on that occasion. I adopt every word of what I then said in support of my present contention that the provincial administrations should have a legitimate share of control and influence in railway matters so that this centralization in railway matters might be reduced to that extent. Your Excellency's Government accepted that resolution and the fact that you accepted it is a fair indication that all I have stated on that occasion was one that was sympathetically considered by your Excellency's Government. In moving on the present occasion the same subject I take it that, so far as your Excellency's Government are concerned, you are at one with the non-official members in desiring to see that your powers are enlarged. I do not think that I am justified in taking up any more time of the Council on this subject. I only wish to state that I have not suggested that this should be a transferred subject. At present, we should be satisfied if the powers of your Excellency's Government are improved and if your Government get your legitimate position as a Local Government and that the power of control over railway matters in this Presidency is conceded to your Government on this occasion. It is an important occasion in which the reorganization of the Local Government is under consideration and I think that unless we urge this particular question at present and see that this is included in the provincial list we shall be missing a very good opportunity to enlarge the powers of the Local Government in railway matters. On these grounds I move this resolution and I trust that it will be unanimously approved and carried."

The Hon'ble Mr. B. VENKATAPATI RAJU :—"I beg to second the resolution."

The Hon'ble Mr. K. RAMA AYYANGAR :—"I beg to move that the words 'subject to the general control of the Governor-General in Council as may be decided upon' be dropped."

His Excellency the PRESIDENT :—"The Honourable Gentleman will see that, if he moves this amendment, he will have to confine himself to that point only and will be limiting the discussion of the resolution. The better plan would be to have a general discussion before limiting it to one particular point."

The Hon'ble Sir FRANCIS SPRING :—"I did not come prepared to say anything on this subject as I was not aware that it was going to be put forward."

His Excellency the PRESIDENT :—"Will the Honourable Gentleman let the Hon'ble Mr. Gillman say a sentence or two which will bear on the debate?"

The Hon'ble Mr. H. F. W. GILLMAN :—"Your Excellency, with regard to the Hon'ble Mr. M. Ramachandra Rao's remarks on the subject I should like to say that the Government of Madras, as he knows, agreed with the non-official members in this respect and wrote at the time and have repeatedly written since to the Government of India recommending the course that he proposes. I am in a position to inform the Honourable Member that we have received intimation from the Government of India approving of our proposals to have a separate Consulting Engineer for Railways with the Government of Madras and that they have applied to the Secretary of State for creating the appointment. That will restore us to the old position, when we had a man to deal with railways before the department was transferred to the Railway Board."

The Hon'ble Sir FRANCIS SPRING :—"Since the Hon'ble Mr. Gillman has given us that information, I have not very much left to say. I was going to express the strong hope that the Government of India would consent to revert to the state of things that was in force 15 or 20 years ago when I was here as Secretary and the Local Government exercised control over railways in all essential matters. Since those days, the Railway Board has come on the scene and has, like an octopus, seized the whole of the railways in India under its control, leaving only Inspectors in five or six centres—I do not know how many there are—to look after the safety and convenience of passengers. It is a great anomaly that these Inspectors should not be personally in touch in any way, officially at least, with the Members of the Government. I understand that for several years although an Inspector of the Railway Board has been here, he has not been in connexion officially, or indeed much in personal touch, with the Government. Many questions have arisen in this Council about the convenience and comfort of the travelling public, in relation to refreshment rooms, overcrowding of railway carriages, and so on, but the Government have not been able to tackle such problems without going to the Government of India, which was like cracking a nut with a sledge hammer. Of course, there are great difficulties, one of which is that it is very likely that while one system, like the South Indian Railway, may be confined to our own boundaries, another, like the Madras and Southern Mahratta Railway, may extend to two provinces, the metre gauge of that company being outside this province, while

23RD OCTOBER 1918.] (Sir Francis Spring; Mr. A. S. Krishna Rao;
Mr. Gillman; Mr. Rama Ayyangar;
the President; Mr. Narasimha Ayyar.)

a portion of the broad gauge is within the Nizam's territory, which is within the control or the purview of the Bombay Government. It is very difficult to see how far this Government can exercise control in regard to lines outside this Presidency. But such details as these may be left to be discussed and settled later on. I do not think it will be found difficult to give the Provincial Governments power to settle those matters in which they would naturally desire to exercise control, i.e., matters relating to the comfort and convenience of the travelling public."

The Hon'ble Mr. A. S. KRISHNA RAO :—"In supporting this resolution, I should like to make a remark about tramways and feeder railways about which I gave notice and which are found in the Illustrative List No. I. Tramways and feeder railways have been included in List I subject to the remark: 'So far as powers may be given by the Government of India.' That is the note under No. 10 which relates to public works. As it has been included as a provincial subject, with certain restrictions placed upon the Provincial Government, I thought it my duty to point out that in the matter of railways, tramways and light feeder railways, the Government might have a free hand without any restrictions. That is the object of the resolution of which I gave notice. So far as tramways and light feeder railways are concerned, the only means by which some progress might be affected is through the agency of the district boards in various parts of the Presidency. It has been admitted."

The Hon'ble Mr. H. F. W. GILLMAN :—"May I just interrupt the Honourable Member and say that the restriction mentioned by the Government of India will be only in the matter of finance?"

The Hon'ble Mr. A. S. KRISHNA RAO :—"I am glad to learn that the restriction will be only in the matter of finance; if that is the understanding it takes away much of the opposition to this restriction. So far as tramways and light feeder railways are concerned, if the Government have a free hand in the development of these railways and in the matter of their control, I have no doubt that much improvement can be effected in this Presidency. This Presidency has taken a lead in the matter of the development of district board railways and other provinces are only trying to follow the example that has been set. In various districts, the railway cess has been collected and accumulated and it has not been possible to make any further advance owing to various causes, one of which is the present war. If the Government are given better control, we shall be able to show better progress."

The Hon'ble Mr. K. RAMA AYYANGAR :—"In the light of the information given by the Hon'ble Mr. Gillman, it becomes unnecessary for me to move the amendment of which I have given notice, because my difficulty as regards the control over the administration of railways even when they were being constructed by the Provincial Government, when they had expert advisers, they were subjected to the control of the Governor-General in Council. I thought that that was the essence of the position for which this Government was fighting from the commencement in the case of the construction of district board railways. In regard to control and administration of such railways, I think the Provincial Government ought not to be subject to the control of the Government of India or the Railway Board. If the restriction that is imposed is intended only as regards finance—that is common to the whole country—there is no reason to oppose it and there is no objection to their saying that they should have the general control over finance. The words 'as may be decided upon' leaves the question fairly open. I take it that the control of the administration of the railways in the province will not include undertakings of this Council in respect of district board railways under the Railways. In that sense, I do not move the amendment now."

The Hon'ble Mr. A. S. KRISHNA RAO :—"May I ask that the word 'tramways' be added?"

His Excellency the PRESIDENT :—"We will put it in afterwards."

The resolution was put and agreed to unanimously by the non-official members present.

His Excellency the PRESIDENT :—"Now we come to the resolution in the name of the Hon'ble Mr. A. S. Krishna Rao. It does not come under the transferred subjects."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"It is included in the list of transferred subjects."

His Excellency the PRESIDENT :—"Then, is it necessary to have this resolution?"

The Hon'ble Mr. A. S. KRISHNA RAO :—"It is only about the removal of the restrictions that I intend the resolution to apply."

His Excellency the PRESIDENT :—"The position is that the tramways and light feeder railways are provincial subjects. But they are also transferred subjects. I do not think the Honourable Gentleman wants the resolution at all."

The Hon'ble Mr. A. S. KRISHNA RAO :—"But there are the restrictions."

His Excellency the PRESIDENT :—"The printed words remain. The assumption is that a note is in the record that district board railways, tramways and light feeder railways are transferred subjects. I think the Honourable Gentleman might remain content with that."

The Hon'ble Mr. A. S. KRISHNA RAO :—"I wish to point out that in the remarks column, against the subject of light feeder railways, appearing in List I and List II, it is stated: 'So far as powers may be given by the Government of India.'"

250 RESOLUTIONS RE CONTROL AND ADMINISTRATION OF RAILWAYS
AND MAJOR IRRIGATION TO BE A TRANSFERRED SUBJECT.

(The President; Mr. A. S. Krishna Rao; [23RD OCTOBER 1918.
Mr. Chidambaranatha Mudaliyar; Mr. M. Ramachandra Rao.]

His Excellency the PRESIDENT :—"That governs everything. I suggest to the Honourable Member that he may be satisfied with the wording of the lists, as it is. He will not therefore put the resolution."

"We now go back to the printed agenda paper and take up the question of major irrigation."

RESOLUTION RE MAJOR IRRIGATION TO BE A TRANSFERRED SUBJECT.

The Hon'ble Mr. A. S. KRISHNA RAO :—"Your Excellency, I have the honour to move the following resolution :—

'III. The non-official members of this Council recommend that the subject of "Major Irrigation" should be a transferred subject.'

"It will be found that in the List I relating to provincial subjects item 10 relates to public works. There the details are given, namely: 'Roads and buildings and major and minor irrigation; tramways, light and feeder railways.' So far as List II relating to transferred subjects is concerned, you will find under item 12 minor irrigation is included, but major irrigation is excluded. I therefore move that major irrigation should be included in the list of transferred subjects. The reasons why I urge for the inclusion of this subject among the transferred subjects are those already referred to, when I discussed the question of Land Revenue administration. It will be found that, so far as the Department of Public Works is concerned, several attempts have been made from time to time for giving further opportunities to improve indigenous agency in respect of that department. In regard to the subject of major irrigation there are two views put forward. I would refer to the Report of the Public Works Reorganization Committee which, after mature consideration, decided that a portion of the Department of Public Works might be handed over to district boards which are sought to be made popular bodies. No doubt they suggest that the Irrigation branch may be separated but the proposal, so far as the province of Madras is concerned, deserves some consideration. They recommend in definite terms that certain subjects might be transferred to district boards after suggesting some financial arrangements to help these boards. They also lay down as a guiding principle that the engineering staff employed in the various provinces is a circumstance to be taken into consideration in the delegation of these powers. They state specifically that, so far as Madras is concerned, roads and buildings should be made over to this agency instead of to a separate Public Works branch. They state later on that the petty irrigation works in charge of Collectors may be made over to district boards in addition to some sundry irrigation tanks, managed by the Irrigation branch. It is therefore clear that in the case of popular bodies in the Presidency, proposals have been made by this committee for the transfer not only of minor irrigation, but of some tanks now under the control of the Public Works Department. I would suggest that while almost all works of the Public Works Department are proposed to be included under transferred subjects, such as roads and buildings, there are no special reasons for withholding the subject of major irrigation from the control of Indian ministers. I would suggest that, if major irrigation is not transferred, it will lead to a duplication of functions; but if it is transferred, the control that is exercised by the Indian ministers in connexion with other works might be exercised in the case of major irrigation works also."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR :—"Your Excellency, I beg to second the motion, and in doing so I will say that the subject of irrigation is so directly and intimately connected with land revenue that the one cannot possibly be separated from the other without serious inconvenience resulting to the administration. I cannot believe that any possible danger can come to the administration as a whole if it is entrusted to the control of the Indian ministers. On the other hand, I believe that inasmuch as minor works and minor irrigation have been entrusted by the Public Works Committee to the charge of Indian ministers, the major irrigation, if entrusted to the control of the popular element, will induce indigenous capital to come in and thus develop works of irrigation which are particularly large works now being financed by foreign capital. I would strongly support on both these grounds that major irrigation works should be transferred to the control of the ministerial Government in the truest interests of the province."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"I only wish to point out that this subject only illustrates the difficulty of making a suitable division into transferred and reserved subjects. So far as this province is concerned, the superior Public Works staff, so far as I know, is a combined staff which looks after irrigation and buildings and a portion of the same staff is also in charge of minor irrigation. Under the head of Public Works we will have the old question of river conservancy which is included in the words 'drainage and embankments.' That, as you will see, is under the same Public Works staff, so that Honourable Members will see that, so far as public works are concerned, we have buildings under the Public Works Department, minor irrigation, drainage and embankments—that is, a portion of it is placed on the transferred list—while the subject of major irrigation is placed on the provincial list. Unless the staff is separated, it seems to me this combined staff will have to go under two different departments of Government, so that there will be considerable difficulty and friction in adjusting

RESOLUTIONS RE MAJOR IRRIGATION TO BE A TRANSFERRED SUBJECT AND INTER-PROVINCIAL IMMIGRATION AND EMIGRATION TO BE TRANSFERRED SUBJECTS. 251

23RD OCTOBER 1918.] (Mr. M. Ramachandra Rao; Mr. Rama Ayyangar;
The Raja of Ramnad.)

the work of the staff between these two departments of Government. I am merely pointing out that these lists are based upon the administrative organization prevailing in the United Provinces or elsewhere where probably buildings form a separate branch. In this Presidency, roads are not at all under the charge of Government; most of the roads in this province are placed under district boards. There are very few provincial roads in this province. Under these circumstances, I am really unable to see how roads and buildings, minor works, drainage and embankments could be a transferred subject while major irrigation is to be a reserved subject. There must be difficulty to allocate the work of the Public Works Department under two authorities. Therefore the only conclusion that we can come to, is that it should be under one controlling head, unless Your Excellency would go to the length of duplicating the staff for performing the functions mentioned in these two lists. A further complication is to be found in the Report of the Public Works Committee where it is stated that that portion of the work done by the Public Works Department, relating to buildings and roads, should be transferred to district boards. If that is so, the transfer of the major works to the transferred list becomes all the more strong. If buildings and roads are transferred and minor irrigation works are also transferred and if river conservancy is transferred as suggested, I should think in the interests of economy, major irrigation should also be a transferred subject. That is all I wish to say on this subject."

The Hon'ble Mr. K. RAMA AYYANGAR :—"I would only add one more word. In our province, major irrigation are in charge of the Public Works Department. There are many tanks included under major irrigation. In fact, the repairs to these tanks are under the minor irrigation staff. It has been often reported upon that between the two departments, it has been found difficult to get workmen during certain months in which the work has to be slowly done. For that reason in a province like Madras, where there are 40,000 tanks, some of which are under the Public Works Department, it is necessary to transfer the whole thing so that even if works under major irrigation should be newly started, they will be attended to by the new staff. Then there is a tank restoration party. That is a peculiar circumstance of this province. We had a conference about tanks and subsequently also the proceedings of the conference were issued. Our present expenditure on tanks comes to Rs. 33 lakhs a year. That is work which ought to be within the cognizance of the representatives of the people. One of the questions that was placed before the conference at Ootacamund was how to improve the rate of repairs of these various tanks. Various questions were discussed and the whole of that matter will have to be placed before the Government, which will have to consult the grievances from the various parts of the Presidency. They will, therefore, be much better attended to and with much less competition than otherwise, if major irrigation is included in the transferred list. That is the reason why major irrigation in this province should be a transferred subject."

The resolution was put and agreed to by the non-official members present.

RESOLUTION RE INTER-PROVINCIAL IMMIGRATION AND EMIGRATION TO BE TRANSFERRED SUBJECTS.

The Hon'ble the RAJA OF RAMNAD :—"My Lord, the resolution which I have the honour to move, runs as follows :—

'XVI. The non-official members of this Council recommend that, in addition to the subjects mentioned in Illustrative list II of Appendix II, the subjects relating to inter-provincial immigration and emigration should be transferred subjects.'

"In placing this resolution before this Council, I feel that I need lay no special stress on the importance of the matter with which it deals. In the matter of emigration generally, there is a strong feeling in this country that the interest of the emigrants is invariably, and in every manner possible, subordinated to that of their employers in various places to which they go. I feel it unnecessary to give elaborate reasons condemning the existing state of things, and one has simply to turn to the pages of the masterly and interesting speech delivered on 'Indentured Labour' by the late Hon'ble Mr. Gokhale in the Imperial Legislative Council on the 4th March 1912 to see how the system deserves a wholesale condemnation. That the emigrants are taken to several places by the *kanganis*, or professional recruiters, in absolute ignorance of the conditions under which they should live and work, has been proved by Mr. Gokhale and other eminent Indians on occasions too numerous to mention. It is true that a Provincial Government cannot reasonably be expected to effectively control inter-emigration which affects more than one Presidency. But the illustrious authors of the reform report have deliberately given the Government of India a control over the inter-provincial emigration and immigration, and therefore there can reasonably be no apprehension that this matter, if left in the hands of a minister as a transferred subject, will not receive a proper treatment in his hands, due regard being given to the requirements of the sister presidencies. In the matter of labour for Assam, we have heard several complaints in the actual administration of the Act, and therefore though the power of legislating for emigration can, and should remain only with the Government of India, the administration of the Act must necessarily remain with the Provincial Government; and a minister, to whom will be entrusted the management of Agricultural and Industrial

252 RESOLUTIONS RE INTER-PROVINCIAL IMMIGRATION AND EMIGRATION TO BE TRANSFERRED SUBJECTS; POWER OF SUSPENDING LOCAL BODIES TO BE TRANSFERRED AND DRAMATIC PERFORMANCE AND CINEMATOGRAPHS TO BE A TRANSFERRED SUBJECT.

(The Raja of Ramnad; Mr. Narasimha Ayyar; 23RD OCTOBER 1918.
Mr. Gillman; Mr. Siva Rao; the President;
Mr. Ahmad Tambi Marakkayar.)

departments, should necessarily have a voice in the matter of labour and emigration. A minister who will be a representative of the people and an Indian, in all probability, is likely to handle the subject with every concern for the well-being of the emigrant and with a more definite knowledge of the agricultural and economic condition of the people in this Presidency. So, with a knowledge of the needs and requirements of the Presidency, he will certainly be more fitted to be in charge of this subject, and the sister presidencies will certainly in no way suffer, with the safeguards now provided by giving a control to the Government of India in the matter. Therefore, I submit that this subject should be in the transferred list and under the control of a minister. For these reasons, I beg to place this resolution before this Council for acceptance."

The Hon'ble Mr. A. S. KRISHNA RAO seconded the resolution.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"May I ask for information from the Government Member as to what is meant in the remarks column against item 24 to which this resolution relates: 'subject to the control of the Government of India'? On a previous occasion, the Government Member said that it referred to the financial control. That is as regards railways. I should like to know with reference to immigration and emigration what sort of control is exercised by the Government of India."

The Hon'ble Mr. H. F. W. GILLMAN:—"The Provincial Government cannot deal with the Colonial office and it is only the Government of India that can deal with it."

The resolution was put and agreed to unanimously by the non-official members present.

RESOLUTION RE POWER OF SUSPENDING LOCAL BODIES TO BE TRANSFERRED.

The Hon'ble Mr. P. SIVA RAO:—"I beg to move the following resolution:—

'XXXIII. The non-official members of this Council recommend that the power of suspending defaulting local bodies should not be vested in the Executive Council as suggested in the Illustrative list II of Appendix II of the Joint Report, but that this power should also be transferred to the Ministers.'

"This resolution relates to item 2 in List II. As against this item, it is stated, 'The question of reserving to the Executive Council the power of suspending defaulting local bodies be considered'. I need not say many words to this Council to commend this resolution. The report proposes to confer the largest powers to local bodies in regard to local self-government. The report also proposes to transfer the subject of local self-government to the control of the representatives of the public, whereas the power to suspend defaulting local bodies for misconduct or misfeasance is reserved to the Executive Council. As I am unhesitatingly of opinion that this power can be safely entrusted to popular ministers, I beg to move this resolution. The power that is proposed to be exercised is a very drastic one and it would be very satisfactory if this power is entrusted to the Ministers who will act under the instructions of this Legislative assembly. With these words, I beg to commend this resolution."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I beg to second this proposition with only one word. I think that in times to come there will not be much default on the part of the local bodies and there will be a great deal of interest taken in matters of local bodies. The question of suspending local bodies will be a very rare thing and even on those rare occasions the best guarantee that the power will be exercised properly is that it should be entrusted to that portion of the Government which reflects public opinion and which has control over local bodies."

The resolution was put and agreed to by the non-official members present.

RESOLUTION RE DRAMATIC PERFORMANCE AND CINEMATOGRAPHS TO BE A TRANSFERRED SUBJECT.

His Excellency the PRESIDENT:—"Does the Hon'ble Mr. Ahmad Tambi Marakkayar wish to move resolution XXXVI?"

The Hon'ble Mr. A. T. G. M. AHMAD TAMBI MARAKKAYAR:—"Yes."

His Excellency the PRESIDENT:—"I now call upon him to move the resolution."

The Hon'ble Mr. A. T. G. M. AHMAD TAMBI MARAKKAYAR:—"My Lord, I wish to move the next resolution that stands in my name which runs as follows:—

'XXXVI. The non-official members of this Council recommend that the management of "dramatic performance and cinematographs" now under Illustrative list I showing Provincial subjects be transferred to Illustrative list II showing transferred subjects.'

RESOLUTIONS RE DRAMATIC PERFORMANCE AND CINEMATOGRAPHS TO BE A TRANSFERRED SUBJECT AND RELIGIOUS ENDOWMENTS TO BE A TRANSFERRED SUBJECT. 253

23RD OCTOBER 1918.] (Mr. Ahmad Tambi Marakkayar; Mr. Narasimha Ayyar;
Mr. Gillman; the President.)

"For some time past I have been feeling that local bodies should have power to control public performances given in places licensed under the provisions of the Places of Public Resort Act (Madras Act II of 1888). It is always unsafe to the general health of the people of a town to allow dramatic and other public entertainments in places which are infected with epidemic diseases such as cholera, smallpox, plague and influenza. I believe there is no provision in the Madras District Municipalities Act IV of 1884 empowering municipal councils and their executives to close such performances when the authorities consider that they are a danger to public health. The disease which goes by the name of influenza has of late been prevailing throughout India not to speak of its presence in other countries. In some places the mortality has been very great and eminent medical men were advised that crowded meetings should be avoided and theatres closed as they contribute largely to the spread of this disease."

"Under section 5 of the Places of Public Resort Act it is the municipal chairman that must be approached for a licence to make use of a place for public resort or entertainment, if that place is within a municipal limit. This provision is made evidently with a view to give municipal councils control over places of public resort in municipal towns. Such control will not be effective unless they are given statutory power to close such places when such a closure is essential in the interests of the health of the town. Similarly such powers will have to be vested in local bodies as there are several union areas which in course of time are likely to expand into municipal towns and in such areas which are generally congested and wide all sanitary measures have to be taken as if they were municipal towns. These matters are more for local boards and municipalities. Even taking into consideration the fact that only popular kinds of shows can be allowed (as there be others which are either obscene or calculated to engender racial feeling), the control can properly be exercised by the local bodies as they are equally interested in the preservation of security among all classes and creeds. I consider, therefore, that this power should be given to municipal councils in the Madras District Municipalities Act and Local Boards Act which are now under revision. Naturally then the subject of public entertainments come under the head 'Local Self-Government' which deals with the provisions of public health, safety and convenience in the Illustrative List II showing transferred subjects."

"With these words, I beg to commend this resolution to the acceptance of the Council."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Before the resolution is seconded, I wish to point out that the Honourable Member seems to think that this is a part which comes under local self-government. It does not at all apply to the state of affairs in Madras. It is something which refers to the United Provinces. It does not come here under local self-government."

The Hon'ble Mr. H. F. W. GILLMAN:—"It is a question which comes under law and order."

His Excellency the PRESIDENT:—"Then it is a matter connected with the Police."

The Hon'ble Mr. H. F. W. GILLMAN:—"You will see that under List I it is referred to in item 5 (viii)."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"We have already voted on it—that it should be a reserved subject."

His Excellency the PRESIDENT:—"I quite agree with you. At present, this subject is dealt with by the Judicial Department and the Council, in the absence of the Honourable Gentleman, decided that the majority of the subjects dealt with in the Judicial Department—all relating to law, justice and order should remain a reserved subject. Therefore, the best course for the Honourable Gentleman to follow is to withdraw his motion, having read his speech."

The Hon'ble Mr. A. T. G. M. AHMAD TAMBI MARAKKAYAR:—"I beg to withdraw the resolution."

With the permission of His Excellency the President, the resolution was then withdrawn.

RESOLUTION RE RELIGIOUS ENDOWMENTS TO BE A TRANSFERRED SUBJECT.

His Excellency the PRESIDENT:—"The next subject which the Honourable Gentleman proposes to deal with is the subject of religious endowments. It is not a subject to be found in either List I or List II."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"It is in List I. It probably comes under the management of charitable endowments."

His Excellency the PRESIDENT:—"The Honourable Gentleman will find that that is not correct. As you know, the attitude of the Government of India in regard to religious institutions is one of neutrality. I would, therefore, suggest that we had better not discuss this resolution. As there is no purpose in discussing this motion, I would rather suggest to the Honourable Member that he should not move it."

The Hon'ble Mr. A. T. G. M. AHMAD TAMBI MARAKKAYAR:—"I observe that it is not in either list. My object was to add it to the transferred subjects. If your Excellency finds it impossible to do so, I have no objection to withdraw it."

254 RESOLUTIONS RE RELIGIOUS ENDOWMENTS TO BE A TRANSFERRED SUBJECT AND STATIONERY AND PRINTING STORES AND SUPPLIES TO BE A TRANSFERRED SUBJECT.

(The President; Mr. M. Ramachandra Rao; [23RD OCTOBER 1918.
Mr. Narasimha Ayyar.]

His Excellency the PRESIDENT :—"There is no purpose in discussing it at this meeting."

With the permission of His Excellency the President, the Hon'ble Mr. Ahmad Tambi Marakkayar withdrew the following resolution :—

'XXXVII. The non-official members of this Council recommend that the subject of "Religious endowments" be also included with "the Charitable endowments"—vide clause 12 of Illustrative list II showing transferred subjects.'

His Excellency the PRESIDENT :—"The Hon'ble Mr. Sadasiva Bhat is not here and therefore it is no use taking up the resolutions of which he gave notice, unless any other Honourable Member wishes to move them."

RESOLUTION RE STATIONERY AND PRINTING STORES AND SUPPLIES TO BE A TRANSFERRED SUBJECT.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"I beg to propose, in the absence of the Hon'ble Mr. Sadasiva Bhat, the following resolution :—

'XXXVIII. The non-official members of this Council recommend that the questions relating to stationery and printing stores and supplies—item No. 22 of Illustrative list I of Appendix II—should be placed on the transferred list and under the control of Ministers.'

"The note against item 22, which is in list I, is 'the control of the Government of India over stationery raises the general question of the purchase of supplies.' There was a debate in the Imperial Legislative Council on the question of the organization of the Stores department. I see observations made by the Honourable Member in charge of the resolution that the whole question was being considered. Now, what is asked for is liberty for the Provincial Government as well as ministers to get their supplies not necessarily through the India Office, but in any manner which may be conducive to public interests. I may state that the question of stores has been a matter of legitimate complaint and I take it in behalf of the Provincial Government and local bodies that, so far as I am aware, official opinion in this Council will not be adverse to the liberty of action on the part of the Provincial Governments in arranging for their stores."

The Hon'ble Mr. P. Siva Rao seconded the resolution.

The resolution was put and agreed to unanimously by the non-official members present.

His Excellency the PRESIDENT :—"That exhausts the list of resolutions. Honourable gentlemen will note that this meeting of the Council has been held to give them full opportunity to express their views on the subject of these lists. I have endeavoured to make the proceedings somewhat elastic in our debate. As it is a special meeting of this Council, I have relaxed our rules in various ways—rules of procedure—in order to give a full opportunity to non-official members to express their views. If there is any other resolution which we have not discussed, but which they wish to put forward, will they please mention it to me?"

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"There is one subject of great importance having a bearing on the whole question of constitutional reforms, namely, the question of the financial contribution from this province to the Government of India."

His Excellency the PRESIDENT :—"I do not think we will go beyond transferred subjects."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"The whole question of the success of reforms depends upon finance."

His Excellency the PRESIDENT :—"It is quite true. I do not contest the merits of the question raised. I do not think we need travel beyond the limits of the subjects which I have laid before the Council. I am not therefore for going into other questions, namely, general questions, great and important though they may be; but if there are any subjects in the agenda which have been omitted, I should like to hear about them."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"I should only mention that this question has been dealt with in the report at some length and it has a bearing on the organization of several departments."

His Excellency the PRESIDENT :—"I do not contest that for a moment. But I must adhere to what I said in my opening remarks that we gave notice that this meeting would be confined to these two lists. There would be a full opportunity in the future for the Honourable Member to express his views on the question he has raised."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"If I give notice of my intention to move at the next meeting a resolution on the lines mentioned by my Honourable Friend, so that under the scheme matters may be so adjusted as to equalise the burden placed upon the various provinces, will there be an opportunity for me to discuss this question?"

RESOLUTION RE STATIONERY AND PRINTING STORES AND SUPPLIES 255 TO BE A TRANSFERRED SUBJECT.

23RD OCTOBER 1918.] (The President; Mr. Narasimha Ayyar;
Mr. M. Ramachandra Rao.)

His Excellency the PRESIDENT :—"I will consider whether such a subject will be a legitimate one for discussion. Non-official members have always the power to meet together and come to some conclusion on such a subject as the one mentioned. They are at perfect liberty to record their views and there is no difficulty about forwarding their views to the Subjects Committee."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"I now give formal notice that I intend moving a resolution to that effect at the next meeting."

His Excellency the PRESIDENT :—"I cannot give any undertaking in regard to the proposed resolution. The Honourable Member must recognize the limitations under which we work. Official members were present here throughout the whole meeting; and we have rendered our best to make the resolutions passed as the authoritative expression of the views of the non-official members. The report is a far-reaching and comprehensive document and we could easily spend a week or more in considering it. But I do not think that the interests of public business demand it in view of the fact that it is quite possible for non-official members to record their views on any subject they wish to deal with. I do not wish to shut out or deprive any Honourable Gentleman of any opportunity that he may wish to have to express his views. But we must consider the general interests in matters of this kind and look at it from the standpoint of commonsense. After all, it is quite possible for Honourable Gentlemen to meet together to consider the aspect of the question raised by him."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"We are thankful for the statement by Your Excellency on the subject. I may say that some time ago, I gave notice of a resolution bringing this matter under consideration, but it was disallowed on the ground that the matter was under correspondence between this Council and the Government of India. That was at the last meeting. The Hon'ble Mr. K. Rama Ayyangar also gave notice of the same resolution. We considered this matter to be one vitally important and we gave notice of the resolutions. Since the report was published, we felt very much that the financial contribution demanded from this province is out of all proportion to the legitimate demands that might be made for it. We feel very keenly on the subject and we hope that Your Excellency will see your way to permit us to give expression to our opinion, and to support what Your Excellency's government are probably already doing in this matter. We are anxious, and we know that Your Excellency is as anxious as any of us, to better the finances of this province and we shall be indebted to Your Excellency just at this moment if you will allow us to raise this question. If the rules can be relaxed so as to allow a resolution to be sent up at the next meeting, we shall be thankful. The success of the reforms, the cardinal point of which is to divide the subjects into reserved and transferred, depends very largely upon the finance which this Government are able to command and the reasonable contribution which they should be asked to make to the Government of India. This Council fully recognizes that view and we feel that, if the scheme that has been formulated is to be a success, the contribution from this province should be revised. A resolution to that effect was forwarded by one of the members, so as to give expression to our views. It seems to be quite clear that, unless we have a better share of the revenues of this province at our disposal, it will be impossible to ensure the success of the reforms."

His Excellency the PRESIDENT :—"I quite understand it. Any resolution that may be sent up to me for admission into the agenda paper will be carefully considered. I may say that it is a question which admits of being considered independently of any reform scheme and it is almost a separate question by itself."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"If the present proposals are finally accepted, the question of the development of several departments has now been thrown on the ministers; and it is therefore necessary to emphasize this fact."

His Excellency the PRESIDENT :—"If there are any other opinions which Honourable Gentlemen wish to place on record with regard to the transferred subjects, I should be glad to hear. I think we have thoroughly exhausted the field so far as I am aware, and, if so, the Council may now adjourn."

The Council was then dissolved.

N. E. MARJORIBANKS,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

APPENDIX.

Resolutions on the agenda paper.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—

I. The non-official members of this Council recommend that it is not necessary to reserve any subjects to the Governor in Council except those relating to Law, Justice and Police.

Law, Justice and Police to be the only reserved subjects.

II. The non-official members of this Council recommend that the subject of 'Land Revenue Administration' should be a transferred subject.

'Land Revenue Administration' to be a transferred subject.

III. The non-official members of this Council recommend that the subject of 'Major Irrigation' should be a transferred subject.

'Major Irrigation' to be a transferred subject.

IV. The non-official members of this Council recommend that the whole subject of 'Industrial matters' should be a transferred subject, without any limitations or restrictions.

'Industrial matters' to be a transferred subject without limitations.

V. The non-official members of this Council recommend that the whole subject of 'Education' should be a transferred subject, without any limitations or restrictions.

'Education' to be a transferred subject without limitations.

VI. The non-official members of this Council recommend that the subject of 'Land acquisition' should be a transferred subject.

'Land acquisition' to be a transferred subject.

VII. The non-official members of this Council recommend that the subject of 'Borrowing on sole credit of provincial revenues' should be a transferred subject.

Borrowing on the sole credit of provincial revenues to be a transferred subject.

The Hon'ble YAQUB HASAN SAHIB Bahadur :—

VIII. The non-official members of this Council recommend that in addition to the list of subjects mentioned in the Illustrative List II of Appendix II of the Report on Constitutional Reforms, questions relating to industrial development (item No. 19 of list No. 1 of the same appendix) should be transferred to the control of ministers.

'Industrial development' to be a transferred subject.

IX. The non-official members of this Council recommend that in addition to the list of subjects mentioned in the Illustrative List II of Appendix II of the Report on Constitutional Reforms, questions relating to business concerns (item No. 21 of list No. 1 of the same appendix) should be transferred to the control of ministers.

Questions relating to business concerns to be transferred.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—

X. The non-official members of this Council recommend that in the opinion of this Council the portfolios relating to the subjects mentioned in illustrative list II of Appendix II (printed at page 177 of the report on constitutional reforms) should be immediately committed to the control of ministers as suggested in paragraphs 218 and 219 of the report and that, in addition, the subject of 'Borrowing on the sole credit of Provincial revenues' (item No. 2 of list I of Appendix II) should also be transferred to the control of ministers and should not be a reserved subject.

Subjects in list II of Appendix II and borrowing on the sole credit of Provincial revenues to be transferred.

XI. The non-official members of this Council recommend that, if it is found inexpedient or impracticable to place the subject of 'Borrowing on the sole credit of Provincial revenues' immediately on the transferred list, the Executive Government as a whole should deal with all questions relating to borrowing.

Borrowing on the sole credit of Provincial revenues to be dealt with by full Government.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—

XII. The non-official members of this Council recommend that matters affecting the conditions of service and the control of services of the transferred departments shall be included in the list of transferred subjects.

Control of services of transferred departments to be a transferred subject.

The Hon'ble Mr. B. VENKATAPATI RAJU :—

XIII. The non-official members of this Council recommend that all the subjects falling within the jurisdiction of Provincial Government should be transferred subjects within the Province of the Presidency of Madras, subject to such limitations imposed to safeguard the interests of the Government of India when they are essentially affected or the peace and order when seriously threatened.

All Provincial subjects to be transferred subject to reservation.

The Hon'ble Mr. B. VENKATAPATI RAJU :—

XIV. The non-official members of this Council recommend that the departments of Law, Police and Justice (Prisons excepted) only be left in the hands of the Executive Government as reserved subjects during the transition period.

Only Law, Justice and Police to be reserved subjects.

XV. The non-official members of this Council recommend that the subject 11. Education, mentioned in illustrative list I of Appendix II, relating to colleges, universities, etc., should be placed in the transferred list without merely confining to primary and secondary technical schools in this Presidency.

Education including collegiate and university education to be a transferred subject.

The Hon'ble the RAJA OF RAMNAD :—

XVI. The non-official members of this Council recommend that in addition to the subjects mentioned in illustrative list II of Appendix II, the subjects relating to Inter-Provincial immigration and emigration should be transferred subjects.

Inter-Provincial immigration and emigration to be transferred subjects.

The Hon'ble the Rev. G. PITTENDRIGH :—

XVII. The non-official members of this Council recommend that elementary industrial and technical education should be included among the transferred subjects, while university and secondary education should be retained among the reserved.

University and secondary education to be 'reserved'.

The Hon'ble Mr. A. SUBYANARAYANA RAO PANTULU :—

XVIII. The non-official members of this Council recommend that, in addition to the list of subjects mentioned in illustrative list II, Land Revenue Administration (item No. 6 of list I, Appendix II) with the exception of questions relating to (1) encumbered and attached estates, (2) famine, (3) resumption of revenue free grants, (4) alluvion and diluvion and (5) colonisation and disposal of crown lands should be added to the list of transferred subjects.

Land revenue administration to be a transferred subject with certain limitations, in addition to subjects in list II.

XIX. The non-official members of this Council recommend that No. 15 Civil Justice should be included in the list of transferred subjects.

Civil Justice to be a transferred subject.

The Hon'ble Mr. T. RANGA ACHARIYAR :—

XX. The non-official members of this Council recommends that in addition to the list of subjects mentioned in Illustrative list II of Appendix II, prisons 5 (iii) and the administration of the Acts relating to incitements to crime, seditious meetings, press and arms [item No. 5 (v) of list I of Appendix II] should be placed in the list of subjects to be transferred to the control of ministers.

Prisons and administration of Press, etc., Acts to be transferred subject in addition to those in list II.

The Hon'ble Mr. K. RAMA AYYANGAR :—

XXI. The non-official members of this Council recommend that the administration of civil justice be included amongst the transferred subjects under Illustrative List II to be in charge of ministers.

Civil justice to be a transferred subject.

XXII. The non-official members of this Council recommend that the whole subjects of 'Forests and Forest Products' be transferred to Illustrative List II and not only 'unclassified and some protected.'

'Forests' and 'forest produce' to be transferred subjects without limitation.

XXIII. The non-official members of this Council recommend that the appointments, conditions of service and control of all provincial services relating to subjects transferred to the ministers should be a transferred subject and placed under Illustrative List II.

Control of services relating to transferred subjects.

XXIV. The non-official members of this Council recommend that the subject of police employed in detective and preventive duties, criminal tribes, prisons and working of particular Acts (e.g., Incitement to Crime, Seditious Meetings, Press, Arms) and gambling should be included amongst transferred subjects and placed in Illustrative List II.

'Police' employed in detective, etc., duties to be transferred.

XXV. The non-official members of this Council recommend that the whole subject of education including technical and industrial education should be placed in the list of transferred subjects and not only primary, secondary and technical.

'Education' to be a transferred subject without limitation.

XXVI. The non-official members of this Council recommend that Land Revenue Administration as a whole or in any event "Collection of land revenue, maintenance and procedure of revenue establishment, maintenance of land records, surveys, record of rights, special laws regarding land tenures, relations of landholders and tenants and collection of rent" should be placed in the Illustrative List II of transferred subjects.

Land Revenue administration to be a transferred subject.

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—

XXVII. The non-official members of this Council recommend that all subjects now under the control of local Government should be included in the list of transferred subjects under the Reform Scheme.

All Provincial subjects to be transferred.

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—

XXVIII. The non-official members of this Council recommend that Law, Justice and Police should be transferred subjects.

XXIX. The non-official members of this Council recommend that Land Revenue and Tenant Rights be transferred subjects.

The Hon'ble Mr. P. SIVA RAO :—

XXX. The non-official members of this Council recommend that all the subjects of Provincial concern, shall be classed under the head of 'transferred subjects' save and except those relating to the maintenance of 'law and order' as defined in Appendix II of the Joint Report on Constitutional Reforms.

XXXI. The non-official members of this Council recommend that all the 'Provincial services' relating to the 'Transferred subjects' including those of the future ministers shall themselves be classed under the head of the 'transferred subjects.'

XXXII. The non-official members of this Council recommend that, in addition to the list of subjects mentioned in the Illustrative List II of Appendix II of the Joint Report, all questions relating to the condition of services and control of all Provincial services employed in the departments transferred to the control of ministers, should be placed in the transferred lists and that these questions should not be reserved to the Governor and the Executive Council.

XXXIII. The non-official members of this Council recommend that the power of suspending defaulting local bodies should not be vested in the Executive Council as suggested in the Illustrative List II of Appendix II of the Joint Report, but that this power should also be transferred to the ministers.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR AVARGAL :—

XXXIV. The non-official members of this Council recommend that in addition to the subjects enumerated in illustrative list II (page 177 of the Report on Indian Constitutional Reforms), the following subjects be taken from Illustrative List I and be included in the transferred subjects:—

- (i) 6. Land Revenue administration—
Resettlement, Court of Wards, encumbered and attached estates, land improvement and agricultural loans.
- (ii) 7. Agriculture—the whole.
- (iii) 18. Land Acquisition.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR SAHIB Bahadur :—

XXXV. The non-official members of this Council recommend that the management of Industrial schools under Illustrative List I showing Provincial subjects, Clause 11—Education, be transferred to Illustrative list II of transferred subjects.

XXXVI. The non-official members of this Council recommend that the management of 'dramatic performance and cinematographs' now under Illustrative List I showing Provincial subjects be transferred to Illustrative List II showing transferred subjects.

XXXVII. The non-official members of this Council recommend that the subject of 'Religious Endowments' be also included with 'the Charitable Endowments'—vide clause 12 of Illustrative list II showing transferred subjects.

The Hon'ble Mr. K. SADASIVA BHAT :—

XXXVIII. The non-official members of this Council recommend that the questions relating to stationery and printing, stores and supplies—Item No. 22 of Illustrative List I of Appendix II—should be placed on the transferred list and under the control of ministers.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—

XXXIX. The non-official members of this Council recommend that in addition to the list of subjects mentioned in Illustrative List II, Land Revenue Administration (item No. 6 of Appendix II), with the exception of questions relating to (1) the Court of Wards, encumbered and attached estates, (2) relations of landholders and tenants, should be added to the list of transferred subjects.

XL. The non-official members of this Council recommend that in addition to the list of subjects mentioned in Illustrative List II of Appendix II, the administration of forests and forest products (not merely unclassified and some protected forests) should be a transferred subject.

SUPPLEMENTAL NOTICE FOR THE MEETING OF THE COUNCIL ON THE 22ND OCTOBER 1918.

Resolutions.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU :—

I. The non-official members of this Council recommend that the Provincial Government should be given a free hand in the development of tramways, light and feeder railways.

The Hon'ble Mr. K. RAMA AYYANGAR :—

II. The non-official members of this Council recommend that the administrative control of the railways solely lying within this province should be left to the Provincial Government and the same ought not to be left to be given by the Government of India and should be added to the Illustrative List No. 2, Transferred subjects.

The Hon'ble Mr. T. RANGA ACHARIYAR :—

III. The non-official members of this Council recommend that income-tax should be scheduled in Illustrative List No. I, Appendix II, as a Provincial subject so far as the Province of Madras is concerned.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU :—

IV. The non-official members of this Council recommend that the control and administration of railways in a province should, subject to such general control of Governor-General in Council as may be decided upon, be a Provincial subject and should be included in Illustrative List No. I of Appendix II of the Report on Constitutional Reforms.

**Proceedings of a Meeting of the Council of the Governor of Fort St. George
assembled for the purpose of making Laws and Regulations under the
provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.**

The Council assembled at the Council Chamber, Fort St. George, at 11 a.m. on Tuesday,
the 19th day of November 1918.

P R E S E N T :

His Excellency the Right Hon'ble JOHN, *Baron* PENTLAND of Lyth, P.C., G.O.S.I.,
Governor of Madras—*Presiding*.

The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E.,
I.S.O.

The Hon'ble Mr. L. E. BUCKLEY, C.S.I.

The Hon'ble Mr. M. E. COUCHMAN.

The Hon'ble Mr. H. S. DUNCAN.

The Hon'ble Major-General G. G. GIFFARD, C.S.I., I.M.S.

The Hon'ble Mr. R. A. GRAHAM.

The Hon'ble Mr. W. J. J. HOWLEY.

The Hon'ble Mr. A. R. KNAPP.

The Hon'ble Mr. N. E. MARJOBIBANKS.

The Hon'ble Mr. S. B. MURRAY.

The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.

The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).

The Hon'ble Mr. O. G. TODHUNTER.

The Hon'ble Mr. M. YOUNG.

The Hon'ble Mr. T. RANGA ACHARIYAR.

The Hon'ble the Rev. G. PITTENDRIGH.

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU Garu.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.

(The President; Sir Alexander Cardew; [19TH NOVEMBER 1918.
Mr. M. Ramachandra Rao.)

The Hon'ble Mr. P. SIVA RAO.
The Hon'ble Diwan Bahadur A. SUBBARAYULU REDDIYAR AVARGAL.
The Hon'ble Mr. B. V. NARASIMHA AYYAR.
The Hon'ble Mr. K. SADASIVA BHAT.
The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR AVARGAL.
The Hon'ble Mr. B. VENKATAPATI RAJU.
The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.
The Hon'ble Yaqub Hasan Sahib Bahadur.
The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBHI MARAKKAYAR SAHIB Bahadur.
The Hon'ble Sir GORDON FRASER, Kt.
The Hon'ble Mr. J. H. THONGER.
The Hon'ble Sir FAIRLESS BARBER, Kt.
The Hon'ble the Most Rev. JOHN AULEN, D.D.
The Hon'ble Mr. T. RICHMOND.
The Hon'ble Sir FRANCIS SPRING, K.C.I.E.
The Hon'ble Diwan Bahadur K. R. SUBYANAHAYANAMURTI NAYUDU GARU.
The Hon'ble Raja, RAJA SRI RAYU VENKATA KUMARA KRISHNA RANGA RAO Bahadur, of Bobbili.

NEW MEMBER.

His Excellency the President:—"Mr. Marjoribanks is not well and therefore he is not present to take the prescribed oath or affirmation of allegiance to the Crown.

"I call upon the Hon'ble Sir Alexander Cardew to make a motion which he wishes to move."

THE LATE MR. K. R. V. KRISHNA RAO.

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, with Your Excellency's permission, and before the Council proceeds to ordinary business, I beg to be allowed to draw the attention of the Council to the loss which we have sustained since our last meeting by the death of the late Mr. K. R. V. Krishna Rao, who represented the zamindars of the northern districts. The late Mr. Krishna Rao was for five years a member of this Council and during that period, I believe I may say, he endeared himself to all the members of this Council by his genial disposition, his simplicity of character and his transparent desire to do all that he could for his constituents. Possessing as he did, a life-long acquaintance with the agricultural and revenue conditions of the Northern Circars, he was always desirous of laying before this House, the wishes and the needs of the districts which he represented and his contributions to our debates on those subjects were always worthy of careful attention. I believe he was also a considerable Telugu scholar, but in all the speeches which he made before this Council, his most distinguishing characteristic appeared to me to be his unfailing good temper and his good nature. Looking back on the debates which took place, I cannot recall a single instance in which a trace of bitterness of personal feeling was ever exhibited by him and I feel that the impression that he made was that of a man of a very attractive and likeable disposition. We feel that in him we lost a friend and it makes it the more easy for us to realize how great a loss it must be to his family. I beg therefore, Your Excellency, to move the resolution expressing our sincere regret at his death and our deep sympathy with his family, wishing that it may be communicated to the relatives of our late colleague."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, I beg to second this motion. In doing so, I may say that the late Mr. Krishna Rao discharged his duties in this Council to his constituents with conspicuous ability. Not only that, but he took great interest in questions relating to agricultural population, irrigation questions, matters relating to land revenue to which he showed considerable aptitude and his general acquaintance with the progressive conditions of this Presidency was quite above the average. We regret he is no more with us and we fully share the sense of loss to which the Hon'ble Sir Alexander Cardew has given expression. The late Mr. Krishna Rao was particularly a genial friend, and the handsome terms in which the Hon'ble Sir Alexander Cardew has spoken of his temper and general bonhomie are perfectly true. Knowing him as I do, as a friend for 15 or 16 years, our sense of loss is great and the Circars have lost a good and ripe Telugu scholar. I heartily support the resolution."

His Excellency the President:—"I am sure it would be the unanimous wish of the Council that our sense of loss and our sympathy be communicated to the relatives of the late Mr. Krishna Rao."

The resolution was agreed to unanimously.

19TH NOVEMBER 1918.] (Mr. Narasimha Ayyar.)

QUESTIONS AND ANSWERS.

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

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

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

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

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

- 1 Q.—(i) Will the Government be pleased to state
(a) what report Mr. Paddison has made as to the responsibility of (1) the District Superintendent of Police, (2) the Inspectors, (3) Sergeants, (4) and other officers and (5) the Reserve Police in regard to the incidents in Madura on the 27th of September 1918; Inquiry into the recent incidents in Madura.
(b) whether all or any of the Inspectors, Sergeants and other officers present on the occasion and of the policemen then present were examined by Mr. Paddison, and, if so, which of them;
(c) whether these persons have been examined by Mr. Pelly or by any other officer on the above matter, and, if so, who; and by whom; and when; and
(d) what representations have been received by the Government in the matter of the Madura incident, from whom and to what effect?
(ii) Will the Government be pleased to place on the table the reports made by Mr. Paddison and Mr. C. B. Pelly, and the representations received from the public?

1 A.—The Honourable Member is referred to G.O. No. 2549, Home (Judicial), dated 15th November 1918, which has been laid on the Editors' Table, from which he will see that Mr. Paddison personally took statements from the Reserve Inspector and two sergeants as well as the District Superintendent of Police himself. Mr. Paddison, when writing his report, had also before him 32 statements taken by Mr. Pelly from the same officers and from 28 members of the reserve police. Mr. Pelly's inquiry began on the 29th September and copies of the statements were sent to the District Magistrate on the 8th October. The Government do not propose to hold any further inquiry or to publish Mr. Pelly's departmental report. The representations received from the public are laid on the table together with the orders passed thereon by Government.

2 Q.—Will the Government be pleased to make a statement, preferably in a tabular form, showing in what places in the mufassal in this Presidency looting took place and the prices of food-grains prevailing at the time in each place, since the meeting of this Council in August last? Places where looting took place.

2 A.—The Honourable Member is referred to the answer given to question No. 37 in regard to the places where cases of looting have occurred. Exact information as to the prices of foodstuffs prevailing at the time of the disturbances is not available.

3 Q.—Will the Government be pleased to state
(a) whether, in the matter of the police firing on the Madura crowd on 27th September 1918, the complaint filed against the police has since been disposed of by the District Magistrate and how;
(b) whether after such disposal there is any objection to the examination of the policemen and police officers present at the firing; and
(c) whether the Government would be pleased to direct Mr. Paddison to resume his inquiry to examine the above witnesses and submit a further report in the matter?

Inquiry into the recent incidents in Madura.

3 A.—The Honourable Member is referred to G.O. No. 2549, Home (Judicial), dated 15th November 1918, which has been laid on the Editors' Table.

4 Q.—Will the Government be pleased to state whether, in view of the opinions of the local bodies consulted by Government on the question whether supplemental questions may be permitted by rules, the rules relating to interpellations in local bodies will be amended by the addition of a rule providing for such supplementary questions? Supplementary questions at meetings of municipal councils and local boards.

4 A.—In pursuance of the undertaking given at the meeting of this Council in November last, the resolution on this subject moved by the Honourable Member, with the report of the discussion thereon, was communicated to all local bodies. Only 21 out of 72 municipal councils and 10 out of 15 district boards expressed any opinion on the subject. Having regard to the general lack of interest shown in the matter, the Government have decided that no further action is necessary.

(Mr. Narasimha Ayyar ; Mr. Richmond.) [19TH NOVEMBER 1918.]

Statistics of influenza and other epidemics to be furnished by local bodies.

- 5 Q.—Will the Government be pleased to state
(a) whether in the weekly returns of deaths from local boards and municipalities now published in the *Fort St. George Gazette* it is not possible or desirable to include one or more columns headed 'Influenza' and 'Other prevailing epidemics if any'; and
(b) whether steps will be taken for an early modification of the returns to make them up to date and useful in respect of 'Influenza' and 'Other epidemics' not mentioned in the usual return?

5 A.—The weekly return referred to relates only to municipalities containing 25,000 inhabitants and over and also to the Ootacamund municipality. In this return statistics are not given for other municipalities or for local boards. Having regard to the qualifications of the staff available for registration of vital statistics, the Government do not consider it practicable to adopt the Honourable Member's suggestion.

Employment of Indians and Eurasians as port and coast light-keepers.

- 6 Q.—Will the Government be pleased to state in tabular form, in each of the departments of Port lights and Coast lights,
(a) how many Indians,
(b) how many Eurasians are employed, and
(c) how many transfers were made among coast light-keepers and how many among port light-keepers during the last twelve months?

6 A.—The Government are not in possession of the information.

Water difficulties and the raising of grazing fees in reserved forests.

- 7 Q.—Will the Government be pleased to state
(i) how many representations they have received and from whom regarding (a) the absence of grazing facilities and water in the same reserve block and (b) the hardship caused to ryots by raising grazing fees recently from annas three or four per head of cattle to annas eight or nine or one rupee; and
(ii) what orders have been passed thereon?

7 A.—In the course of the past twelve months one representation in regard to the absence of grazing facilities and five in respect of the raising of grazing fees have been received by the Government. In two of the latter the Government declined to interfere. The remaining petitions were either transferred to the Board of Revenue for disposal or returned to the writers with the intimation that they should move the local officers in the first instance.

Abolition of grazing fees and relaxation of the rules in regard to permits for grazing of cattle.

- 8 Q.—Will the Government be pleased to state whether, in view of the failure of rains, they would consider the feasibility of (1) abolishing grazing fees and (2) permitting the grazing in any block in the district of cattle that may have permits for any other block in which facilities for watering and grazing cattle are not found?

8 A.—Under the general rules printed on page 383 of the Forest Manual which regulate the grazing of cattle in Government forests in times of drought, the local officers have been empowered to grant such grazing concessions as may be suited to the circumstances of each locality. The Government do not consider any further action on their part necessary.

Suspension of kist collection.

- 9 Q.—Will the Government be pleased to state
(1) what representations they have received regarding the grant of suspension of kist collection and of ultimate remission (a) for wet and (b) for dry lands; and
(2) what steps they have taken or propose to take in the matter?

9 A.—(1) A representation on the subject in question has been received from the Tanjore Landholders, Industrialists, etc., Association.
(2) That representation is under consideration.

Mahazar from the ryots of Sinnathadagam, etc., villages in Coimbatore district.

- 10 Q.—Will the Government be pleased to state if they have received a mahazar from the ryots of Sinnathadagam, Nanjundapuram, etc., of Coimbatore taluk, dated 6th June 1918, and what orders, if any, have been passed thereon?

10 A.—The mahazar referred to was received and the Government passed orders declining to interfere.

The Hon'ble Mr. T. Richmond.

European High School Examination.

- 11 Q.—(a) Will the Government be pleased to state whether they have examined the question of changing the date of the European High School Examination from December to April as promised in reply to question No. 382, dated 2nd April 1914, and question No. 15, dated 2nd April 1917, and if so with what result?

(b) Will the Government be pleased to lay on the table the papers connected with the subject?

19TH NOVEMBER 1918.] (Mr. Richmond; Mr. Ramachandra Rao; Mr. Duncan; the President.)

- (c) Will the Government be pleased to state whether they have perused the articles and correspondence that have appeared on this subject in the *Madras Times* since September?

11 A.—(a) & (b) As stated in the answer to question No. 45 asked by the Honourable Member at the meeting of the Council held on the 3rd April 1918, the orders of the Government of India on the recommendations of the Simla Conference are awaited.

(c) The Government have perused some of the articles and correspondence.

The Hon'ble Rao Bahadur M. Ramachandra Rao.

- 12 Q.—Will the Government be pleased to state
(a) the number of special police officers enlisted under section 16 of Madras Police Act XXIV of 1859 in each revenue division of this Presidency excluding municipalities and the number so enlisted in the area included in each municipality since April last up to date; and
(b) the duties generally assigned to the special officers?

Special police officers enlisted under the Madras Police Act, 1859.

12 A.—Under section 17 of the Madras District Police Act, 1859, the powers and duties of special police officers are identical with those of ordinary officers of police, and as provided by section 16 they are employed temporarily on occasions of special emergency for the preservation of the peace, the protection of the public and the security of property. The exact duties entrusted to them necessarily vary with the circumstances of particular cases and the number appointed since last April could not be ascertained without calling for details from every district in the Presidency.

- 13 Q.—Will the Government be pleased to state whether any report has been received from the District Magistrate of Madura in regard to the incidents that took place in Madura on the 27th September last? Will the Government be pleased to publish the report?

Inquiry into the recent incidents in Madura.

13 A.—A report has been received and published with G.O. No. 2549, Home (Judicial), dated 15th November 1918.

- 14 Q.—Will the Government be pleased to state what measures of legislation are likely to be introduced in 1918-19?

Statement of legislation for 1918-19.

14 A.—(i) The Koodalmanickam Devaswom Bill.
(ii) A Bill to amend the Madras Outports Landing and Shipping Fees Act, 1885.
(iii) A Bill to amend the Madras District Municipalities Act, 1884.

- 15 Q.—Will the Government be pleased to state when the Bill for the expansion of elementary education is likely to be introduced in the Council?

Introduction of the Elementary Education Bill.

15 A.—The Bill will shortly be submitted to the Government of India and will, it is hoped, be introduced in this Council during this cold weather.

- 16 Q.—Will the Government be pleased to state whether any final decision has been come to in regard to the recommendations of the Educational Conference held in March 1916? Will the Government be pleased to place the orders of the Government, if any, on the table? If no orders have been passed, will the Government be pleased to pass early orders on the subject of the recommendations of the Conference?

Giving effect to the recommendations of the Educational Conference.

16 A.—The matter is still under consideration.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"With reference to my question No. 16 about the recommendations of the Educational Conference, may I know when the orders of the Government are likely to be issued? It is now two and a half years since the Conference sent its report to Government."

The Hon'ble Mr. H. S. DUNCAN:—"These matters are under consideration of Government. I cannot give a definite answer."

His Excellency the PRESIDENT:—"We will do our best to expedite the matter."

- 17 Q.—Will the Government be pleased to state the extent of land which has not been cultivated for the paddy first crop in each district in the current fasli?

Extent of land uncultivated for the paddy first crop.

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

- 18 Q.—Has the attention of the Government been drawn to the proceedings of a public meeting held on 21st October last at Madras under the presidency of Diwan Bahadur Govindas Chaturbujadas and will the Government be pleased to state what action has been taken with reference to the resolutions passed at that meeting,
(1) regarding the reduction of steamer freight charges from Rangoon to Madras;
(2) regarding the measures to be taken to co-ordinate the powers of the Directors of Civil Supplies in all the provinces with a view to regulate the supplies of wagons; and
(3) regarding the reduction of the penal storage charges by the Port Trust?

Reduction of steamer freight charges and certain other matters dealt with at a public meeting in Madras.

(Mr. Ramachandra Rao ; Mr. Yaqub Hasan.) [19TH NOVEMBER 1918.]

- 18 A.—1) The Government have seen the proceedings of the meeting. As regards the reduction of freights the matter is under correspondence, but the local freights depend ultimately on the rates in force in other parts of the world and it does not therefore seem likely that any substantial reduction in the freight from Burma can be effected at present.
 (2) The work of the Directors of Civil Supplies will in future be co-ordinated by the Foodstuff Commissioner appointed by the Government of India.
 (3) The rule of the Port Trust regarding penal storage charges has since been modified.

Statistics of import of paddy and rice into the Presidency. 19 Q.—Will the Government be pleased to state the quantity of paddy and rice imported into this Presidency in each of the months from August to November both inclusive from (1) Burma, (2) Orissa and (3) Pongal?

- 19 A.—Twenty-two thousand and sixteen tons and 8,691 tons of rice were imported from Burma by sea in August and September respectively. Two thousand five hundred and seventy-three tons and 20,599 tons of rice were imported by rail from Bengal and Orissa respectively in August and September together. These figures do not include imports by Madras and Southern Mahratta Railway in the month of September figures for which are not yet available. Figures of imports for October and November have not yet been received.

The Hon'ble Yaqub Hasan Sahib Bahadur.

Proportion of Muhammadan students admitted into colleges.

20 Q.—With reference to the answer to my supplementary question No. 122 put at the meeting of the Council held on the 13th August 1918, will the Government be pleased to state the number of Muslim and non-Muslim students admitted this year in the Junior Intermediate class in each of the Arts colleges in this Presidency?

- 20 A.—The Government are not in possession of the information asked for. They would suggest that the Honourable Member address the University authorities.

Lists of kazis, etc.

21 Q.—With reference to the answer to my question No. 118 at the meeting of the Council held on the 13th August 1918, will the Government be pleased to lay on the table a list of (1) kazis appointed by the Government in accordance with the Government of India Act XII of 1880 and 2) naib kazis appointed by the Government Kazis according to the said Kazis' Act?

- 21 A.—The compilation of the list of kazis appointed by Government is approaching completion, the only report still outstanding being a supplemental statement promised by the District Magistrate of Chingleput. As soon as this is received, the list will be completed and a copy furnished to the Honourable Member in accordance with the undertaking given in the answer to his previous question on this subject. No particulars have been collected regarding the appointments of naib kazis for the reason given by the Hon'ble Mr. Gillman when replying to the supplementary question then put, viz., that Government have no concern with these appointments, which are made by kazis.

Endowments for maintenance of kazis.

22 Q.—With reference to the answer to my supplementary question No. 119 at the meeting of the Council held on the 13th August 1918, will the Government be pleased to lay on the table a statement giving the number, nature, origin and description of the jagirs and other endowments that exist in this Presidency for the maintenance of kazis?

- 22 A.—The Government will endeavour to procure the information asked for and will lay it on the table, so far as it can be obtained.

Affiliation of the Presidency College in Arabic language and literature under Branch IX of the B.A. (Honours) course.

23 Q.—Is it a fact that the Director of Public Instruction applied in 1916 to the University of Madras for the further affiliation of the Presidency College in Branch IX—Arabic language and literature of the B.A. (Honours) course, but subsequently withdrew the application chiefly owing to the non-provision of sufficient staff?

- 23 A.—The lack of candidates and of justification for incurring a considerable increase of expenditure on the staff during a period of financial stringency were the main reasons for the withdrawal of the original application.

Affiliation of the Presidency College in Persian and Arabic under Group VI of the B.A. course.

24 Q.—Is it a fact that the Presidency College was affiliated in March 1917 in Persian and Arabic under group VI of the B.A. Degree course on the Director of Public Instruction giving assurance "that the present staff would be strengthened next year by the appointment of an additional lecturer who will be a native of Persia"?

- 24 A.—Yes; but such undertaking was subject to the conditions that the strength of the Persian and Arabic classes warranted the appointment of an additional lecturer and that the services of a native of Persia were available.

19TH NOVEMBER 1918.] (Mr. Yaqub Hasan ; Mr. Ramanuja Achariyar)

25 Q.—Is it a fact that Mr. Naimur Rahman's services have been transferred to the second-grade college recently opened by Government in connexion with the Madrasa-i-Azam?

- 25 A.—Yes.

26 Q.—Will the Government be pleased to appoint Professors of Arabic and Persian in the Presidency College in place of Mr. Naimur Rahman?

- 26 A.—The Government will be prepared to consider the question, provided there is sufficient demand for the study of Persian and Arabic.

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

27 Q.—Will the Government be pleased to lay on the table a statement of work up to 1st November 1918 in regard to the High Court of Madras similar to that appended to G.O. No. 2809, Judicial, dated 15th November 1915, and to the answer given to a similar question on 6th February 1917?

- 27 A.—A statement * is laid on the table.

28 Q.—Will the Government be pleased to lay on the table the number of cases actually ready and awaiting disposal for want of a Judge to hear them, on the 1st November 1918, under Appeals, Second Appeals, Letters Patent Appeals, Civil Revision Petitions, Civil Miscellaneous Appeals, Civil Miscellaneous Second Appeals, Referred trials, Criminal Appeals and Criminal Revision Petitions?

- 28 A.—The Government are not in possession of the information called for.

29 Q.—Will the Government be pleased to state (i) what they propose to do in regard to the temporary Judges of the Madras High Court at the end of their present temporary period; (ii) whether they have sent up any proposal regarding the same to the Government of India and when; and (iii) whether they will make a statement to this Council on the subject?

- 29 A.—The matter is under correspondence with the Government of India and this Government regret that they are not in a position at present to furnish additional information.

30 Q.—Will the Government be pleased to state whether the reorganization of the nazarat establishments in the Presidency has been sanctioned and whether effect has been given to such reorganization?

- 30 A.—The reorganization has been sanctioned and the revised scale of pay took effect from April last.

31 Q.—Will the Government be pleased to inform this Council what steps have been taken by Government to provide separate nazarat and copyist establishments for each individual court?

- 31 A.—The matter is still under the consideration of the Government.

32 Q.—Will the Government be pleased to lay on the table the reply of the High Court on (i) the amendment of the Civil Courts Act to give power to the subordinate judicial officers to appoint their clerks, and (ii) on the general advisability of transferring District Court Sarishtadars once in three years as in the case of certain other judicial officers?

- 32 A.—The Government are not prepared to lay any papers on the table.

33 Q.—Will the Government be pleased to lay on the table a statement of the amount collected in the various districts of the Presidency, especially in Coimbatore and North Arcot, on account of the removal of prickly-pear on the bunds of channels and irrigation tanks?

- 33 A.—The Government are not in possession of separate figures showing the recoveries made from ryots on account of the removal of prickly-pear from the bunds of channels and irrigation tanks.

34 Q.—With reference to the reply to question No. 58 put at the meeting of the Council held on 13th August 1918, regarding a Government grant to the Nilgiri Library at Ootacamund will the Government be pleased to state

- (i) whether any grant was given ten years ago to the library attached to the Students' Literary Association, Coimbatore; (ii) what are the reasons for the discontinuance of the grant; and (iii) whether the circumstances of this library differ from those of the Nilgiri Library at Ootacamund, which receives a grant?

(Mr. Ramanuja Achariyar; Mr. A. S. Krishna Rao.) [19TH NOVEMBER 1918.]

34 A.—(i) Yes.

(ii) The grant was one given under the Grant-in-Aid Code and it was decided that grants under that Code should not be given for assistance to associations or libraries not attached to educational institutions.

(iii) Yes.

Prohibition of export of rice from Muttupet to Colombo.

35 Q.—Will the Government be pleased to state whether they have received a memorial from the merchants of Muttupet, Tanjore district, in regard to the prohibition of the export of rice from Muttupet to Colombo, and whether orders have been passed thereon?

35 A.—Yes. The memorialists were informed that their request could not be granted.

Defective irrigation in certain villages in Tiruturai-pundi taluk, Tanjore district.

36 Q.—Will the Government be pleased to state

(i) whether they are aware of the defective irrigation of the villages of Pangal, Panangudi, Aiyur, Kothangudi, Sokkanathan Koil, Kachanam, Koodakuli, Panchaganthanallur and Alathamudi from the Pallavanar river in the Tiruturai-pundi taluk, Tanjore district;

(ii) whether the Revenue Settlement Officer remarked in 1893 in the Sanjaish accounts of the said villages that the Pallavanar irrigation was defective and that it should be improved;

(iii) whether the landholders concerned have been complaining to the Revenue and Public Works authorities of the district on the subject from 1877;

(iv) what steps the Government have taken till now to remedy the defect;

(v) why the improvements sanctioned by the Government in 1906 have not been carried out; and

(vi) what steps the Government propose to take in the matter?

36 A.—No information is available on the subject, but a report will be called for.

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

Places where looting took place.

37 Q.—Will the Government be pleased to lay on the table a statement showing (a) the places where looting took place in the Presidency within the last six months, (b) the amount of loss or damage which was caused by those looters, and (c) the steps taken by the authorities to prevent looting in those places?

37 A.—A statement* is laid on the table showing the places where looting is known to have occurred and the extent of the damage so far as information is available. All possible steps were taken by the authorities to prevent the spread of disorder.

Inquiry into deaths caused by the police firing on looters.

38 Q.—(a) Will the Government be pleased to state (1) whether any persons were killed owing to the action of the Magistrates or police officers in ordering fire to prevent such looting, and if so (2) how many and (3) in what places?

(b) If the answer to the above question is in the affirmative, will the Government be pleased to state whether any inquiries were held as to the circumstances under which those persons were killed?

(c) If such inquiries were held, will the Government be pleased to state (1) who held inquiries in each of those cases, (2) how many persons were examined as witnesses, (3) how many of the persons examined are officials and how many of them are non-officials, (4) whether members of the public were given any opportunity to give evidence and (5) the result of those inquiries?

38 A.—The only such case reported relates to a riot at Chagalmari in the Kurnool district on the 8th June where one person was killed owing to the action of police engaged in quelling an outbreak of looting. The District Magistrate considered that the police were fully justified in firing but erred in failing to ensure that their fire in the first instance was effective. In this respect the conduct of the head constable in charge of the party has formed the subject of a departmental inquiry, but the Government have no particulars of the investigation held.

Control of prices of food-stuffs.

39 Q.—(a) Will the Government be pleased to state whether they called for and obtained reports from the Collectors of districts before issuing the press communiqué, dated 28th September 1918, as to the control of prices of foodstuffs?

(b) Will the Government be pleased to lay those reports on the table?

39 A.—The collection of information regarding the stocks of food-grains in the districts, the prices of food-grains and the control of transport of food-grains has been entrusted to the Director of Civil Supplies, who is in constant communication with Collectors and it was therefore unnecessary to call for direct reports from Collectors before the issue of the communiqué in question.

* Printed as Appendix III on pages 291-292 infra.

19TH NOVEMBER 1918.] (Mr. A. S. Krishna Rao.)

40 Q.—(a) Will the Government be pleased to state in what districts emergency committees of officials and non-officials were constituted to advise Collectors in matters affecting prices of foodstuffs?

(b) Will the Government be pleased to state whether, before issuing the press communiqué referred to in the preceding question, they (1) called for or (2) obtained the opinions of such emergency committees regarding the necessity to control the prices of foodstuffs?

(c) Will the Government be pleased to lay those opinions on the table?

40 A.—The Honourable Member's attention is drawn to G.O. No. 2258, Revenue, dated the 13th June 1918, in which the formation of emergency committees was decided upon. It was there stated that the principal duty of these committees would be to bring home to the people of the district the need for economy, for avoidance of unnecessary demands on the railways, and for use of home products instead of imported supplies. It was added that the local experience of the members would enable them to advise the Collector and through him the Director of Civil Supplies as to the state of supplies and the need for priority certificates, but it was no part of the duties of the committees to advise regarding the necessity to control the prices of foodstuffs, and no reference was made to them on that question.

41 Q.—(a) Will the Government be pleased to state the number of criminals in each of the criminal settlements in the Presidency?

(b) Will the Government be pleased to state on what basis a recurring monthly grant of Rs. 3,250 to the American Baptist Mission was provided in the budget for 1918-19 for the management of the criminal settlement at Kavali, Nellore district?

(c) Is it a fact that the above criminal settlement is more expensive to the Government than the criminal settlements under the Salvation Army?

(d) Will the Government be pleased to state reasons for the same?

41 A.—(a) A statement* compiled from the latest administration reports is laid on the table. The figures entered in column (2) represent the state of affairs at the end of 1917.

(b) The combined strength of the Kavali, Allur and Bitragunta settlements was expected to be about 1,300 and a recurring monthly grant of Rs. 3,250 was provided in the budget for 1918-19 towards the maintenance of the settlers at Rs. 2-8-0 per head.

(c) The answer is in the affirmative.

(d) The greater expense is due chiefly to the fact that at Kavali there is neither a plentiful or regular demand for unskilled labour nor enough cultivable land to form a genuine agricultural settlement as in the case of settlements managed by the Salvation Army.

42 Q.—Will the Government be pleased to state whether effect has been given to the resolution for the appointment of non-official visitors for the criminal settlements, moved by me and accepted by the Council at the meeting held on 4th April 1918?

42 A.—The selection of non-official visitors has formed the subject of correspondence with the local officers which is now nearly complete and the Government hope shortly to make appointments.

43 Q.—(a) Will the Government be pleased to state whether it is proposed to increase the strength of the regular police to effect better surveillance over bad characters, and, if so, to what extent?

(b) Will the Government be pleased to state whether it is proposed to increase the number of outposts in the Presidency, and, if so, to what extent and in what districts?

43 A.—The Government have no such proposals at present under consideration.

44 Q.—(a) Is it a fact that there has recently been a general revision of the house and land tax assessment books in the Tirupati Municipality?

(b) Is it a fact that the water and drainage tax has been recently raised from 4 to 6 per cent?

(c) Is it a fact that there has been no corresponding increase in the annual values of buildings and lands there?

(d) Is it a fact that the Pilgrims Committee and the Tirupati Municipal Council have recommended the imposition of a pilgrim tax?

(e) Has any inquiry been held as to the capacity of the rate-payers of Tirupati to bear additional municipal taxation after or before the receipt of the report of the Collector of Chittoor recommending the increase of the house-tax and the water and drainage tax?

* Printed as Appendix IV on page 293 infra.

Emergency committees to advise Collectors on prices of foodstuffs.

Grant to the American Baptist Mission for the management of criminal settlements.

Non-official visitors to criminal settlements.

Increase of strength of regular police.

Revision of taxes in the Tirupati Municipality.

(Mr. A. S. Krishna Rao.) [19TH NOVEMBER 1918.]

(f) Have representations been received from the Municipal Council and the rate-payers of Tirupati objecting to the increase of tax on buildings and lands to 8½ per cent and of the water and drainage tax to 7 per cent after the issue of a notice by the Government under section 49 of the District Municipalities Act?

(g) Will the Government be pleased to suspend further action under section 49 of the District Municipalities Act pending further inquiry into the matter and the contemplated revision of the District Municipalities Act?

44 A.—(a) The house and land tax assessment books are reported to have been revised in 1917-18.

(b) The rate of the water and drainage tax was raised from 4 to 6 per cent on the annual value of buildings and lands with effect from the 1st April 1914. There has been no increase subsequent to that date.

(c) The Government have no information on the subject.

(d) Yes.

(e) No special inquiry has been made on the subject.

(f) No representation has been received from the Municipal Council; but one has been received from certain rate-payers.

(g) The Government are unable to accept the suggestion.

Statement of training schools.

45 Q.—Will the Government be pleased to lay on the table a statement showing

(a) the training schools for masters and mistresses in the Presidency;

(b) the number of applications received for admission into each of these schools; and

(c) the number of students admitted into each of these schools for training?

45 A.—(a) The Honourable Member is referred to the supplemental statistics published with the Reports on Public Instruction in the Madras Presidency.

(b) & (c) The Government are not in possession of the information.

Opening of additional training schools.

46 Q.—Will the Government be pleased to state whether there are any proposals to open additional training schools for masters and mistresses during the next year, and, if so, in what places?

46 A.—Proposals are under formulation.

Elementary schools for the children of depressed classes.

47 Q.—(a) Will the Government be pleased to state
(i) the number of elementary schools for the children of depressed classes in the various districts of the Presidency during years 1916-17, 1917-18 and 1918-19, and
(ii) the number of pupils therein during these years?

(b) Will the Government be pleased to state what steps, if any, they wish to take to increase the number of such schools and of the pupils therein?

47 A.—(a) In 1916-17 there were 5,454 elementary schools for the children of Panchamas with a strength of 152,998 pupils; for 1917-18 the figures were 5,618 and 160,972 respectively. These figures do not take account of Panchama children who attend general elementary schools. Similar figures for 1918-19 are not available. The figures for 1917-18 for the several districts are shown in the annexed statement.* District figures for the other years are not available.

(b) The Government propose to continue the policy which has in the past led to a progressive increase in the number of schools specially provided for Panchama children.

Statement of irrigation projects under investigation.

48 Q.—Will the Government be pleased to state
(a) what irrigation projects in the various districts of the Presidency are still under investigation,

(b) what progress has been achieved in their investigation,

(c) why there has been any delay in their investigation, and

(d) when their investigation is likely to be completed?

48 A.—A statement† giving the information asked for so far as it is available is laid on the table.

Statement of irrigation projects abandoned or postponed.

49 Q.—Will the Government be pleased to state
(a) what irrigation projects have been considered by the Government during the last ten years but have been abandoned or indefinitely postponed; and
(b) why those projects were so abandoned or postponed?

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

* Printed as Appendix V on page 293 infra.

† Printed as Appendix VI on pages 294-296 infra.

‡ Printed as Appendix VII on pages 297-299 infra.

19TH NOVEMBER 1918.]

(Mr. Chidambaranatha Mudaliyar; the Raja of Ramnad.)

The Hon'ble Mr. K. Chidambaranatha Mudaliyar.

50 Q.—Will the Government be pleased to ascertain and state the extent under wet cultivation in each revenue firka, and under dry cultivation in each taluk, under the chief crops, of this Presidency in each district on the 31st of October 1918, or other latest date possible, as also the extent harvested, if any, under each?

Area under wet and dry cultivation in this Presidency.

50 A.—The Government do not consider it necessary to call for the information asked for.

51 Q.—Will the Government be pleased to state the progress that has been made since 1st January 1918, up till now in the matter of securing to the Panchamas of the Tanjore district, as well as to other labourers, the ownership of the sites of the houses in which they live?

House-sites for Panchamas, Tanjore district.

51 A.—The appended statement* shows the progress made since 4th March 1918—the date on which the special deputy collector joined duty.

52 Q.—Will the Government be pleased to state the chief points considered by the Director of Civil Supplies, in his issue of certificates, allowing export of articles to prohibited areas?

Issue of certificates by the Director of Civil Supplies.

52 A.—The issue of certificates for food grains in the case referred to is regulated by the consideration of (1) the surplus available for export from the locality of export, (2) the necessity for the import of such grain into the locality of import, and (3) the maximum economy in the use of the railway.

53 Q.—Will the Government be pleased to state whether they have taken or are prepared to take any steps to check the general rise in prices now prevailing?

Rise in prices of foodstuffs.

53 A.—The subject is under close consideration.

54 Q.—Will the Government be pleased to state the extent under wet cultivation in each revenue firka and under dry cultivation in each taluk under the chief crops of this Presidency on the 31st of October in the years 1916 and 1917 together with the extents harvested under each on that date?

Details of wet and dry cultivation in the Presidency.

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

55 Q.—Will the Government be pleased to state the average water-readings in the Cauvery at Kannambadi and at the Upper, Grand and Lower anicuts during each week in the months of June, July, August, September and October during this year with the average water-readings of the corresponding weeks during 1916 and 1917?

Average water-readings in the Cauvery at Kannambadi, etc.

55 A.—Statements† giving the information asked for are laid on the table.

56 Q.—Will the Government be pleased to state fully

(a) the progress that has been made till now in the compilation of the Tamil Lexicon entrusted to the Syndicate of the University of Madras as per G.O. No. 991, Educational, dated 11th November 1912;

Progress in the compilation of the Tamil Lexicon.

(b) the date by which it may be expected to be published; and

(c) the expenditure till now incurred with the probable expenditure that may be incurred till its publication?

56 A.—(a) The attention of the Honourable Member is invited to the periodical reports of the Tamil Lexicon Committee, printed in G.Os. No. 1368, Educational, dated the 31st October 1917, No. 1186, Educational, dated the 14th November 1916, No. 535, Educational, dated the 18th May 1915, and No. 532, Educational, dated the 9th May 1914, which have all been placed on the Editors' Table. Later reports have not yet been received. Some revised arrangements for the future conduct and management of the work have recently been sanctioned.

(b) According to present calculations, the Lexicon will not be ready for the press before January 1921.

(c) A sum of Rs. 53,500 has, till 1st April 1918, been placed at the disposal of the University for expenditure on the Lexicon. It is not possible to forecast with accuracy the further expenditure that may have to be incurred.

The Hon'ble the Raja of Ramnad.

57 Q.—(a) Have the Government perused the leaderette in the Madras Mail, dated 6th August 1918, regarding the proposal for conserving power in the Periyar project for electric lighting and industrial purposes, made by Major Joly de Lotbinière?

Utilization of water power available at Periyar.

(b) Will the Government kindly make a statement upon the subject?

* Printed as Appendix VIII on page 300 infra.

† Printed as Appendix IX on pages 301-302 infra.

(The Raja of Ramnad ; Mr. Ahmad Tambi Marakkayar.) [19TH NOVEMBER 1918.]

57 A.—At the request of the Madras Government, Major Joly de Lotbinière submitted, in the year 1904, a report on the utilization of water power at the Periyar Lake. Proposals in conformity with his recommendations were submitted to the Government of India in the year 1905, but they were disallowed on the ground that they involved a diminution in the supply of water available for irrigational purposes in years of short rainfall.

Lecturer in Gothic and Anglo-Saxon at the Presidency College.

58 Q.—(a) Are the Government aware that students of the Presidency College, Madras, go to the Madras Christian College to attend lectures on Gothic and Anglo-Saxon languages, ever since the departure of Professor Mark Hunter to Burma?

(b) Will the Government kindly appoint a suitable person in the Presidency College?

(c) If one should not be available from the Indian Educational Service for the purpose, will they kindly consider the desirability of appointing one from the Provincial Service?

58 A.—(a) Yes. The arrangement is only temporary.

(b) & (c) Action has been taken to obtain a suitable successor.

Circular of the District Magistrate, Ramnad, regarding copies of criminal complaints and first information reports.

59 Q.—Will the Government kindly call for the Ramnad District Magistrate's circular asking magistrates not to give copies of complaints or first information reports to accused before trial?

59 A.—The Government understand that no such circular was issued by the District Magistrate, Ramnad.

Public criticism on the Reforms Report.

60 Q.—Will the Government kindly give a list of persons and public bodies who are invited by them to offer remarks on the Reforms Report of His Excellency Lord Chelmsford and the Right Hon'ble E. S. Montagu?

60 A.—A list is laid on the table.*

Correspondence with the Madras Zamindars and Landholders' Association on reforms.

61 Q.—Will the Government kindly lay on the table a copy of their communication to the Madras Zamindars and Landholders' Association, No. 647, dated 25th July 1918, and of the reply memorandum, particulars of which appeared in *Justice* of the 10th September 1918?

61 A.—A copy† of the communication referred to, which was in terms similar to that addressed to other associations and individuals consulted regarding the report on Indian constitutional reforms is laid on the table. The replies cannot at present be published.

Listing of posts from the Provincial Service.

62 Q.—(a) Will the Government kindly state whether the appointment of three Collectors from the Provincial Service includes, or not, the present Secretary to Government in the Home Department?

(b) Will the Government kindly state why a third Collector has not been appointed from the Provincial Service?

62 A.—The subject is under correspondence with the Government of India.

Information regarding District Superintendents of Police recruited from Provincial Service.

63 Q.—(a) Will the Government kindly state

(1) the number of District Superintendents of Police recruited from the Provincial Service; and

(2) the names of persons who are holding the appointment permanently during the last ten years, excluding Mr. A. Subba Rao of the Imperial Service?

(b) If no one held the appointment permanently, will the Government kindly give the reasons?

(c) Will the Government kindly lay on the table the rules relating to these appointments?

63 A.—(a) (1) One.

(2) M.R.Ry. Diwan Bahadur P. Parankusam Nayudu Garu.

(c) The Honourable Member is referred to order No. 43 of the Orders of the Madras Police, Volume I.

Payment by Government to religious institutions in respect of villages administered by Government on their behalf.

64 Q.—Will the Government kindly furnish the following:—

(1) a list of villages which are at present under the administration of Government, and which belong to religious institutions;

(2) the amount paid by Government as consolidated sum to each of these institutions every year; and

(3) copies of the agreements, if any, between the trustees of the several institutions and the Government regarding such arrangement?

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

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

Irrigation under the Vettar and Odambogiyar.

65 Q.—(a) Is it a fact that at the Engan regulator in the Vettar river where Odambogiyar takes off, morai is observed between Vettar and Odambogiyar?

(b) Is it a fact that the head of the Odambogiyar being an open head (without any regulator), the bed of the Odambogiyar has (since the construction of the regulator) been gradually becoming lower than the sill of the regulator at the Vettar (which is a fixed level)?

* Printed as Appendix X on pages 302-303 infra.

† Printed as Appendix XI on page 303 infra.

19TH NOVEMBER 1918.] (Mr. Ahmad Tambi Marakkayar ; Mr. Siva Rao.)

(c) Is it a fact that even on Vettar morai days, no water can go in Vettar unless the water in the river above the regulator is higher than two feet and that if the water is less all the water goes only in Odambogiyar?

(d) Is it a fact that the Public Works Department has already proposed to construct a regulator across the Odambogiyar at its head to regulate the morai proportionately to the irrigated area?

(e) If an estimate is ready, will Government direct the execution of the work at the next working season (February to May 1919)?

65 A.—(a) Yes.

(b), (c), (d) & (e) The information asked for is not available, but a report has been called for.

The Hon'ble Mr. P. Siva Rao.

66 Q.—(i) With reference to the question No. 150 put by me at the meeting of 13th August 1918 regarding typists in revenue divisional offices, will the Government be pleased to state whether there are clerks who are now doing 'typist's' work in the revenue divisional offices?

Clerks working as typists in revenue divisional offices.

(ii) Will the Government be pleased to sanction 'typists' formally in the revenue divisional offices and allow them same scale of pay as in other offices?

66 A.—(i) Yes.

(ii) The Government will consider the suggestion.

67 Q.—(i) Will the Government be pleased to state whether permit-fee for grazing a cow in the Yerramalai hills in the Kurnool range has been raised in the current year from 3 annas to one rupee in the case of 'Sugalis,' while it is only 3 annas in the case of others?

Increase of grazing fees as against 'Sugalis.'

(ii) If so, will the Government be pleased to state why the increase was made in the case of 'Sugalis' alone and lay on the table all the papers relating to it?

(iii) Are the Government aware that these 'Sugalis' live chiefly by cowherding and supply bulls and manure to agriculturists?

(iv) Will the Government be pleased to reduce the permit-fee to 3 annas in the case of the 'Sugalis' as before?

67 A.—(i) & (ii) The Government have recently given their sanction to the levy of a special grazing rate of Re. 1 per cow unit in the case of all Lambady (Sugali) cattle excepting those required for bona fide cultivation. The object of this special rate which is reported to have been substantially in force since 1912 under orders issued by the Collector, was to induce the Lambadies to resort to the *pentas* in the reserved forests rather than continue the practice which has recently grown up of penning their cattle in the neighbourhood of the already overcrowded village grazing grounds, and so depriving the village cattle of their pasture.

The rate for ordinary cattle has now been raised to 8 annas.

The Government do not consider it necessary to publish the papers.

(iii) The Government are aware that the Lambadies are professional graziers.

(iv) They are not prepared to take the action suggested.

68 Q.—(i) Is it a fact that in the Kurnool range the permit-fee for one cartload of 'green-manure' has been recently raised from Re. 1 to Rs. 2? If so, will the Government be pleased to state what led to this increase and to lay on the table all the papers relating to this matter?

Increase of permit-fee for green manure in the Kurnool range.

(ii) Will the Government be pleased to reduce the permit-fee to the former rate of Re. 1?

68 A.—The removal of green manure leaves from reserved forests is incompatible with the real protection of forest growth. The policy of Government supported by the opinion of the Forest Committee has therefore been to restrict the removal as much as possible by gradually raising the seigniorage. Indirectly this should induce the ryots to grow their own green manure. In accordance with this policy, the Board of Revenue issued orders on 9th April 1918 raising the seigniorage rate in the Kurnool district from Re. 1 to Rs. 2 per cartload. The Government do not consider it necessary to publish the papers or to examine the question of reducing the rate.

69 Q.—With reference to the question No. 152 put by me at the last meeting of the Legislative Council held on 13th August 1918, will the Government be pleased to state whether they have since considered the memorial submitted by the district registrars and sub-registrars? If so, what orders have been passed thereon?

Reorganization of the Registration Department.

69 A.—The memorials of the district registrars have been considered and the Government of India are being addressed on the subject. The memorials of the sub-registrars will be dealt with after the memorials of the district registrars are disposed of.

(Mr. Siva Rao ; Mr. Kavalappara Muppil Nayar.) [19TH NOVEMBER 1918.]

Investigation
of the Kinnu
Vattam
channel,
Chingleput.

70 Q.—With reference to the question No. 146 put by me at the last meeting of the Legislative Council held on the 13th of August 1918, will the Government be pleased to state whether the investigation of the Kinnu Vattam channel in Kaliaupundi and other villages has been completed? If so, with what result?

70 A.—Plans and estimates are under preparation by the Executive Engineer, Chingleput division.

The Hon'ble Mr. P. SIVA RAO :—“ With reference to question No. 70 may I know whether the scheme has been sanctioned? The answer to my question is ‘plans and estimates are under preparation by the Executive Engineer, Chingleput division’. I wish to know whether any scheme has been sanctioned by the Government and whether the repair will be taken up.”

The Hon'ble Mr. W. J. J. HOWLEY :—“ The scheme has not yet been sanctioned. The report has not yet come in from the Executive Engineer.”

Free-student-
ships in
secondary
schools.

71 Q.—With reference to my question No. 155 put at the last meeting held on August 1918, will the Government be pleased to state whether the free-studentships up to 10 per cent on the rolls in secondary schools have been sanctioned by the Government? If not, will the Government be pleased to give their early and favourable consideration to the matter?

71 A.—The matter is still under consideration.

Girls' high
schools and
manual
training
centres.

72 Q.—With reference to the question No. 159 put by me at the last meeting held in August 1918, will the Government be pleased to state whether the location of the four high schools for girls and of the six manual training centres has now been settled? Will the Government be pleased to locate a girls' school and a manual training centre in the Ceded Districts?

72 A.—The Honourable Member is referred to G.O. No. 1276, Home (Education), dated the 25th September 1918, which has been placed on the Editors' Table, as regards the new secondary schools for girls. The consideration of the questions connected with the opening of manual training centres has not yet been completed. The claims of the Ceded districts will receive due consideration.

Report on the
condition of
Indian refresh-
ment rooms on
railways.

73 Q.—In relation to questions Nos. 162 and 14 put at the last meeting held in August, will the Government be pleased to state whether the report on the question of the Indian refreshment rooms has been received? If so, will the Government be pleased to place it on the table and to state what action has been taken thereon?

73 A.—The Government have just received a copy of the Senior Government Inspector's report to the Railway Board. The Railway Board's intentions as to publication are not yet known.

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

Construction
of the
Palamanthol
bridge in
Malabar
district.

74 Q.—In view of the remarks of the President, District Board, Malabar, in his last administration report, and in view of the great difficulty experienced by the public, will Government be pleased to recommend the starting of the construction of the Palamanthol bridge, as soon as the plans and estimates are ready, in the hope that iron materials may be procured by the time they become necessary?

74 A.—The suggestion made by the Honourable Member at the budget meeting last April that an arched masonry bridge should be constructed over the Palamanthol river has been referred to the Malabar District Board for consideration together with the plans and estimates for a girder bridge received from the Superintending Engineer. The further action to be taken now rests with the district board.

Disposal of
the industries
owned by
the Basel
Mission.

75 Q.—With reference to Government's answer to my question No. 87 at the Council meeting on 12th February 1918, will the Government be pleased to state what decision, if any, has been arrived at in the matter of the disposal of more of the industries owned or controlled by the Basel German Mission in Malabar?

75 A.—The matter is still under the consideration of higher authorities.

Private pro-
gramme in
Malabar
transferred to
Government
for public
purpose.

76 Q.—With reference to Government's answer to my question No. 49 at the Council meeting on 6th February 1917, will the Government be pleased to state whether the inquiry referred to has been completed and whether Government is now in a position to furnish the information?

76 A.—The reply to clauses (a) to (d) of the Honourable Member's question No. 49 at the Council meeting of 6th February 1917 is as follows :—

- (a) Such cases may have occurred but are not on record.
(b), (c) & (d) The answer is in the negative.

19TH NOVEMBER 1918.] (Mr. Kavalappara Muppil Nayar ; Mr. Rama Ayyangar.)

77 Q.—(a) With reference to the recent Government Order regarding minute subdivision of agricultural holdings, will the Government be pleased to state the nature of Mr. Paddison's proposals and the rearrangement referred to in paragraph 4 of the Government Order? Minute sub-division of agricultural holdings.

(b) Will the Government be pleased to order the papers on the subject to be placed on the table?

77 A.—The reports * of the officers consulted including that of Mr. Paddison are laid on the table.

78 Q.—(a) Is it a fact that the pay of sanitary inspectors in this Presidency is nearly a half of what their brethren are paid in other Presidencies? Pay of sanitary inspectors.

(b) Will the Government be pleased to consider an improvement in their case as soon as financial conditions permit?

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

(b) The pay of sanitary inspectors in municipalities was fixed on a time scale in February 1917. The minimum pay of sanitary inspectors employed under local boards has been fixed and it is open to a local board, for sufficient reasons, to give higher pay in individual cases. The Government are not aware of any reason why the matter should now be further considered.

79 Q.—(a) Is it a fact that Local Governments were empowered by the Government of India in 1914 to promote sub-assistant surgeons to the rank of civil assistant surgeons under certain conditions? Promotion of sub-assistant surgeons to the rank of civil assistant surgeons.

(b) If the answer is in the affirmative, will the Government be pleased to state whether the benefit of this concession has been allowed in any; if so, in how many cases in this Presidency?

79 A.—The Honourable Member is referred to the answer to question No. 138 put by him at the meeting of this Council on the 21st November 1916. There has been no promotion of this kind since that date.

The Hon'ble Mr. K. Rama Ayyangar.

80 Q.—Will the Government be pleased to lay on the table the several reports of the District Magistrate, the District Superintendent of Police and the Deputy Inspector-General of Police on the incident of shooting in the Madura Collector's office compound on the 27th of September last? Reports on the recent incidents in Madura.

80 A.—The Honourable Member is referred to G.O. No. 2549, Home (Judicial), dated 15th November 1918, which has been placed on the Editors' Table.

81 Q.—Will the Government be pleased to state On the recent incidents in Madura.

(a) At what hour and how many of the reserve constables were taken to the Collector's office compound on the 27th September—the day of the incident referred to in the preceding question?

(b) What equipment did each of the officers and the reserve police men take with him when proceeding to the Collector's office compound?

(c) When and by whom was it decided that fire-arms would have to be loaded and used that day? Where were the carbines that were used that day kept before they were taken to the Collector's office compound?

(d) Who gave the orders to get those carbines to the Collector's office compound and who actually brought them there and when?

(e) When (at what hour to the minute) were the cartridges distributed to the policemen? How many were so distributed and how many rifles were in the compound that day and with whom?

(f) Were all the rifles examined before and after the incident and by whom, and were any bullets discharged from the rifles?

(g) Were all the muskets examined before and after the incident and by whom? Who were the constables whose muskets had been emptied by firing?

(h) How many muskets remained unloaded? Who gave the order to fire?

(i) Was any precautionary action taken to see that only a few cartridges were used at first or that notice of firing was given beforehand? Did any of the police constables come with loaded muskets in the compound? Was there an order to load? Did all persons load only after the order to load was given?

(j) Is it a fact that the shots were all sent in the direction in which Dr. P. Varadarajulu's carriage went out? If so, is there any reason ascertained for that direction being aimed at?

(Mr. Rama Ayyangar.)

[19TH NOVEMBER 1918.]

81 A.—The Honourable Member is referred to G.O. No. 2549, Home (Judicial), dated 15th November 1918, which has been placed on the Editors' Table. The Government have received from the Inspector-General of Police Mr. Pelly's report of the results of the departmental inquiry held with regard to the conduct of the police. This confirms the District Magistrate's view and the Government accept the joint conclusions arrived at by Mr. Pelly and the Inspector-General that no order to load or to fire was given, that in the excitement of the moment certain constables loaded their carbines without orders and that the first shot was accidental, being followed by other shots fired under the mistaken impression that a proper order to fire had been given.

Service of the District Superintendent of Police at Madura.

82 Q.—Will the Government be pleased to state
(a) What is the total service of the District Superintendent of Police at Madura?
(b) How long had he acted as Superintendent of Police, in what places, and during what periods before he was posted to Madura?

82 A.—(a) Nearly eight years.

(b) He had not acted as Superintendent of Police in any other district before he was posted to Madura.

Particulars regarding the sending of military troops to Madura.

83 Q.—(a) Will the Government be pleased to lay on the table the report by which the military troops were asked to be sent to Madura and the date on which they reached Madura? What were all the subsequent communications which desired further despatch of military troops to Madura?

(b) Will the Government be pleased to lay on the table a statement showing the number and equipments and the dates of the despatch of the various troops that were sent?
(c) Will the Government be pleased to state how many of the troops have been since withdrawn?

83 A.—The District Magistrate telegraphed on the 26th September to the Officer Commanding, Trichinopoly, in the following terms:—
"Please send immediately Madura 200 troops for ten days."
The troops asked for arrived on the following day. The Government have no details as to their equipment. It has been ascertained that the only troops now remaining in Madura are three officers and 103 men.

Reports on the recent incidents in Madura.

84 Q.—(a) Is it a fact that about the time of the firing the European residents of the town came dressed in military uniform towards the Thamukkam?
(b) If so, has there been an inquiry made to ascertain the reason for such action?

84 A.—The presence of some troopers of the Southern Provinces Mounted Rifles was due to the orders of the District Magistrate.

Inquiry into the state of unrest in Madura.

85 Q.—Will the Government be pleased to order a thorough inquiry into the condition of the state of unrest in Madura from the time of the mill strike to the date of the shooting incident?

85 A.—The Government do not consider it necessary to adopt the suggestion of the Honourable Member.

Failure of the Barur tank project.

86 Q.—Will the Government be pleased to state:
(a) whether it is a fact that the present irrigable area and the revenue derived from the Barur tank project has considerably fallen short of the original expectations;
(b) if the answer is in the affirmative, whether any investigation has been made in the past to ascertain the cause of the failure of the scheme;
(c) whether any representation has been received in the matter from persons interested in the project complaining of irregular distribution of water and defects in the system; and
(d) what action the Government have taken or propose to take in the matter to make the project financially successful?

86 A.—(a) to (c) Yes.

(d) The question of the reduction of the ayacut of the tank to the limit up to which irrigation can ordinarily be guaranteed is now under correspondence. There seems no prospect of the system ever becoming a financial success.

Failure of the Barur tank project.

87 Q.—Will the Government be pleased to lay on the table the original G.O. No. 124 I., Public Works, dated 11th February 1881, sanctioning the Barur tank project and all subsequent correspondence which might have led to the project being condemned as a failure?

87 A.—The Government do not think that any useful purpose would be served by printing the Government Order referred to and the voluminous subsequent correspondence; but they will endeavour to arrange for the issue of a press communiqué giving a history of the project and its working up to date.

19TH NOVEMBER 1918.]

(Mr. Rama Ayyangar.)

88 Q.—Whether the Government would be pleased to depute a special officer not below the rank of an Executive Engineer to investigate the possibilities of extension of irrigation under the Barur tank project in association with the Revenue Divisional Officer and other non-official gentlemen who might be selected?

Proposal to extend irrigation under the Barur tank project.

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

89 Q.—Whether the Government would independently of the investigation referred to in the preceding question order the establishment of water meters to determine the supply of water available both from the Ponnai river under the Barur tank system, and from the drainage of the catchment area of the tank; and whether they will order the readings to be taken by the Public Works Department Subdivisional office once in a fortnight for three or four years in the event of the Government deciding not to undertake any scheme of importance for increasing the supply for the successful irrigation of the entire area commanded by the project?

Establishment of water meters to determine the supply from the Ponnai river and the catchment area of the Barur tank.

89 A.—No object would be gained by installing water meters and taking fortnightly readings, as gauges in the supply channel and tank are now read daily.

90 Q.—Whether the Government would consider the advisability of transferring the duty of distributing water to the Revenue Department under the Barur tank system in view of possible abuse of authority on the part of lascars and sub-overseers in regulating water?

Transfer to the Revenue Department of the duty of distributing water under the Barur tank.

90 A.—The advisability of transferring to the Revenue Department the duty of distributing water will be considered.

91 Q.—Was there a strike among the labourers in the Madura Mills in August last? How many labourers were affected? When did the Government first have information about the strike?

Labour strike in the Madura Mills.

91 A.—A strike which ultimately involved 5,000 hands occurred in August and was reported to the Government at the time.

92 Q.—(a) Did the mill owners inform the Government that the mill hands had no grievances? Will the Government be pleased to lay on the table the correspondence (telegrams and letters) from the mill authorities to all the officers of Government?
(b) Did the Government ascertain whether the mill hands had grievances and what action did they take?

Labour strike in the Madura Mills.

92 A.—(a) The answer to both portions is in the negative.
(b) The endeavours of the Government have been limited to the promotion, through the agency of the District Magistrate, of an amicable settlement in the interests of public order.

93 Q.—(a) How many hours do the labourers work in the Madura Mills? from what hour to what hour? What is the condition of the health of the labourers?
(b) Will the Government be pleased to inquire into the physical condition of the labourers and children in the Madura Mills and take steps to assure themselves of the safety and health of the labourers and proper education of the children employed? How many of the children go to school?

Labour conditions in the Madura Mills.

93 A.—The Government are not in full possession of the information requested but will consult the District Magistrate.

94 Q.—Will the Government be pleased to lay on the table a full report of the causes that led to the recent disturbances at Kamuthi and the steps that have been taken to ensure peace in Kamuthi and the surrounding parts?

Disturbances at Kamuthi, Ramanad district.

94 A.—The Honourable Member is referred to G.O. No. 2550, Home (Judicial), dated 15th November 1918, which has been placed on the Editors' Table.

95 Q.—Will the Government be pleased to state
(a) if any decision has been arrived at about the reorganization of the Police department by dividing districts into subdivisional charges under Assistant or Deputy Superintendents of Police;

Reorganization of the Police department.

(b) if, in such reorganization, the District Superintendents of Police will be in charge of any subdivision with power to take charge of any of the other subdivisions, that he might like, exchanging his charge with that of an Assistant or Deputy Superintendent of Police;

(c) if the system of inspectors being placed in charge of circles over a number of Station-house officers is proposed to be continued, and, if so, to what extent?

95 A.—The matter is still under the consideration of Government.

(Mr. Rama Ayyangar; Mr. Venkatapati Raju.)

[19TH NOVEMBER 1918.]

Drainage under
Perunkulam,
Marudur ancient
system.

96 Q.—With reference to the answers to questions Nos. 78 and 146 at the meeting of the Legislative Council dated 25th May 1915 and 23rd November 1915, respectively, regarding a scheme of drainage to wet lands under Perunkulam tank Marudur ancient system, will the Government be pleased to state

(a) whether the detailed plans and estimates called for have been prepared and approved;

(b) when the Government expects the scheme to be taken on hand and finished; and

(c) in view of the delay in taking up the matter, will the Government be pleased to issue strict orders that the work must be carried out within a time to be prescribed by the Government?

96 A.—An estimate amounting to Rs. 46,570 for improving the drainage of wet land under the Perunkulam tank has been sanctioned for execution as a part-contribution work. The ryots' share is Rs. 23,435 and the Superintending Engineer has been instructed to put the work in hand as soon as their contribution has been collected. The work will be carried out as expeditiously as possible.

Particulars
regarding port
and coast
lights-keepers.

97 Q.—(a) Will the Government be pleased to place on the table statements showing (1) particulars of men employed in various lighthouses in the Presidency, with their service, pay and educational qualifications, giving reasons, where necessary, for promotions withheld, if any; (2) the number of Europeans and Indians employed severally in the port and coast lights; and (3) the maximum pay provided for and actually given to Indians and Eurasians, respectively?

(b) Will the Government be pleased to issue orders that Indians and Eurasians in the lighthouse service be given the same footing with regard to pay and prospects and in reference to transfers from one group to the other?

(c) Will the Government be pleased to issue orders that transfers of light-keepers in future be restricted as far as possible to their own neighbourhood or at least to the same language area?

97 A.—(a) The Government have no information on the subject, as the appointment, promotion and transfer of light-keepers are in the hands of the Presidency Port Officer.

(b) The Honourable Member is referred to the answer given to his question No. 41 put at the meeting of the Legislative Council held on the 3rd April 1918. So far as the Government are aware, these appointments, promotions and transfers are governed by considerations of fitness.

(c) As stated in answer to clause (a), the transfer of light-keepers is in the hands of the Presidency Port Officer and the Government are not prepared to restrict the discretion of that officer by executive instructions of the kind suggested by the Honourable Member.

Transfers of
light-house-
keepers.

98 Q.—(a) Are the Government aware of the fact that several transfers of light-keepers were lately ordered from one end of the Presidency to the other not apparently in view of economical working of the department and that reasonable applications for re-transfers have been left unnoticed?

(b) Will the Government be pleased to place on the table a statement showing the number of senior light-keepers who lost their promotions and were passed over by juniors, for having pleaded their inability to accept transfers to distant places?

(c) Will the Government be pleased to state on what grounds such wholesale transfers were made?

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

(b) & (c) No.

The Hon'ble Mr. B. Venkatapati Raju.

Estimated
revenue from
the proposed
water-rates.

99 Q.—Will the Government be pleased to state the amount of revenue that is estimated to be realized by the water-rates recently proposed to be levied?

99 A.—The Honourable Member is referred to the answers given to question No. 32 asked at the meeting of the Council held in August 1918.

Water-rates
levied under
first-class
irrigation
sources.

100 Q.—Will the Government be pleased to publish a comparative table of water-rates levied in several provinces under first-class irrigation sources?

100 A.—The Government are not in possession of any such comparative table of water-rates.

Average net
returns on
productive
irrigation
works.

101 Q.—Will the Government be pleased to publish the average net returns of last year in several provinces on productive irrigation works?

101 A.—The average net return of last year 1917-18 in the Madras Presidency on productive irrigation works is 9.95 per cent. The figures for other provinces are not available.

19TH NOVEMBER 1918.]

(Mr. Venkatapati Raju.)

102 Q.—Will the Government be pleased to state whether any arrangements are made to facilitate the maintenance and rearing of goats as they are absolutely prohibited from entering the reserved forests?

Facilities for
goat rearing.

102 A.—No special arrangements have been made, but large areas of reserved forests have been disafforested during the last three years and are now open to goat browsing.

103 Q.—Will the Government be pleased to state whether any Uriya pandit is engaged to look after Uriya works in the Oriental Manuscripts Library?

Uriya pandit
for the
Oriental
Manuscripts
Library.

103 A.—The answer is in the negative.

104 Q.—Will the Government be pleased to publish the market prices prevalent in Madras and other municipal towns during the months of July, August, September and October 1918 of the foodstuffs, cloths and other necessities of life so far as they are available?

Publication
of the market
prices of
foodstuffs,
etc., in the
Presidency.

104 A.—The market prices of the chief food-grains and salt have been published each month in the Fort St. George Gazette. The Government do not receive regular returns of the price of cloths and other necessities of life.

105 Q.—Will the Government be pleased to state the localities where scarcity rates of foodstuffs are prevalent?

Localities
where
scarcity
rates of
foodstuffs
prevail.

105 A.—The following statement is laid on the table:—

Foodstuffs.	Districts in which scarcity rate prevailed on 2nd November 1918.
Rice	Kurnool, Madura and Tinnevely.
Ragi	Anantapur.
Cholam	Godavari, Guntur, Kurnool, Bellary, Anantapur, Cuddapah, Salem, Coimbatore and Tinnevely.
Cumbu	Guntur, Kurnool, Anantapur and Salem.

106 Q.—Will the Government be pleased to state the taluks where paddy cultivation suffered for want of timely rains?

Taluks where
paddy culti-
vation suffered
for want of
rains.

106 A.—The information, so far as it is yet available, will be found in the weekly season reports published in each issue of the Fort St. George Gazette, but as the agricultural season is not yet over, information cannot at present be complete.

107 Q.—Will the Government be pleased to start a coconut agricultural station either in Amalapur or Razole taluk where coconut plantation is extensive?

A coconut
agricultural
station in the
Amalapur or
Razole taluk.

107 A.—The Government do not propose to open coconut stations at Amalapur or Razole just now.

108 Q.—Will the Government be pleased to state whether there is any veterinary hospital or dispensary in the Agency tracts and whether it is proposed to open one at an early date?

Opening of a
veterinary
hospital or
dispensary in
the Agency
tracts.

108 A.—There is a veterinary dispensary at Bhadrachalam and one will be opened at Polavaram during 1919.

109 Q.—Will the Government be pleased to state whether the Boggeru project and Vengalapuram project of Nellore district are given up or will be pushed through?

State of the
Boggeru and
Vengalapuram
projects in
Nellore district.

109 A.—It was decided in November 1915 to abandon the Boggeru project as it did not fulfil the conditions of a productive, protective, or even a famine-relief work. As regards the Vengalapuram project, final orders on the plans and estimates are held over pending the result of an inquiry whether the ryots concerned are willing to pay the rates necessary to make the scheme productive.

110 Q.—Will the Government be pleased to state whether any public accounts are available to find out the existing number of agricultural live-stock and available pasturage for the same, by villages, and whether the figures are arrived at by actual census and survey or by guess work of kurnam?

Information on
agricultural
live-stock and
pasturage.

110 A.—A census of the agricultural live-stock in every village is taken once in every five years and the figures for districts are published in Appendix G to the Season and Crop report. The extent of land reserved as common grazing ground in each village is given in Village Account No. 2. The census figures are obtained by the usual census methods.

111 Q.—Will the Government be pleased to make arrangements for maintaining stud-bulls either by the Government or local bodies at every veterinary hospital or dispensary instead of abolishing breeding operations altogether by selling the existing seven stud-bulls?

Maintenance
of stud-bulls.

(Mr. Venkatapati Raju.)

[19TH NOVEMBER 1918.]

111 A.—The seven stud-bulls referred to have already been disposed of as they were found unserviceable by the Agricultural department which has assumed control of stock-breeding operations in the Presidency. Stud-bulls are maintained at the Coimbatore, Anakapalle, Hagari, Nandyal, Mangalore and Kovilpatti agricultural stations.

A scheme for encouraging the better maintenance of stud-bulls by agricultural and co-operative societies and by private individuals has been sanctioned in G.O. No. 2477, dated 4th November 1916, placed on the Editors' Table. The Government do not consider it necessary to maintain stud-bulls at veterinary institutions.

Expenditure under breeding operations.

112 Q.—Will the Government be pleased to state the nature of expenditure of Rupees 1,291-11-0 under the Head of Breeding operation simultaneously with its obituary notice in the administration report of the Civil Veterinary department for 1917-18?

112 A.—The amount represents the charges incurred in the maintenance of breeding bulls till they were disposed of during the latter part of the year.

Reorganization of the inspectorate of schools.

113 Q.—Will the Government be pleased to state whether there is any proposal for a reorganization of the inspectorate of schools and whether it will be published for public criticism before final acceptance?

113 A.—The question of the general reorganization of the inspecting agency is being held in abeyance pending receipt of the orders of the Government of India on the recommendations of the Public Services Commission in regard to educational services. The Government are unable to entertain the suggestion contained in the latter part of the question.

Preservation of pasturage in villages.

114 Q.—Will the Government be pleased to state whether there is any order of Government that a definite area shall be kept as pasture land in every village, and, if so, whether any steps are taken to preserve the pasturage thereon?

114 A.—There is no rule requiring a definite area to be kept as pasture land in every village. The Honourable Member will find the rules regarding repression of encroachment on porambokes in Board's Standing Order No. 26.

Lease of Government channel bunds in the Godavari and Kistna deltas for planting coconut trees.

115 Q.—Will the Government be pleased to state
(a) whether the available Government channel bunds in the Godavari and Kistna deltas are utilized by planting coconut trees; and
(b) whether the Government is prepared to lease out the same for private parties for planting coconuts on such terms approved by the Government as to avoid obstructions to traffic and repairs and on payment of revenue on graduated scale?

115 A.—(a) Material is not available to answer so general a question.
(b) Each case will be considered on its merits as it arises.

Plantation of road avenues.

116 Q.—Will the Government be pleased to state whether local boards will be instructed to employ private agency for the planting of road avenues in the localities where shade avenue growing is neither profitable nor self-supporting?

116 A.—G.O. No. 107 L., dated 24th January 1918, is laid on the table.

Silk industry in the Presidency.

117 Q.—Will the Government be pleased to state
(a) whether a Sericultural Superintendent has been appointed in our Presidency to look after silk industries;
(b) whether steps will be taken to establish nurseries to supply the seeds required by the rearers;
(c) whether loans will be granted under the Land Improvement Loans Act for building silk-rearing houses; and
(d) whether district overseers will be appointed to educate the rearers in the improved method of reeling process and to look after the growth of silk industry in various directions?

117 A.—(a) The Government have decided to appoint a Sericultural Expert for the Presidency.
(b), (c) & (d) The preparation of a detailed scheme of work can be considered only after the expert has reported.

Establishment of co-operative educational committees.

118 Q.—Will the Government be pleased to state whether co-operative educational committees will be started in localities where co-operative banks are established for the purpose of organizing free night schools and technical classes and reading rooms or libraries where works on co-operation are made available in vernaculars and whether the Government will contribute a moiety of the expenditure for the aforesaid purpose?

118 A.—No such proposals as are referred to in the question seem to have reached the Government at present and therefore the question of a Government contribution for such purposes has not been considered.

19TH NOVEMBER 1918.]

(Mr. Sadasiva Bhat.)

The Hon'ble Mr. K. Sadasiva Bhat.

119 Q.—Will the Government be pleased to make a statement with reference to Malabar and South Kanara as to

(a) the approximate outturn of the last crop as compared with the outturn in ordinary years;

(b) the condition of the standing crops; and

(c) the stocks of food-grains available in the two districts and their sufficiency till the next harvest?

119 A.—(a) & (b) The information, so far as it is yet available, will be found in the weekly season reports which are published in each issue of the Fort St. George Gazette.

(c) A revised estimate of the stock of foodstuffs has been called for from all districts. Pending its receipt the Government are unable to furnish the information asked for.

120 Q.—Will the Government be pleased to ascertain and state the approximate extent of the area in the districts of Malabar and South Kanara of land cultivated in normal years but left uncultivated or which yielded no crop owing to unseasonal or deficient rainfall?

120 A.—The Honourable Member's attention is invited to the monthly cultivation statement which is published in the Fort St. George Gazette. The statement for September shows the following results:—

	South Kanara.	Malabar.
	ACS.	ACS.
Cultivation up to the month	497,509	1,344,985
Average of previous five years	522,988	1,357,433
Reduction in 1918	4.8 per cent.	0.9 per cent.

No other information is available or can be obtained until the next monthly statement is published.

121 Q.—Will the Government be pleased to state if final orders have been passed in the matter of revising the sandalwood transport rules in South Kanara? If any orders have been passed, will the Government be pleased to place them on the table?

121 A.—Final orders have not yet been passed.

122 Q.—(a) Is it a fact that it has been proposed to depute about 25 deputy collectors for training in survey and settlement work in a special survey school?
(b) What is the estimated expenditure of the scheme including the travelling allowances and the higher salaries to be paid to the relieving officers?
(c) Will the Government be pleased to restrict the training to such officers only as are likely to be actually employed on special settlement duty?

122 A.—(a) No.
(b) & (c) The Government decided in August last that the training in survey and settlement, which, under orders hitherto in force, had been compulsory on all deputy collectors, shall in future be obligatory only in the case of deputy collectors who are appointed direct and who therefore have not served in the grade of revenue inspector. Only one deputy collector is accordingly being trained this year.

123 Q.—(a) Has the Kerala Janmi Sabha submitted a memorial to Government dated 9th September 1918 regarding the grant of quit-rent pattas in respect of certain sites and other grievances of the janmis of Malabar?

(b) Will the Government be pleased to state if it has held any inquiry into these grievances and if so with what result?

(c) If not, will the Government be pleased to direct an inquiry into the grievances referred to?

123 A.—The memorial referred to in the question has not been received.

124 Q.—(a) Will the Government be pleased to state (i) what steps are proposed to be taken or whether they have framed any programme in the light of the Government of India resolution for the extension of elementary education and (ii) for the utilization of the Imperial grant of Rs. 5½ lakhs for elementary education?

(b) Will the Government be pleased to ascertain the number of villages with a population of over 1,000 in Malabar and South Kanara which have no public elementary schools and call for proposals or suggestions from the local and other public bodies in the districts regarding their needs in that direction?

Outturn of crops in Malabar and South Kanara.

Decrease of cultivated area in Malabar and South Kanara owing to unfavourable season.

Revision of sandalwood transport rules in South Kanara.

Training of deputy collectors in survey and settlement work.

Grievances of janmis of Malabar.

Extension of elementary education.

(Mr. Sadasiva Bhat; Mr. Ranga Achariyar;
the President.)

[19TH NOVEMBER 1918.]

- 124 A.—(a) (i) No separate action has been taken on the resolution in question. The Bill to provide for the expansion and development of elementary education in the Presidency which is now under the consideration of Government will indicate the necessary action in this respect. (ii) The Director of Public Instruction has been asked to submit proposals for the distribution of the grant. These have not been received in full.
- (b) The Honourable Member is referred to the supplemental statistics issued with the annual report on Public Instruction. The Government do not consider it necessary to take any special action as suggested by the Honourable Member.

Stipend for Malabar and South Kanara students in the Coimbatore Medical school. 125 Q.—Will the Government be pleased to offer special stipends for Malabar and South Kanara students at the Coimbatore Medical school as is done in the case of Telugu and Kanarese students from the Ceded districts at the Vizagapatam school?

125 A.—The supply of west coast students being sufficient, the Government do not consider that the course suggested is necessary.

The Hon'ble Mr. T. Ranga Achariyar.

Development of sandalwood oil industry. 126 Q.—With reference to my question No. 33 put at the meeting of the Legislative Council on the 13th August 1918 and the answer thereto, regarding the development of the sandalwood oil industry will the Government be pleased to state whether any report has been received from the Special officer deputed to collect information regarding the trade in sandalwood oil, and if so, whether they will lay the same on the table; and also state what action they propose to take in order to develop that industry?

126 A.—The report has been received and is under the consideration of Government.

Cultivation of a variety of paddy in Tanjore. 127 Q.—With reference to my question No. 42 put at the meeting of the Council on the 13th August 1918, and the answer thereto, regarding the cultivation of a certain variety of paddy in the Tanjore district will the Government be pleased to state whether they have received any report from the Director of Agriculture, and if so, whether they will lay the same on the table?

127 A.—The Honourable Member is referred to paragraph 34 on page 17, paragraph 9 on page 61, and paragraph 9 on page 79 of the report on the operations of the Agricultural Department for 1917-18 which has been placed on the Editors' Table.

Penalty on primary school pupils seeking admission into secondary schools. 128 Q.—With reference to my question No. 43 put at the meeting of the Council on the 13th August 1918, and the answer thereto, will the Government be pleased to state whether any and what orders they have passed on the recommendations of the conference appointed by Government to discuss educational matters especially with regard to the imposition of penalty on primary school pupils seeking admission into secondary schools and the abolition thereof?

128 A.—The matter is still under consideration.

The Hon'ble Mr. T. RANGA ACHARIYAR:—"With reference to question No. 128, may I know when the orders of the Government may be expected? The matter has been long under consideration."

His Excellency the PRESIDENT:—"The same question has been put by the Hon'ble Mr. Ramachandra Rao. The matter will be expedited as far as possible."

Elementary Education Bill.

129 Q.—Will the Government be pleased to state

(a) whether the committee appointed by the Government to consider the proposed Elementary Education Bill have made any report, and, if so, what action has been taken in the matter; and

(b) what were the recommendations of the conference on the subject assembled by the Government in May last and what action has been taken in the matter?

129 A.—There have been two conferences of officials and non-officials on the subject of the proposed Elementary Education Bill, the first was held at Madras in November 1917, and the second in May 1918 at Ootacamund; these conferences were informal, and they did not draw up any reports. It is not intended to publish their proceedings which will be treated as confidential; but they have been fully and carefully considered in the drafting of the Bill.

Statistics of voters and electors in taluk boards and municipalities.

130 Q.—Will the Government be pleased to lay on the table a statement showing (a) the number of voters for the election of members to each of the taluk boards in the Presidency; (b) the number of electors for the election of members of municipalities in each of the district municipalities in the Presidency; and

19TH NOVEMBER 1918.] (Mr. Ranga Achariyar; Mr. Rajagopala Achariyar;
Mr. Annamalai Chettiyar.)

(c) the number of income-tax assesses within the limits of each taluk board or municipality in the Presidency, giving details of the member paying (i) over Rs. 30 and under Rs. 50, and (ii) over Rs. 50?

130 A.—(a) The Honourable Member is referred to the answer given to question No. 23 asked at the meeting held on the 13th August 1918. The information required has not yet been received from all districts.

(b) A statement* showing the number of electors in district municipalities in 1917-18, as compiled from the administration report statements, is placed on the table.

(c) The Government are not in possession of the information.

The Hon'ble Mr. T. RANGA ACHARIYAR:—"With reference to question No. 130, clause (c), will the Government be pleased to call for information?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"If the Honourable Member will write and say why he wants the information, the Government will consider whether it is worth while to call for the information. He will kindly write and tell me."

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

131 Q.—(a) Will the Government be pleased to make a full statement of the methods they have adopted or intend to adopt for the alleviation of the suffering of the people caused by the high price of food-grains and the total failure of the monsoon?

(b) Will the Government be pleased to direct Collectors to collect statistics of the approximate consumption of food-grains and garden crops during the past year, and of the actual stocks held thereof at present and of the quantities likely to be harvested in each district, and if the supply would not meet the immediate and the future demand in the various districts of this Presidency on the basis of the above statistics, will the Government be pleased to arrange for the importation from all available sources both from within and outside this province the quantities required?

(c) Will the Government be pleased to issue immediately an order absolutely prohibiting the exportation of the commodities referred to above except in cases where there are surpluses to places outside this province, either by land or by sea?

(d) Will Government be pleased to take power if necessary to compel producers to sell all their surplus stock both present and incoming and to fix their sale prices on an average rate of prices based upon those that prevailed in the districts during the five years of 1911 to 1915?

(e) Will the Government be pleased to take power if necessary to fix the quantities to be sold at a time and the percentage of profits at which traders in these commodities should sell them to the public in the several districts, and to permit such sale to be carried on only by traders licensed by the Collectors, the licence to contain the necessary penal clauses if the restrictions suggested above are infringed by them?

131 A.—(a) to (c) A statement on these points will be made in connexion with the resolutions on the subject which appear on the agenda paper.

132 Q.—Will the Government be pleased to make a full statement of all the powers exercised at present by the Director of Civil Supplies and the advisory and the publicity boards with reference to the supply and transport of commodities within and to places outside the province?

132 A.—The duties of Directors of Civil Supplies are to consider stocks of foodstuffs and other necessities, to receive and examine applications from merchants and others for the movement of traffic, to scrutinize demands and reports sent by district officers, to consult with the Railway authorities as to the movement of traffic and to issue certificates for traffic. The Directors of Civil Supplies are empowered to prohibit or restrict the movement of such commodities as are non-essential in order to facilitate the movement of commodities which are essential.

133 Q.—(1) Will the Government be pleased to name the districts in which emergency committees have been already formed to co-operate with the Collectors and the results achieved by them so far?

(2) Will the Government be pleased to direct the immediate formation of the emergency committees in the districts in which they have not been formed till now?

133 A.—So far as the Government are aware, emergency committees have been formed in all districts.

134 Q.—Will the Government be pleased to increase the railway and canal facilities for the transport of food-grains and other articles to places that require them?

134 A.—Yes, so far as the supply of rolling stock and existence and capacity of canals permit.

(Mr. Annamalai Chethiyar.) [19TH NOVEMBER 1918.]

Facilities for transport of Madras piece-goods.

135 Q.—With a view to relieve the tension caused in the Madras piece-goods market by a glut of these goods held up by speculative and other purchasers and to replenish the stocks in the mufassal consuming centres, will the Government be pleased to direct the Director of Civil Supplies to afford merchants promptly the necessary transport facilities?

135 A.—No such instructions are necessary as the Director of Civil Supplies is already issuing certificates freely for the purpose indicated.

Restrictions on the export of piece-goods from Madras.

136 Q.—(a) Will the Government be pleased to state whether any and what kind of restrictions are placed on the export of piece-goods from the City of Madras (1) to places outside Madras and (2) to places outside this Presidency?

(b) Will the Government be pleased to state whether they intend to exercise any and what kind of control over the prices of cotton-cloth stocks in Madras?

136 A.—(a) The Government are not aware of any restrictions on the movement of piece-goods.

(b) The control of the prices of piece-goods, if any, will be exercised by the Controller of Cotton Cloth with the Government of India.

Names and addresses of accountants approved by Government for income-tax purposes.

137 Q.—(a) For the benefit of the assesses to income-tax who desire to get their accounts properly audited and certified, will the Government be pleased to give the names of the accountants with their addresses as approved by them under rules 14 and 15 published by them on page 57 of the new Income-tax Manual?

(b) Will the Government be pleased to state the number of applications received from accountants and the number of them approved by the committee appointed under rule 15 referred to above for income-tax purposes?

137 A.—The Government are not in possession of the information, but will call for it.

Issue of passports to persons engaged in overseas trade.

138 Q.—(a) Will the Government be pleased to make a statement regarding their object in introducing the passport system and the policy pursued by them in the matter of issuing passports to enable persons engaged in overseas trade to go over themselves or send their agents and clerks engaged in this Province for carrying on their trade in Penang, Singapore and other places in the Straits Settlements and the Federated Malay States and in French Coochin China?

(b) Will the Government be pleased to state whether they have issued any definite instructions to Collectors and District Magistrates to be carried out by them in disposing of the applications made to them for passports for voyaging to the above places for trade purposes?

(c) If the answer to (b) is in the affirmative, will the Government be pleased to lay a copy of such instructions on the table of this House?

(d) Will the Government be pleased to issue the necessary instructions to the District Magistrates to grant freely all bona fide applications for such passports except in the cases of persons who are certified by the District Medical and Sanitary Officers to be unfit for undertaking the voyage on account of ill-health or disease?

138 A.—The passport system, which is based on the orders of the Government of India and the expressed wishes of the Home Government, has for its main purpose the 'restriction of journeyings, both for unnecessary and undesirable objects.' Instructions have from time to time been issued to Collectors in accordance with the rules originally laid down by the Government of India in this matter and modifications therein subsequently directed. According to the latest orders, which have been duly communicated to Collectors, the principle governing the issue of passports to persons engaged in overseas trade is to avoid unnecessary interference with legitimate livelihood. Passports are now freely issued to all persons who have bona fide reasons of business for journeys to the countries mentioned in the question and the Government believe there is no longer any legitimate ground for grievance.

Railway restrictions on the despatch of parcels of Indian hand-made cloths.

139 Q.—(a) Has Government perused the report of the proceedings of a meeting of cloth merchants of the Sowrashtia community held on the 4th October 1918 at Madura, published on page 7 of the *Hindu* of the 9th October 1918?

(b) Has Government received the resolutions passed at that meeting requesting Government to take the necessary steps for the transmission by railway parcel, Indian hand-made cloths from Madura to other consuming centres?

(c) Will the Government be pleased to state what steps they have taken for remedying the grievances embodied in the resolutions referred to above and also the grievances in other places in the Province where merchants dealing in similar goods are labouring under the same difficulties of transport of their goods by railway to other places within this Province?

139 A.—(a) Yes.

(b) No; but the Government received through the Collector of Madura a copy of a memorial addressed by the weavers of Madura to the General Traffic Manager, Trichinopoly, on the subject.

(c) The Government addressed the Agent, South Indian Railway, and he relaxed the rule prohibiting the booking of cloth by passenger trains temporarily until the Dipavali season was over. Further inquiries are being made.

19TH NOVEMBER 1918.] (Mr. Suryanarayana Rao.)

The Hon'ble Mr. A. Suryanarayana Rao.

140 Q.—Will the Government be pleased to state when the Government would arrange for the election or nomination of presidents of district boards as recommended by the Government of India in their resolution dated 16th May 1918?

Election or nomination of presidents of district boards.

140 A.—Non-official gentlemen are now presidents of the district boards of North Arcot, South Arcot, Godavari, South Kanara and Trichinopoly. The policy is being continuously kept in view and acted on whenever a suitable opportunity occurs.

141 Q.—Will the Government be pleased to publish the opinions of the presidents of district boards and non-official presidents of taluk boards recently called for by the Government regarding the appointment of special executive officers to the district boards and big taluk boards when they have got non-official presidents?

Appointment of special executive officers to local boards which have non-official presidents.

141 A.—Government Order No. 1510 L, dated 8th November 1918, containing these opinions will be placed on the Editors' Table.

142 Q.—Will the Government be pleased to state when amending Bills to give effect to the suggestion in the Government of India Resolution, dated 16th May 1918, regarding local self-government will be introduced?

Bills to amend the Madras District Boards and Municipalities Acts.

142 A.—The Bill to amend the Madras District Municipalities Act, 1884, has been forwarded to the Government of India, and the Bill to amend the Madras Local Boards Act, 1884, will, it is hoped, be soon forwarded to that Government. The two Bills contain, along with other matters, such changes in the working of district municipalities and rural boards as the Government consider it necessary to make in pursuance of the resolution of the Government of India.

143 Q.—Will the Government be pleased to state whether they permit informal panchayats to raise money for their purposes?

Permitting informal panchayats to raise money for their purposes.

143 A.—Such panchayats are free to raise money by voluntary means for their own purposes.

144 Q.—Will the Government be pleased to take the opinion of the local boards regarding the contribution of a portion of land-cess raised within the limits of union panchayats to the union funds?

Contribution of a portion of land-cess to union funds.

144 A.—The Government do not consider it necessary to do so, as each taluk board is competent to give such subventions as it deems necessary to a union under it.

145 Q.—Will the Government be pleased to state the reasons why a kistbandi is allowed only in the case of the Sarvasiddhi taluk of the Vizagapatam district and not with respect to the whole district and more especially with regard to Narasapatnam which is contiguous with the Sarvasiddhi taluk and also why three instalments were fixed in the case of Sarvasiddhi instead of four as was done in some other districts recently?

Kistbandi in the Vizagapatam district.

145 A.—In the case of the Sarvasiddhi taluk the December kist was abolished because it was reported that paddy which is the principal kist-paying crop of that taluk is not generally brought to market before January. On the other hand the principal kist-paying crops of the Golconda (Narasapatnam) taluk especially gingelly and green-gram are said to be usually brought to market in or before December and there was therefore no need to abolish the December kist in this case. The decision to levy the assessment in Sarvasiddhi taluk in three instalments instead of four was based on the fact that, if the December kist was abolished, a fourth kist must be postponed to April, an arrangement which was not considered advisable.

146 Q.—Will the Government be pleased to state whether any Bill with provisions for compulsory elementary education, as the outcome of the educational conference held at Ootacamund in May last, is under preparation, and if so, when it will be published and introduced into the Legislative Council?

Bill for compulsory elementary education.

146 A.—The Honourable Member is referred to the answer to question No. 15.

147 Q.—Will the Government be pleased to call for a report and place it on the table, for what periods the Tahsildars of Sarvasiddhi and Golconda taluks in the Vizagapatam district have exercised second-class magisterial powers within the last two years, and also whether the tahsildars of the said stations exercised such powers previously since the appointment of stationary sub-magistrates to those two taluks?

Magisterial powers exercised by the Tahsildars of Sarvasiddhi and Golconda taluks, Vizagapatam district.

(Mr. Suryanarayana Rao ; Sir Alexander Cardew.) [19TH NOVEMBER 1918.]

147 A.—The Tahsildars of Sarvasiddhi and Golconda, like other tahsildars, are ex-officio second-class magistrates, but the Government have no information as to the extent to which they have actually exercised their magisterial powers and in the absence of special reasons for inquiry, do not think it necessary to call for a report on the point.

Vacancies among Deputy Tahsildars in the Vizagapatam district.

148 Q.—Will the Government be pleased to state how many posts of Deputy Tahsildars in the Vizagapatam district have not yet been filled up and for what period and the reasons for not filling up the same?

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

The Hon'ble Mr. A. SURYANARAYANA RAO:—“With reference to question No. 148, which is ‘will the Government be pleased to state how many posts of Deputy Tahsildars in the Vizagapatam district have not yet been filled up and for what period and the reasons for not filling up the same?’ It is said ‘The Government are not in possession of the information asked for.’ Will the Government be pleased to call for the information?”

The Hon'ble Sir ALEXANDER CARDEW:—“Yes, I have no objection to call for the information.”

Prohibition of export of grain from the Godavari to the Vizagapatam district.

149 Q.—Is the Government aware that the Collector of the Godavari district has prohibited the export of grain to the Vizagapatam district even by carts, and the people of the Vizagapatam district, especially in the immediate neighbourhood of the Godavari district, are suffering on account of failure of the paddy crop in the Sarvasiddhi and Golconda taluks this year?

Will the Government be pleased to call for a report from the Collectors of Vizagapatam and Godavari districts on the subject and pass such orders as it deems fit?

149 A.—The Government will make inquiries.

Scheme report regarding the settlement of Vizagapatam district.

150 Q.—Will the Government be pleased to state when the scheme report regarding the settlement of the Vizagapatam district will be published?

150 A.—It is not possible now to say when the scheme report will be published.

Appointment of special executive officers to local boards which have non-official presidents.

151 Q.—Will the Government be pleased to place on the table the opinions submitted by the presidents of district boards and the non-official presidents of taluk boards regarding the appointment of an executive officer for district boards and large taluk boards as suggested by the Government of India in their recent resolution on local self-government?

151 A.—The Honourable Member is referred to the answer given to question No. 141.

Reports regarding Thandava and other irrigation projects in the Vizagapatam district.

152 Q.—Will the Government be pleased to place on the table the preliminary report regarding Thandava project in Vizagapatam district, and also reports giving information as far as it is available, in regard to irrigation projects in the Vizagapatam district at the time of the Irrigation Commission and subsequently?

152 A.—No orders have yet been passed on the preliminary report on the Thandava project pending receipt of forecast statements of revenue, which are awaited. The report cannot be published at this stage.

The Nagavalli project has been sanctioned and carried out, and further inquiries are being made in connexion with the Kondakarla Ava, but no useful purpose would be served by publishing the correspondence.

Arms Act licence forms.

153 Q.—Will the Government be pleased to state the reasons for a reduction in the number of the principal forms of licences in force under the Indian Arms Act in the Vizagapatam district as per statement II attached to G.O. No. 1888, dated 20th August 1918?

153 A.—In his annual report the District Magistrate noted that the reduction was due to the expiry of old licences which there were no sufficient grounds to renew and the exercise of care in granting new ones.

Activities of the Fisheries Department in the Northern Circars.

154 Q.—Will the Government be pleased to state what the activities of the Fisheries Department have been in the Northern Circars in general and the Vizagapatam and Ganjam districts in particular, since the opening of the department?

154 A.—The only scheme taken up by the Fisheries Department in the Northern Circars up till now is the Collair scheme mentioned at page 12 of G.O. No. 3161, Revenue, dated 17th October 1918, which has been placed on the Editors' Table.

APPENDIX I.

[Vide answer to question No. 1 asked by the Hon'ble Mr. B. V. Narasimha Ayyar at the meeting of the Legislative Council held on the 19th November 1918, page 263 supra.]

Representations received from the public in regard to the incidents in Madura.

I

Letter—from the Hon'ble Mr. K. RAMA AYYANGAR, B.A., B.L., Additional Member of the Madras Legislative Council, Madura.

To—the Chief Secretary to Government.

Dated—the 28th September 1918.

No.—R.O. 264.

I have wired to-day to the Government as follows:—“Madras Government, Ootacamund. At close yesterday trial Varadarajulu's case Reserve Police in immediate presence Superintendent charged with bayonet and fired killing reserve constable, mortally wounding another since dead, others wounded. Police action unwarranted. Immediate independent inquiry essential.”

An independent inquiry, I think, will allay public apprehensions. The crowd which had gone to witness the inquiry, I understand, has been there for some time and when Dr. P. Varadarajulu Nayudu after the close of the trial got down and went to his carriage which was standing east of the portico, the crowd gathered round him and were dispersed by a bayonet charge and after that stones had been pelted and a firing has taken place. The District Superintendent of Police told me that he had not given the order to load or fire. However, there was firing and two persons have died up till now. Hence my wire for an inquiry.

I (a)

Telegram—from M.R.Ry. V. RAMACHANDRA AYYAR Avargal, President of the public meeting, Madura.

To—the Chief Secretary to Government.

Dated—the 2nd October 1918.

September 29th public meeting, Madura; four thousand citizens present; unanimous resolutions against conduct police bayonetting and firing; also unanimously resolved police administration must place new district superintendent and conduct (Elliot) close by firing lines should seriously considered demanded immediate independent inquiry.

I (b)

Letter—from M.R.Ry. V. RAMACHANDRA AYYAR, B.A., B.L., President, public meeting of the citizens of Madura.

To—the Chief Secretary to Government.

Dated—the 2nd October 1918.

In confirming my telegram to you of to-day in connexion with the resolutions unanimously passed at a public meeting of the citizens of this town at which I presided regarding the conduct of the police on Friday last, I have the honour to forward herewith a copy of the resolutions.

I may state that there is very great public feeling in regard to the matter and a very speedy and thoroughly independent and full inquiry would be extremely desirable.

I have the honour to request you to place before Government this letter and the resolutions.

ENCLOSURE

Resolutions unanimously passed at a public meeting of the citizens of Madura held on 29th September 1918.

That this meeting of the citizens of Madura is of opinion that the conduct of the police on the 27th September 1918 in charging with bayonets the crowd that gathered in the Collector's office compound to see Doctor Varadarajulu Nayudu returning home after the close of the hearing of the case against him for that day and after the cruel and unnecessary provocation and on the trifling pretext of a few stones being thrown in consequence, their conduct in opening fire on the crowd fully knowing that death would result, which conduct did result in the death of two persons and injury to others, was criminal and calls for an early and independent inquiry by the Government.

2. That this meeting is of opinion that the administration of the police of the district must be placed in the hands of a new and impartial District Superintendent and that the competency of the present District Superintendent of Police who was close by the firing line and hurried upstairs as soon as the volley was fired to hold his office any longer must be seriously considered by the Government.

3. That this meeting demands that an immediate, full and independent inquiry into the conduct of all concerned be held.

4. This meeting expresses its sympathy with the relatives and friends of the victims of the high-handed and insensate act of outrage.

5. That these resolutions be communicated to the Government and the press.

II

Telegram—from the Secretaries, Madras Mahajana Sabha.
To—the Chief Secretary to Government.
Dated—the 2nd October 1918.

Madras Mahajana Sabha strongly urges appointment impartial committee to conduct public inquiry into action of police in firing on the crowd at Madura on Friday last resulting in the death of two persons and injuries to others.

III

Letter—from the Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal, Secretary to Government, Home (Judicial) Department.

To—the Secretaries, Madras Mahajana Sabha.
 M. K. Hy. V. Ramachandra Ayyar Avargal, President of a public meeting held at Madura on 2nd September 1918.
 the Hon'ble Mr. K. Rama Ayyangar, B.A., B.L., Madurai.

Dated—the 5th October 1918.
No.—2457 A-2.

In continuation of my letter No. 2451 A-1, dated 3rd October 1918, I am directed to state that the conduct of the inquiry into the unfortunate disturbance which occurred at Madura on the 27th September last is in the hands of Mr. Paddison, the District Magistrate, in whose judgment and impartiality the Government repose the greatest confidence. The Government are not prepared to consider the

your telegram of the 2nd October
 preferred in your telegram of the 2nd October
 your telegram and letter of the 28th September

an inquiry by a committee
 for an independent inquiry and the removal of the
 an independent inquiry.

District Superintendent of Police.

IV

Telegram—from the Secretaries, Madras Congress Committee.
To—the Secretary to Government, Home (Judicial) Department.
Dated—the 3rd October 1918.

Madras Congress Committee prays public inquiry by impartial committee into conduct of police at Madura and Conjeevaram by Indian Defence Force.

V

Letter—from the Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal, Secretary to Government, Home (Judicial) Department.
To—the Secretaries, Madras Congress Committee.
Dated—the 8th October 1918.
No.—2457 A-6.

I am directed to acknowledge the receipt of your telegram, dated 3rd October 1918, to the address of the Chief Secretary to Government and to state that the conduct of the inquiry into the unfortunate disturbance which occurred at Madura on the 27th September last is in the hands of Mr. Paddison, the District Magistrate, in whose judgment and impartiality the Government repose the greatest confidence. The Government have received a report from the District Magistrate, Chingleput, and do not consider any additional inquiry necessary. The Government are not prepared to consider the request preferred in your telegram for a public inquiry.

VI

Letter—from the Honorary Secretary, Madura-Ramnad District People's Association.
To—the Secretary to Government, Home (Judicial) Department.
Dated—Madurai, the 2nd October 1918.
No.—47.

I beg to communicate for necessary action the following resolutions passed by the Madura-Ramnad District People's Association in its general body meeting held on 29th September 1918:—

Resolution I.—"That this meeting of the District People's Association, Madura, is of opinion that the conduct of the police on the 27th September 1918, in charging

with bayonets the crowd that gathered in the Collector's office compound, to see Doctor Varadarajulu Nayudu returning home after the close of the hearing of the case against him for that day, and after this cruel and unnecessary provocation their conduct in opening fire on the crowd on the trifling pretext of a few stones being thrown in consequence, fully knowing that death would result, which conduct resulted in the death of two persons and injury to others, was criminal and calls for an early and independent inquiry by the Government."

Resolution II.—"That this meeting is of opinion that the administration of the police of the district must be placed in the hands of a new and impartial District Superintendent and that the competency of the present District Superintendent of Police who was close by the firing line and hurried upstairs as soon as the volley was fired, to hold the office any longer, must be seriously considered by Government. That this meeting demands that an immediate, full and independent inquiry into the conduct of all concerned be held."

Resolution III.—"The Secretary of the District People's Association be authorized to communicate the resolutions to Government and to press."

VII

Letter—from the Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal, Secretary to Government, Home (Judicial) Department.
To—the Honorary Secretary, Madura-Ramnad District People's Association, Madura.
Dated—the 8th October 1918.
No.—2487/A-4.

I am directed to acknowledge the receipt of your letter No. 47, dated 2nd October 1918, and to state that the conduct of the inquiry into the unfortunate disturbance which occurred at Madura on the 27th September last is in the hands of Mr. Paddison, the District Magistrate, in whose judgment and impartiality the Government repose the greatest confidence. The Government are not prepared to consider the requests preferred in your letter for an independent inquiry and the removal of the District Superintendent of Police.

VIII

Letter—from the Honorary Secretary, Madura-Ramnad District People's Association, Madura.
To—the Chief Secretary to Government.
Dated—the 9th October 1918.

I beg to communicate, for necessary action, the following resolution passed by the Madura-Ramnad District People's Association at its general body meeting held on 4th October 1918:—

Resolution.—"This meeting of the Madura-Ramnad District People's Association is of opinion that the condition of Madura city is peaceful and quiet and that the isolated instances of disquiet which took place more than a month ago and have since ceased to exist, i.e., the scare of looting in the bazaars of the city and insignificant overt acts accompanying the scare, were due to economic causes applicable to the whole country, namely, the high prices of foodstuffs and other necessities of life and that unwarranted bayonetting and shooting by Police on the 27th September 1918 and the consequent deaths and injuries do not show any disposition on the part of any portion of the public to commit disturbance and that under such circumstances the location of a contingent of soldiers and sepoys is due to panic on the part of the authorities and is a matter fraught with serious consequences to the peace of the city and is likely to bring about the very results intended to be averted and therefore the association prays that the Government may be pleased to withdraw the military forces from this city."

[Receipt acknowledged in Letter No. 2623-A-1, Home (Judicial), dated 23rd October 1918.]

IX

Letter—from the Hon'ble Mr. B. V. NARASIMHA AYYAR, President, public meeting, Salem.
To—the Secretary to Government, Home (Judicial) Department.
Dated—the 17th October 1918.

I have the honour to submit the following resolutions of a public meeting held at Salem on 12th instant.

ENCLOSURE

Proceedings of a public meeting held at the Salem Town Hall on the 12th October 1918.

The Hon'ble Mr. B. V. NARASIMHA AYYAR—Chairman.

The citizens of Salem in public meeting assembled resolve—

1) That they strongly protest against the order of the Government rejecting the most reasonable and earnest prayer of the citizens of Madura for an independent inquiry into the conduct of the police on 27th September 1918 in bayonetting and firing on the crowd without cause.

2) That the public cannot have any confidence in the impartiality of the inquiry at present held by the District Magistrate of Madura.

3) That unless the Reserve Police constables who were on duty that day are examined in public before an independent committee, the inquiry will be absolutely worthless and the order of the Deputy Inspector-General to his force not to make statement at the inquiry is most unjustifiable and is calculated to prevent the eliciting of truth and should be immediately cancelled.

4) That the inquiry being really into the conduct of the officers in charge of the Reserve Police who were present on the spot, viz., the District Superintendent of Police, the Reserve Inspector and the Sergeant, it is impossible that the truth can be elicited at the inquiry, if the said officers are allowed to continue in charge of the police in that district.

The above 4) were proposed by Mr. S. E. Venkatappa Chettiyar, seconded by Mr. D. P. Chennakrishna Chettiyar and carried unanimously.

5) That in view of the strong public feeling in this matter an early reconsideration by the Government of Madras of their latest order in the press communiqué recently published is urgently called for, not merely in the interests of justice but also as a matter of expediency and wise statesmanship.

6) That the above resolutions should be communicated to the press, to the Government of Madras and the Government of India.

The above (5) and (6) were proposed by Mr. Kandaswami Pillai, seconded by Mr. Krishna-swami Nayakar and carried unanimously.

7) This meeting requests the Hon'ble Mr. B. V. Narasimha Ayyar to take such steps in the matter as will insure a speedy, proper and independent inquiry being held in the matter.

Proposed by Mr. C. Rajagopala Acharya, seconded by Mr. S. V. Subrahmanya Ayyar and carried unanimously.

[Receipt acknowledged in Letter No. 2638-A-1, Home Judicial), dated 23rd October 1918.]

APPENDIX II.

[Vide answer to question No. 37 asked by the Hon'ble Rao Bahadur V. K. Ramanuja Achariyar at the meeting of the Legislative Council held on the 19th November 1918, page 267 supra.]

Statistics of cases in the High Court

	For 1917.			For the period beginning with the 1st January 1918 and ending with the 31st October 1918.		
	Pendency at the beginning of 1917.	Institutions.	Disposals.	Pendency at the beginning of the year 1918.	Institutions.	Disposals.
1. Original suits	287	508	475	320	320	468
2. Revision cases	4	38	38	4	4	38
3. Interlocutory petitions	982	264	266	980	196	204
4. First appeals excluding Original Suit appeals, viz Civil Court appeals and Letters Patent appeals.	725	431	552	624	624	415
5. Second appeals	2,315	2,546	2,519	2,342	2,342	1,877
6. Civil Revision petitions	1,014	1,320	1,378	1,006	1,076	1,067
7. Civil Miscellaneous petitions	780	3,650	3,674	856	2,673	2,879
8. Appeals against orders including also appeals against appellate orders.	463	650	608	407	362	482
9. Criminal appeal	106	721	736	91	701	679
10. Criminal revision cases	161	869	848	182	650	695
11. All other criminal cases, i.e., referred under section 507, Criminal Procedure Code.	23	616	649	20	669	600
Total	6,910	11,613	11,621	6,832	8,978	9,185

APPENDIX III.

[Vide answer to question No. 37 asked by the Hon'ble Mr. A. S. Krishna Rao at the meeting of the Legislative Council held on the 19th November 1918, page 268 supra.]

Statement showing the places where looting took place in the Presidency within six months from the 1st May 1918.

Date.	Place.	District.	Amount of loss or damage caused by the looters.
1918.			
13th May	Kadavakollu	Kistna	Not known.
15th "	Marrivada	"	"
17th "	Agniparru	"	Cloths worth Rs. 4,000.
	Challapalli	"	Paddy worth Rs. 16,000.
18th "	Wuyyur	"	Not known.
	Lakshimpuram	"	Paddy worth Rs. 1,656.
19th "	Agiriparru	"	Property worth Rs. 1,100.
20th "	Kankipadu	"	Rs. 1,099.
	Davulur	"	Rs. 210.
	Billipadu	"	Not known.
21st "	Gudivada	"	Property worth Rs. 521.
	Gudavalli	"	Not known.
	Madhavaram	"	"
22nd "	Repalli	Guntur	"
	Bapatla	"	"
23rd "	Suravaram	Kistna	Paddy worth Rs. 200.
28th "	Polavaram	"	Not known.
5th June	Elikapadu	"	Property worth Rs. 5,000.
8th "	Atmakur	Nellore	Property worth Rs. 6,100, of which cloths to the value of Rs. 600 were recovered.
	Chagalmarri	Kurnool	"
Within a day or two of 8th June 1918.	Nossam	"	Not known.
	Jambuladinne	"	"
9th June	Pentapadu	Kistna	Paddy worth Rs. 450. Kerosene oil shed burnt and cloths looted.
		"	Paddy worth Rs. 749.
19th "	Kuderu	"	Two hundred and fifty drums of kerosine oil.
20th "	Mangalore	South Kanara	Not known.
28th "	Gadevarigudem	Kistna	"
1st July	Gampalagudem	"	"
9th "	Pengolam	"	Cloths worth Rs. 572.
10th "	Siripuram	"	Not known.
	Anamreddigudem.	"	"
	Ratnavaram	"	"
	Narasimhagudem.	"	"
11th "	Brundavanapuram.	"	"
	Rolupudi	"	"
12th "	Vadali	"	"
	Venkatapuram	"	"
13th "	Tallapalli.	"	"
19th "	Kambampad	"	"
31st "	Bhagvanpuram	"	"
8th August	Tatipaka	Gōdāvari	Cloths and paddy worth Rs. 2,500.
25th "	Anakapalli	Vizagapatam	Cloths worth Rs. 10,000 to 20,000.
26th "	Vizagapatam	"	Not known.
	Saluru	"	"
	Divi taluk	Kistna	"
2nd September.	Ellore	"	"
3rd "	Shevapet	Salem	"
	Ellore	Kistna	"
4th "	Karumbakkam	Chingleput	Property worth about Rs. 1,000.
6th "	In two villages— one in Cuddalore taluk and the other in Villu- puram taluk.	South Arcot	Not known.
7th "	Samayapuram	Trichinopoly	Property, chiefly cloths, worth about Rs. 1,500.
8th "	Suramangalam	Salem	Not known.
	Madras	Madras	....

Statement showing the places where looting took place in the Presidency within six months from the 1st May 1918—cont.

Date.	Place.	District.	Amount of loss or damage caused by the looters.
1918.	Atmakur ..	Kurnool ..	Property worth Rs. 10,000 probably an exaggeration. Property worth Rs. 500 has been recovered.
9th September.	Renigunta ..	Chittoor ..	Not known.
	Yerpedu ..	" ..	4 bags of rice and 22 bags of paddy.
10th "	Madras * ..	Madras ..	....
	Kalshasti ..	Chittoor ..	23 bags of paddy.
	Akkurti ..	" ..	20 bags of paddy.
	Nayudupet ..	Nellore ..	Not known.
	Tiruvettiyur ..	Chingleput ..	" ..
	Rajahmundry ..	Gōdāvari ..	2 cloth shops wrecked.
	Conjeeveram ..	Chingleput ..	Not known.
	Madras * ..	Madras ..	....
10th and 11th September.	Narasaraopet taluk.	Guntūr ..	Not known.
11th September.	Conjeeveram ..	Chingleput ..	" ..
	Sulurpet ..	Nellore ..	" ..
	Muthukur ..	" ..	45 bags of paddy.
12th "	Chennur ..	" ..	One house broken into and paddy stolen
	Arni ..	Chingleput ..	Property worth Rs. 700.
	Santhapettai ..	" ..	Cloths worth Rs. 2,000.
13th "	Mannabolu ..	Nellore ..	One house looted and paddy stolen.
	Muthupet ..	Tanjore ..	Cloths worth about Rs. 2,000.
15th "	Kuttalam ..	" ..	Property worth Rs. 5,000, of which property worth about Rs. 2,500 has been recovered.
	Kornad ..	" ..	About Rs. 20,000.
16th "	Guntakal ..	Anantapur ..	Cloths worth about Rs. 150.
	Shiyali ..	Tanjore ..	246 bags of paddy, out of which 28 have been recovered.
17th "	Virasholam ..	Ramnad ..	Not known.
	Worayur ..	" ..	" ..
	Kanur ..	" ..	" ..
	Ariyalur ..	" ..	" ..
	Kattaputtur ..	Trichinopoly ..	" ..
	Thattiyangarpet ..	" ..	" ..
	Kannanore ..	" ..	" ..
	Vyrichettipalaiyam ..	" ..	" ..
	Meenurthy ..	" ..	Cloths worth Rs. 300.
	Mannargudi ..	Tanjore ..	Cloths worth about Rs. 3,000.
	Tranquebar ..	" ..	Not known.
	Peruralai ..	" ..	" ..
	Kamuti ..	Ramnad ..	" ..
	Mettupatti ..	" ..	" ..
	Savalkudi ..	" ..	" ..
18th "	Nidujuvvi ..	Cuddapah ..	Grain worth Rs. 70.
	Viravanellur ..	Tinnevely ..	Not known.
19th "	Muthupet ..	Tanjore ..	" ..
20th "	Nidujuvvi ..	Cuddapah ..	Cloth and grain worth Rs. 600.

* The total estimated damage in Madras is Rs. 23,000, excluding the Moore Market for which no figure can be given.

APPENDIX IV.

[Vide answer to question No. 41 asked by the Hon'ble Mr. A. S. Krishna Rao at the meeting of the Legislative Council held on the 19th November 1918, page 269 supra.]

Statement showing the number of criminals in each criminal settlement.

Name of settlement.	Number of criminals.
Kalichedu ..	1,060
Kavali, Allur and Bitragunta ..	1,393
Stuartpuram ..	1,223
Sitanagram ..	989
Bhummangadda ..	513
Aziznagar ..	1,012
Reformatory Settlement, Madras ..	206
Do. Guntūr ..	31
Kalla Settlement at Gudalur ..	40
Pallavaram ..	151

APPENDIX V.

[Vide answer to question No. 47 asked by the Hon'ble Mr. A. S. Krishna Rao at the meeting of the Legislative Council held on the 19th November 1918, page 270 supra.]

Statement showing the number and strength of elementary schools for Panchamas on 31st March 1918, districtwise.

Districts.	Schools.	Pupils.	Districts.	Schools.	Pupils.
1. Ganjam ..	89	2,575	15. South Arcot ..	271	8,270
2. Vizagapatam ..	63	2,027	16. Tanjore ..	227	6,860
3. Gōdāvari ..	366	11,173	17. Trichinopoly ..	161	4,948
4. Kistna ..	934	24,546	18. Madura ..	109	3,791
5. Guntūr ..	743	21,757	19. Ramnad ..	128	5,180
6. Kurnool ..	429	8,862	20. Tinnevely ..	244	6,884
7. Bellary ..	71	1,777	21. Coimbatore ..	181	4,405
8. Anantapur ..	75	1,370	22. Salem ..	82	2,233
9. Cuddapah ..	268	4,295	23. Nilgiris ..	14	810
10. Nellore ..	407	9,604	24. Malabar ..	56	2,937
11. Madras ..	85	8,583	25. South Kanara ..	21	546
12. Chingleput ..	377	10,275			
13. North Arcot ..	191	6,285			
14. Chittoor ..	26	929			
			Total ..	5,618	160,972

APPENDIX VI.

[Vide answer to question No. 48 asked by the Hon'ble Mr. A. S. Krishna Rao at the meeting of the Legislative Council held on the 19th November 1918, page 270 supra.]

Statement showing the irrigation projects under investigation.

Item No.	District.	Name of project.	Approximate cost (if known) in lakhs.	Brief description.	Progress made in investigation.	Probable year in which investigation will be completed.	Remarks.
1	Godavari	Coringa and Polavaram island projects.	14.00	The proposal is to extend the Godavari delta irrigation to Coringa and Polavaram islands.	The field work has been completed. Plans and estimates for the Polavaram island project which were received from the Superintending Engineer were returned to him for revision. The Superintending Engineer hopes to submit them daily revised before the end of this year.	1919	
2	Melore	Aluru project.	5.62	The project consists in constructing a tank across a stream in the Kandukur taluk to command 3,700 acres.	The project is awaiting the result of further gaugings of the river.	1920	
3	Guntur	Pubbonda reservoir project.	19.06	This is a proposal to form a reservoir across the Muni river at Pubbonda, a village about eighteen miles west of Ongole. The avacut will consist of 10,310 acres of wet cultivation.	The estimate for the work is held in abeyance pending the settlement of the question of supply available, to ascertain which, gaugings are being made.	1922	As stated in the annexure to G.O. No. 69 I., dated 14th February 1917, this project would prove productive only if an average water-rate of Rs. 15 per acre could be guaranteed.
4	Nellore	Pyderu scheme.	19.00	The proposal is to excavate a silted channel from the Kanigiri reservoir and to improve the Pyderu so as to make it capable of carrying its own discharge and that of the Kanigiri reservoir.	Plans and estimates are under the consideration of the Chief Engineer for Irrigation.	1919	
5	Do.	Vengalapuram.	40.54	This project which provides for the construction of two reservoirs across the Pyderu was first prepared for the irrigation of 60,000 acres of dry crops. It has now been re-investigated on a wet crop basis.	The plans and estimates are lying over pending the result of the negotiations which the Director of Agriculture is understood to be carrying on with the ryots as to whether the latter will or will not pay the rate necessary to make the scheme productive. It will be seen from the annexure to G.O. No. 69 I., dated 14th February 1917, that an average water-rate of Rs. 12-5-0 per acre should be realised to admit of the project being sanctioned as a productive public work.	1919	

APPENDIX.

APPENDIX.

Statement showing the irrigation projects under investigation—cont.

Item No.	District.	Name of project.	Approximate cost (if known) in lakhs.	Brief description.	Progress made in investigation.	Probable year in which investigation will be completed.	Remarks.
6	Kurnool	Improvements to the Kurnool-Cuddapah canal.	100.00	The proposal is to widen the Kurnool-Cuddapah canal and to excavate a channel 56 miles long from near the Mittakondala cutting and to form a reservoir for the irrigation of 45,100 acres of first crop and 15,000 acres of second crop.	The plans and estimates are under the consideration of the Chief Engineer for Irrigation. Gaugings of the Kurnool-Cuddapah canal in connection with these projects are being made this year. The Velcode project would prove productive only if a water-rate of Rs. 11 per acre on the wet avacut and of Rs. 5-8-0 on the dry avacut were levied—vide annexure to G.O. No. 69 I., dated 14th February 1917.	1919	
7	Do.	Velcode project.	..	This is a proposal to form a reservoir across the Kollavagu for the irrigation of 2,654 acres.	Further investigation regarding the water tightness of the bed of the proposed reservoir is being made.	1920	
8	Do.	Thippayapalem project.	1.00	This project consists in the formation of a reservoir on the Papagani river by constructing a masonry dam across it near the village of Velgalla for the irrigation of 10,000 acres of wet crop and 17,300 acres of dry crop.	A preliminary report on the scheme was submitted, but it did not justify the complete investigation of the project. Gauging observations are, however, being made to ascertain whether the scheme is worth further investigation.	1923	
9	Cuddapah	Papagani reservoir project.	42.00	The proposal is for improving the irrigation under the tanks connected with the Madurantakam system. The proposal is mainly intended to provide work for famine relief.	This scheme was ordered to lie over till orders were passed on the Uttaramerur project. As the latter project has been abandoned, this project is now being examined by the Chief Engineer for Irrigation.	1920	
10	Chingleput	Madurantakam project.	4.80	The scheme consists in improving the headworks of the Marandahalli ancient and increasing the capacity of the tanks supplied by it to command 1,800 acres of first crop and 900 acres of second crop.	It has been decided by the Government that this project cannot be undertaken either as a productive or protective work. The estimate is being revised by the Chief Engineer for Irrigation for sanction under "33. Famine Relief."	1919	
11	Salem	Marandahalli project.	1.43	This project consists in forming a reservoir across the Ponnar river near Krishnagiri about ten miles above Neelugai amount to acres of dry crop cultivation.	The plans and estimates were held over pending the results of the observations undertaken to ascertain as accurately as possible the surplus discharge of the river. The project is now being examined by the Superintending Engineer submitted a preliminary report in 1915 on the possibilities of constructing two alternative projects and recommended the detailed investigation of the financial aspect of the scheme.	1919	
12	Do.	Krishnagiri project.	52.22	This is for the irrigation of lands in Kollong estate to the extent of about 10,000 acres.			
13	Malabar	hold 6,000 mills. c. ft. of water to command 20,000 acres of wet and 38,000 acres of dry crop cultivation. Meengara reservoir project.	18.00				The question of supply available has been settled and the project is now being examined by the Chief Engineer for Irrigation. The Superintending Engineer submitted a preliminary report in 1915 on the possibilities of constructing two alternative projects and recommended the detailed investigation of the financial aspect of the scheme.

Statement showing the irrigation projects under investigation—cont.

Item No.	District.	Name of project.	Approximate cost (if known) in lakhs.	Brief description.	Progress made in investigation.	Probable year in which investigation will be completed.	Remarks.
14	Malabar	Malapuzha reservoir project	19.00	The Malapuzha project is expected to irrigate 10,000 to 20,000 acres, while the other two are estimated to supply 1,000 to 2,000 acres each.	Gaugings are being made in connexion with this project.	1921	The detailed investigation of this project has been recently sanctioned.
15	Do.	Vanditode project	19.00	The proposal is to construct a small reservoir on the Anaravati for the irrigation of 7,000 acres.			The preparation of detailed plans and estimates for this project has been recently ordered.
16	Do.	Kilakancheri project	19.00	The proposal is to form a storage reservoir between 13.2 and 16.6 of the Ichchapur channel by improving the existing Hetta tank of Kunarapuram for the supply of an ayacut of 6,000 acres.	Field work is in progress	1920	
17	Coimbatore	Anaravati reservoir project	11.33	The proposal is to improve the irrigation under the Garubale-gedda and to irrigate the newly-disforested block of Runku Hastamantilapur, measuring 1,270 acres.	....	1921	
18	Ganjam	Constructing a reservoir on or close to the Ichchapur channel. Rushikulya system.	1.31	The proposal is to construct a reservoir across the Tuni river for the irrigation of about 40,000 acres.	....		The Superintending Engineer has been called upon to submit a preliminary report on the scheme for which special establishment was sanctioned in July last.
19	Do.	Construction of two reservoirs to improve the irrigation under the Garubalegedda.	..		....	Cannot be stated at present.	The forecast of revenue anticipated from the project is awaited from the Collector, and on its receipt the question whether the project should be investigated in detail will be considered.
20	Vizagapatnam	Tuni reservoir project	50.60		....	Do.	

APPENDIX VII.

[Vide answer to question No. 49 asked by the Hon'ble Mr. A. S. Krishna Rao at the meeting of the Legislative Council held on the 19th November 1918, page 270 supra.]

Statement showing irrigation projects that have been considered by the Government during the last ten years (1908—1918) but have been abandoned or indefinitely postponed.

District and name of project. Amount of estimate. Reasons for postponing the project.

RS. IN LAKHS.

I.—Projects abandoned.

Ganjam—							
1. Padmanabasagaram project.	1.95	The scheme was to improve the irrigation of 4,000 acres in the estates of Tekkali and Nandigam. Owing to constant friction between these estates it was reported that the owners of the lands to be benefited were unwilling to undertake the work themselves, or to pay a water-rate of Rs. 4 an acre if the Government should undertake to execute the scheme.					
Gōdāvari—							
2. Anumunilanka project.	9.00	Observations of the discharges of the Yerrakalva on which river the reservoir was proposed to be constructed showed that the project was not feasible.					
Guntūr—							
3. Gundlakamma project.	54.82	The project yields a very poor return and is not financially feasible as a productive or protective work.					
4. Mellavagu project	4.00	The anticipated return is only 1.6 per cent. In the locality in which the project is situated, good dry crops are grown and the ryots show no readiness to take water. The project is also quite unsuitable for purposes of famine relief.					
5. Manchikallu tank scheme.	1.30 for 'works' only.	The return anticipated is very poor and the project is also unsuitable for purposes of famine relief.					
Kurnool—							
6. Sangameswaram project.	890.00	This project which was intended as a second impounding reservoir to supplement the supply from the proposed Tungabhadra reservoir was abandoned, as the latter scheme was ordered to be indefinitely postponed.					
Cuddapah—							
7. Chennayyagaripalli reservoir.	4.30	The supply available is precarious and the scheme does not fulfil the conditions of a productive or protective work.					
8. Dorigallu project	18.65	Does not satisfy the conditions of a productive or protective work.					
Bellary—							
9. Nellikudiri project	20.96	The investigation of the project was stopped as the reservoir, if formed, would submerge six villages containing 1,130 houses, 100 wells and rich cultivated lands to the extent of 5,000 acres.					
10. Supply channel to Kottur tank.	0.87	The project is not sufficiently remunerative. It is also unsuitable for execution as a famine-relief work.					
Anantapur—							
11. Upper Penner project.	23.84	The anticipated water-supply was found to be very precarious. It was shown that in a bad year the project would not protect a fair portion of the ayacut and that in a very bad year it would be a complete failure.					
12. Ithodu project	3.60 for 'works' only.	The scheme fails to be productive, the return being only 0.64 per cent, nor does it satisfy the Indian Irrigation Commission's formula for the protective value of an irrigated acre. The project is unsuitable for famine-relief purposes and is not on a secure basis as regards water-supply.					

Statement showing irrigation projects that have been considered by the Government during the last ten years (1908—1918) but have been abandoned or indefinitely postponed—cont.

District and name of project.	Amount of estimate.	Reasons for abandoning the project.
RS. IN LAKHS.		
Nellore—		
13. Sarvapalli project ...	6.89	The project was condemned as it was found that in years of short supply little or no water would reach the extension of the ayacut proposed and that the project would fail in seven years out of twenty.
14. Boggeru project ...	9.48	The project does not satisfy the conditions of a productive or protective work. In indifferent years the old ayacut alone would benefit by the increased supply.
Chingleput—		
15. Varadappalaiyam project.	2.50	The scheme, which is expected to yield a return of a little over one per cent, fails to be productive and does not satisfy the conditions required of a protective work. In a bad year the existing irrigation would be entitled to preference and the new area to be benefited would suffer. There is the further objection that its effect on the irrigation lower down cannot be precisely estimated. The project is also unsuitable for famine-relief purposes.
16. Uttiramerur project.	12.82	The project was abandoned as most of the ryots concerned were not prepared to pay the water-rate necessary to make the project productive.
Trichinopoly—		
17. Pimbalur reservoir project.	0.96	To make the project productive, a water-rate of Rs. 11-8-0 per acre would have to be levied. As it was reported that the ryots could not be induced to pay this rate, the project was abandoned.
Madura—		
18. Perandalur project ...	33.90	The return anticipated from the project was very poor, viz., 1.5 per cent on the capital outlay.
Salem—		
19. Gudumalai project ...	27.09	The project was abandoned as it was conclusively shown that there was not enough water for this project in addition to the Toludur project. The latter project which proved 'productive' was chosen for execution.
Coimbatore—		
20. Amaravati reservoir project (bigger scheme).	25.00	The surplus available in the Amaravati was found to be insufficient, but a smaller project is being investigated.

II.—Projects indefinitely postponed.

A

Ganjām—		
1. Paguva reservoir project.	8.45	These projects have been sanctioned for execution as famine-relief works when the necessity for famine relief arises.
Kurnool—		
2. Chinna Tekur project.	1.25	
Bellary—		
3. Constructing a new tank at Kolur.	0.94	
Chingleput—		
4. Upper Arni river project.	2.04	

B

Guntūr—		
5. Pulikonda reservoir project.	19.03	These projects are in abeyance pending verification of water-supplies available.
6. Atteru project alternative schemes.	(a) 5.5 (b) 8.4	
Cuddapah—		
7. Papaghni reservoir project.	42.08	
8. Pullampet project ...	66.80	
Salem—		
9. Krishnagiri project.	52.22	
10. Vanisar project ...	5.14	

Statement showing irrigation projects that have been considered by the Government during the last ten years (1908—1918) but have been abandoned or indefinitely postponed—cont.

District and name of project.	Amount of estimate.	Reasons for abandoning the project.
RS. IN LAKHS.		
C		
Ganjām—		
11. Bahuda reservoir project.	24.03	These three schemes are intended to supplement the supply to the Rushikulya system. Their consideration has been deferred until the proposed improvements to the existing Rushikulya system are completed.
12. Boradapalli reservoir project.	23.90	
13. Godchollo project ...	15.17	
Bellary, Anantapur, Kurnool, Cuddapah and Nellore—		
14. Tungabhadra project.	1,300.00	As a return of only 2.59 per cent was anticipated from the project and as it was considered that the Cauvery and Kistna reservoir projects, which were likely to prove more productive, should be given precedence, it was decided that this project must be indefinitely postponed.
Kistna and Guntūr—		
15. Kistna reservoir project.	834.00	The plans and estimates which were submitted to the Government of India in 1912 for sanction as a productive work were returned for revision. It is proposed to keep this project in abeyance until a decision is come to in respect of the Cauvery project as both projects cannot be carried out simultaneously.
Kurnool—		
16. Owk project ...	40.30	The plans and estimates were kept back pending the result of the investigation of the Tungabhadra project which has since been indefinitely postponed. The project will be considered on its merits after the requirements of the Velgode and Kurnool-Cuddapah canal extensions, which appear to be more promising, are settled.
17. Gazuladinne project.	13.33	This project was ordered to lie over pending observation of the results of the Venkatapuram project which has been practically completed.
18. Krishnapuram tank project.	2.13	Do. do.
19. Gudempad project ...	0.56	Ordered to lie over pending the completion of the Venkatapuram and Koohervu tank projects. These latter projects have now practically been completed.
Chingleput—		
20. Madurantakam tank project.	4.80	This project was ordered to lie over pending orders to be passed on the Uttiramerur project. The latter project having since been abandoned, this project will shortly be examined.
Coimbatore—		
21. Bhavāni project—		
(a) Upper scheme.	265.00	The project was ordered to lie over until the result of the Cauvery project was known as it was doubtful if a reservoir on the Bhavāni could be constructed without prejudice to the Cauvery project.
(b) Lower "	109.00	
Trichinopoly—		
22. Ladapuram project.	1.11	The prospect of the project materialising is remote. The anticipated return is very poor and a scheme giving such a small return could not be taken up for some years. Further investigation has therefore been dropped for the present.

APPENDIX VIII.

[Vide answer to question No. 51 asked by the Hon'ble Mr. K. Chidambaramatha Mudaliyar at the meeting of the Legislative Council held on the 19th November 1918, page 271 supra.]

Statement showing the progress of acquisition work in the Tanjore district.

Village	Area acquired	Cost.	Deposit by Panchamas.	Co-operative societies.				Remarks.	
				Organized.	Registered.	Start'd	Number of members.		
Section I (Acquisition proceedings completed).									
	CENTS	Rs. A. P.	Rs. A. P.						
1. Venkatasamudram ..	3	20 11 2	1 1 7 2	..	..	..	..	A new approach road has been made for this cheri.	
2. Oththuvai ..	5	120 12 0	..	..	..	..	..		
3. Pavanamangalam (Paraiyas) ..	88	907 10 3	57 10 3	..	..	X	24	A new road has been formed. Do.	
4. Mannar-samudram ..	6	11 13 7	100 0 0	..	..	..	..		
5. Alambur ..	74	680 13 0	115 0 0	..	X	..	..	A new road has been formed. Do.	
6. Kottirinjapuram (Paraiyas) ..	128	3,139 8 0	60 0 0	..	..	X	43		
7. Kottur ..	13	156 15 7	1 0 0 0	..	..	..	..	A new road has been formed. Do.	
8. Varahur ..	127	1,399 14 0	420 0 0	..	..	..	..		
9. Marneri ..	57	492 0 0	150 0 0	X	..	..	..	Do. Do.	
10. Tirukandawaram ..	246	1,288 12 7	23 0 0	..	..	X	45		
Do ..	6	7 15 3	..	..	..	..	..	Do.	
11. Amur ..	441	1,718 10 10	440 0 0	..	..	X	44		
Do ..	64	246 1 8	..	..	..	..	..	Do.	
12. Pappakol ..	372	962 8 10	120 0 0	..	..	X	..		
13. Pavanamangalam ..	7	84 8 5	80 0 0	..	..	..	..	Do.	
Total ..	1,677	11,411 1 11	3,173 1 5	1	1	5	15		
Section II (Ready for award).									
14. Andanayandi Puthur ..	23	225 11 3	140 0 0	..	..	..	..	Do.	
15. Vittapuram ..	250	292 1 7	100 0 0	..	..	..	..		
16. Koppal ..	19	82 12 9	50 0 0	..	..	..	..	Do.	
17. Annamallur ..	13	56 1 0	..	..	..	..	..		
Pavanamangalam (Kannan) ..	41	321 10 10	100 0 0	..	..	..	..	Do.	
18. Amur ..	389	1,273 8 0	145 0 0	X	..	..	..		
Amur ..	12	62 1 7	..	..	..	..	..	Do.	
Total ..	807	2,424 15 0	735 0 0	1	..	..	..		
Section III (Pending inquiry).									
19. Tazur ..	400	7,119 5 0	584 0 0	..	..	X	..	Do.	
20. Serugudi ..	318	1,655 5 5	155 0 0	..	X	..	..		
Adambur Case No. 2 ..	57	396 12 0	..	..	..	..	..	Do.	
21. Terperambur ..	206	..	300 0 0	..	X	..	..		
Total ..	1,011	9,171 7 2	979 0 0	..	2	1	..	Do.	
Section IV (Draft declaration published).									
22. Nizhazor ..	128	..	260 0 0	..	..	X	..	Do.	
Total ..	..	..	..	..	..	..	..		
Section V (Draft declaration being submitted for publication).									
23. Ithaiyar ..	176	1,904 0 0	121 0 0	..	..	..	..	Do.	
Akkalur ..	12	123 0 0	20 0 0	..	..	..	..		
24. Karaiyar ..	30	345 0 0	39 0 0	..	X	..	..	Do.	
Konerinjapuram ..	412	2,811 2 0	570 0 0	..	..	..	..		
Total ..	730	5,183 2 0	1,041 0 0	..	1	..	..	Do.	
Section VI (Preliminary operations being commenced).									
25. Orattur ..	..	..	813 12 0	..	..	..	..	Do.	
26. Tirukhettupalli ..	..	..	625 13 8	X	..	..	..		
27. Karuppur ..	..	..	374 0 0	..	..	..	..	Do.	
28. Palamarneri ..	..	..	200 0 0	..	X	..	..		
29. Vesalur ..	..	..	105 0 0	..	..	..	..	Do.	
30. Padagiri ..	..	..	100 0 0	..	..	..	..		
31. Alakkudi ..	..	..	100 0 0	..	X	..	..	Do.	
32. Nazzhi ..	..	..	80 0 0	..	..	..	..		
33. Tiruvakkudi ..	..	..	50 0 0	..	..	..	..	Do.	
34. Kachamangalam ..	..	..	40 0 0	..	..	..	..		
Total ..	..	..	2,528 0 8	1	2	..	..	Do.	
Total deposit, Rs. 8,256-11-1.									
Total extent involved in the first twenty-four villages, 63-54 acres.									
Cost, Rs. 28,120-10-10.									

Total deposit, Rs. 8,256-11-1.
Total extent involved in the first twenty-four villages, 63-54 acres.
Cost, Rs. 28,120-10-10.

APPENDIX IX.

[Vide answer to question No. 55 asked by the Hon'ble Mr. K. Chidambaramatha Mudaliyar at the meeting of the Legislative Council held on the 19th November 1918, page 271 supra.]

Statement showing the weekly average level of the Kunnambadi reservoir from June to October.

Month.	Week ending.	Average water level.		
		1916.	1917.	1918.
June ..	1st to 7th ..	59-99	55-03	54-57
	8th to 14th ..	61-54	56-32	54-65
	15th to 21st ..	62-48	57-26	56-59
	22nd to 28th ..	66-48	53-56	60-27
July ..	29th June to 5th ..	60-41	57-96	59-74
	6th to 12th ..	59-58	53-53	59-77
	13th to 19th ..	59-70	55-09	59-60
	20th to 26th ..	59-77	60-76	59-19
August ..	27th to 2nd August ..	62-54	62-08	59-08
	3rd to 9th ..	67-23	60-85	58-66
	10th to 16th ..	62-01	58-47	58-66
	17th to 23rd ..	61-65	61-73	65-78
September ..	24th to 30th ..	61-67	57-01	63-85
	31st August to 6th ..	62-00	61-40	63-61
	7th to 13th ..	63-08	62-54	68-22
	14th to 20th ..	62-99	58-36	63-01
October ..	21st to 27th ..	61-05	60-66	62-57
	28th September to 4th ..	58-75	60-89	62-19
	5th to 11th ..	60-24	59-28	61-89
	12th to 18th ..	63-16	60-68	61-40
	19th to 25th ..	60-33	63-19	61-01
	26th to 1st November ..	62-40	62-44	60-60

REMARKS.—The levels represent feet above river bed.

Statement showing the weekly average water readings at the Cauvery dam, Upper Anicut, from June to October.

June ..	1st to 7th ..	3-66	2-86	3-96
	8th to 14th ..	4-98	2-87	3-00
	15th to 21st ..	5-36	4-48	1-90
	22nd to 28th ..	8-07	4-20	4-93
July ..	29th June to 5th ..	7-25	4-87	5-03
	6th to 12th ..	4-93	4-35	4-87
	13th to 19th ..	4-74	1-79	3-06
	20th to 26th ..	6-32	3-32	2-80
August ..	27th to 2nd August ..	5-47	6-97	1-84
	3rd to 9th ..	8-90	5-08	1-82
	10th to 16th ..	6-89	3-74	3-00
	17th to 23rd ..	6-74	5-18	5-55
September ..	24th to 30th ..	6-62	5-91	5-76
	31st August to 6th ..	6-88	4-89	4-25
	7th to 13th ..	5-29	7-10	3-38
	14th to 20th ..	6-34	6-06	2-92
October ..	21st to 27th ..	7-00	6-63	2-72
	28th September to 4th ..	4-85	7-20	2-16
	5th to 11th ..	4-55	6-19	2-64
	12th to 18th ..	6-02	6-34	2-72
	19th to 25th ..	8-33	7-87	3-77
	26th to 1st November ..	5-81	5-66	2-49

REMARKS.—Readings are those of the Cauvery dam north gauge.

Statement showing the weekly average water readings at the Grand Anicut from June to October.

June ..	1st to 7th ..	0-10	0-85	2-69
	8th to 14th ..	12-31	0-33	Nil.
	15th to 21st ..	2-81	1-15	Nil.
	22nd to 28th ..	4-11	0-58	2-14
July ..	29th to 5th July ..	3-89	1-20	2-03
	6th to 12th ..	1-71	1-34	1-64
	13th to 19th ..	0-84	Nil.	0-17
	20th to 26th ..	3-02	1-06	0-54
August ..	27th to 2nd August ..	2-26	3-91	Nil.
	3rd to 9th ..	4-58	1-80	Nil.
	10th to 16th ..	3-88	0-22	0-40
	17th to 23rd ..	3-73	1-99	3-20
September ..	24th to 30th ..	3-90	3-25	2-66
	31st to 6th September ..	3-91	1-09	0-64
	7th to 13th ..	2-50	3-86	Nil.
	14th to 20th ..	2-58	3-52	Nil.
October ..	21st to 27th ..	3-52	3-54	0-60
	28th to 4th October ..	1-86	4-12	Nil.
	5th to 11th ..	0-67	3-74	0-38
	12th to 18th ..	3-11	3-36	0-20
	19th to 25th ..	4-61	4-40	1-97
	26th to 1st November ..	3-30	3-18	Nil.

REMARKS.—Readings are those of the Grand Anicut front gauge.

* Average for six days up to 31st October 1918.

Statement showing the weekly average water readings of the Lower Coleroon anicut from June to October.

Month.	Week ending	Average water readings.		
		1916.	1917.	1918.
June	1st to 7th	Nil.	1.63	2.85
	8th to 14th	1.39	2.19	4.81
	15th to 21st	1.11	5.84	5.44
	22nd to 28th	5.84	7.29	4.97
July	29th June to 5th	8.74	4.70	6.61
	6th to 12th	6.81	6.29	4.09
	13th to 19th	7.06	3.69	3.64
	20th to 26th	6.16	2.03	4.51
August	27th to 2nd August	7.18	7.01	4.07
	3rd to 9th	6.21	7.86	2.44
	10th to 16th	8.75	6.43	4.83
	17th to 23rd	8.27	8.19	5.30
September	24th to 30th	8.41	8.29	5.10
	1st August to 6th	5.44	5.76	4.96
	7th to 13th	5.12	5.85	4.24
	14th to 20th	7.54	5.61	5.24
October	21st to 27th	8.61	8.91	4.41
	28th September to 4th	7.63	9.07	3.97
	5th to 11th	6.91	8.29	3.81
	12th to 18th	7.91	8.26	4.36
	19th to 25th	9.36	9.49	5.64
	26th to 1st November	5.70	7.99	5.03 †

* Readings are those of the Lower Anicut front gauge.

† Average for six days ending 31st October 1918.

APPENDIX X.

[Vide answer to question No. 60 asked by the Hon'ble the Raja of Ramnad at the meeting of the Legislative Council held on the 19th November 1918, page 272 supra.]

List of persons and public bodies invited to offer remarks on the Reforms Report of His Excellency Lord Chelmsford and the Right Hon'ble E. S. Montagu.

A.—Officials.

1. The Hon'ble Sir John Wallis, Kt., Chief Justice, High Court of Judicature, Madras.
2. The Lord Bishop of Madras.
3. The Hon'ble Mr. Justice Abdur Rahim, Barrister-at-Law, Judge, High Court of Judicature, Madras.
4. The Hon'ble Sir William Bock Ayling, Kt., I.C.S., Judge, High Court of Judicature, Madras.
5. The Hon'ble Mr. Justice F. D. P. Oldfield, I.C.S., Judge, High Court of Judicature, Madras.
6. The Hon'ble Mr. Justice T. Sadasiva Ayyar, Diwan Bahadur, Judge, High Court of Judicature, Madras.
7. The Board of Revenue (all departments).
8. The Hon'ble the Advocate-General.
9. The Hon'ble Mr. A. R. Knapp, I.C.S., Secretary to Government, Revenue (Special) Department.
10. The Hon'ble Mr. S. B. Murray, Chief Engineer and Secretary to Government, Public Works Department.
11. The Hon'ble Mr. W. J. J. Howley, Chief Engineer and Joint Secretary to Government, Public Works Department (Irrigation Branch).
12. The Hon'ble Major-General G. G. Giffard, C.S.I., M.R.C.P., M.B.C.S., I.M.S., Surgeon-General with the Government of Madras.
13. The Hon'ble Mr. J. H. Stone, C.I.E., Director of Public Instruction.
14. N. E. Marjoribanks, Esq., I.C.S., Collector of Coimbatore.
15. R. B. Wood, Esq., I.C.S., Director of Civil Supplies.
16. J. M. Turing, Esq., I.C.S., Collector of Bellary.
17. H. G. Stokes, Esq., C.I.E., I.C.S., Collector of Kurnool.
18. G. F. Paddison, Esq., I.C.S., Collector of Madura.
19. A. R. L. Tottenham, Esq., I.C.S., on special duty, Madras.
20. F. B. Evans, Esq., I.C.S., Collector of Malabar.
21. Sir Frederick Nicholson, K.C.I.E., Honorary Director of Fisheries.
22. The Right Rev. F. H. M. Waller, Bishop in Tinnevely and Madura, Palamcottah.
23. The Hon'ble Sir Francis Spring, K.C.I.E., Chairman, Port Trust Board, Madras.

B.—Non-officials.

1. Maharaja Sri Rao Sir Venkataswetalapati Ranga Rao Bahadur of Bobbili, C.I.E., C.B.E.
2. Sir P. S. Sivaswami Ayyar, K.C.S.I., C.I.E.

3. The Hon'ble Sir Ghulam Muhammad Ali Sahib Bahadur, Khan Bahadur, Prince of Arcot, C.I.E.
4. M.R.Ry. Diwan Bahadur P. Ramarayaningar.
5. The Hon'ble the Most Rev. John Aelen, D.D., Roman Catholic Archbishop of Madras.
6. The Hon'ble Diwan Bahadur K. R. Suryanarayana Murthi Nayudu Garu.
7. The Hon'ble Mr. T. Richmond.
8. Sir Bernard Hunter, Kt., Secretary and Treasurer, Bank of Madras.
9. Sir Clement Simpson, Kt., Messrs. Binny & Co. (Limited).
10. The Raja of Pithapuram.
11. The Zamindar of Telaprole.
12. M.R.Ry. K. Srinivasa Ayyangar, High Court Vakil, Mylapore.
13. Khan Bahadur Muhammad Habib-ul-lah Sahib Bahadur, Chairman of the Vellore Municipal Council.
14. The Hon'ble Diwan Bahadur A. Subbarayalu Reddi Garu, President of the South Arcot District Board.
15. M.R.Ry. Diwan Bahadur D. Seshagiri Rao Pantulu Garu, B.A., B.L., President of the Godavari District Board.
16. M.R.Ry. Rao Bahadur N. Subba Rao Avargal, President of the South Kanara District Board.
17. M.R.Ry. Diwan Bahadur T. Desika Achariyar Avargal, President of the Trichinopoly District Board.
18. H. P. M. Ras, Esq., Managing Director of the Bombay Company (Limited).
19. G. A. Chambers, Esq., Proprietor, the Chrome Leather Company, Pallavaram.
20. Rev. W. Skinner, M.A., D.D., Principal, Christian College, Madras.
21. W. M. Zumbro, Esq., M.A., Principal of the American College, Madras.
22. R. Stanes, Esq., Managing Director, Messrs. T. Stanes & Co. (Limited), Highfield, Coonoor.
23. Diwan Bahadur R. Venkatasnam Nayudu Garu, Principal of the Pithapur Raja's College, Cocanada.
24. Muhammad Usman Sahib Bahadur, Secretary, Muttiyalpet Muslim Anjuman.

C.—Collective Bodies.

1. The United Planters' Association of Southern India, Devarshola estate, Devarshola P.O. (Chairman).
2. The Chamber of Commerce, Madras (Chairman).
3. The Southern India Chamber of Commerce, Madras (President).
4. The Madras Presidency Association, Madras (President).
5. Madras Provincial Congress Committee, Madras (President).
6. The Madras Mahajana Sabha, Madras (Secretary).
7. The South Indian Liberal Federation, Madras (President).
8. The Kerala Janmi Sabha, Kottakal (Secretary).
9. The Andhra Conference Committee, Guntur (Secretary).
10. The Madras Presidency Muslim League, Madras (Secretary).
11. The South Indian Islamia League, Madras (Secretary).
12. The Madras Zamindars and Landholders' Association, Madras (Secretary).
13. The Madras Landholders' Association, Madras (Secretary).
14. The Madras Adi Dravida Jana Sabha, Madras (President).
15. The Missionary Educational Council of South India.

APPENDIX XI.

[Vide answer to question No. 61 asked by the Hon'ble the Raja of Ramnad at the meeting of the Legislative Council held on the 19th November 1918, page 272 supra.]

Letter—from the Hon'ble Mr. L. Davidson, C.S.I., I.O.S., Acting Chief Secretary to Government.

To—the several addressees.

Dated—Ootacamund, the 25th July 1918.

No.—647, Public.

In connexion with a circular reference recently received from the Government of India on the subject of the proposals contained in the report by His Excellency the Viceroy and the Secretary of State on Indian Constitutional Reforms, I am directed by His Excellency the Governor in Council to invite an expression of the opinion of your Association with regard to the recommendations formulated in paragraphs 212 to 235 of the published report. It would greatly facilitate the examination and consideration of your views if they could be arranged so far as possible in the order in which the subjects are dealt with in the report and I am specially to request that any statement of opinion which you may desire to offer should be transmitted so as to reach me not later than the 1st of September.

APPENDIX XII.

[Vide answer to question No. 77 asked by the Hon'ble Mr. K. K. R. Kavalappara Muppil Nayar at the meeting of the Legislative Council held on the 19th November 1918, page 275 supra]

**Proceedings of the Board of Revenue (Land Revenue), Mis. No. 649,
dated 11th May 1918.**

The Hon'ble Mr. A. BUTTERWORTH, C.S.I., I.C.S.,
Commissioner of Land Revenue.

The Hon'ble Mr. L. E. BUCKLEY, I.C.S.,
Commissioner of Revenue Settlement, Survey, Land Records and Agriculture.

The Hon'ble Mr. C. G. TODHUNTKE, I.C.S.,
Commissioner of Salt, Abkari and Separate Revenue.

The Hon'ble Mr. M. E. COUGHMAN, I.C.S.,
Commissioner of Land Revenue and Forests.

The Board begs to submit its reply to Government Memorandum No. 923-B/17-4, dated 3rd October 1917.

2. The Government desire, first, the Board's remarks on certain suggestions put forward by Doctor Gilbert Slater and the Director of Agriculture, Bombay, the object of which is to check the minute subdivision of agricultural lands. The Board is next asked to consider the advisability of certain proposals made by Government themselves with a similar object in view.

3. The memorandum and the papers received with it were referred to certain Collectors, the Director of Agriculture and the Director of Land Records and the replies of all these officers (with the exception of the Director of Agriculture whose reply was received after the Board had dealt with all the other reports) have been considered by the Board.

4. The Hon'ble Mr. Keatinge points out that by reason of subdivision and fragmentation—processes which he is careful to distinguish—the agricultural holdings of the Bombay Presidency have to a large extent been reduced to a condition in which their effective cultivation is impossible; land in fact is distributed amongst the agricultural population in such a way that a large and increasing proportion of the holdings are 'uneconomic.' Doctor Slater finds that similar conditions prevail in Madras. "The available statistics", he says, "appear to indicate (1) that in those parts of the Presidency under ryotwari tenure where the pattadars are the actual cultivators and not middlemen such uneconomic holdings are extremely numerous and (2) that with the excess of births over deaths that has prevailed over some decades they are getting more numerous and (3) the success of the efforts of Government in combating various physical evils tends to make them still more numerous."

The Board has examined such of the statistics at its disposal as are likely to throw light on the question whether agricultural holdings in this Presidency show a tendency to grow more and more minute. The figures relating to holdings in faslis 1310 and 1325, which are contained in the annexure to this proceedings, indicate, it is true, a tendency on the part of the smaller holdings to become even smaller. But before inferring from the figures either that subdivision is on the increase or that a large proportion of agricultural holdings have become so small as to be 'uneconomic' there are a number of factors which have to be taken into account. It is often the case, for instance, that a man holds more than one patta and that a joint pattadar has also a patta of which he is the sole owner; it is impossible to know how many persons the average patta holding is intended to support; the figures take no account of under-tenure holdings; and it is well known that most of the smaller ryots have subsidiary occupations unconnected, or only remotely connected, with agriculture. Whether the tendency to subdivide is on the increase or not, it seems unnecessary—as indeed without a very elaborate and settled inquiry it is impossible—to contest the general proposition that of the agricultural holdings in this Presidency a great proportion are uneconomic holdings from a purely agricultural point of view; in fact, the figures referred to lend a good deal of support to this view. Assuming then the

existence of this state of affairs, what is the remedy? Mr. Keatinge suggests a scheme of permissive legislation which will give the ryots an opportunity of reforming their holdings in such a way that they will cease to be uneconomic. Doctor Slater suggests that the desired change must come as the result of education and industrial developments, but suggests that meanwhile Government might help the ryots by prohibiting the indefinite subdivision of holdings.

5. Though Mr. Keatinge's proposed law is only permissive and though there is every reason to suppose that it would be a dead letter, it is necessary to criticize it on the presumption that it will be operative. Judged in this light, the Board considers that the Bill is open to the strongest objections, the more obvious of which may be briefly stated as follows:—

(1) There would be the utmost difficulty in determining for the purpose of the Bill what constitutes an economic holding, the value of land varying, as it does, according to the nature of the crops it can produce, the method of its cultivation, climate, the standard of comfort of the owner, and so forth.

(2) The Bill aims at creating a vast mass of petty impartible holdings all over the country, in defiance of the whole social system of Hindus and Muhammadans alike.

(3) Its operation would, as a rule, be confined to those families which are rich enough to compensate such members as are excluded from the economic holding, that is to say, to the very cases in which there is the least need for any special arrangements. In so far as the Bill could be applied to poor families, it must tend to create a landless proletariat which is always a danger and doubly so in a country where industries are so little developed that they cannot absorb the surplus agricultural population.

(4) It would afford an opportunity to co-sharers to effect collusive registration thereunder for the purpose of defrauding creditors.

(5) Its general effect, it may be surmised, would be to impair the credit of the agricultural classes.

(6) All transactions relating to land would be complicated by the question whether the condition of impartibility existed.

(7) It would involve the revenue establishment in troublesome and often infructuous inquiries on applications for creating economic holdings and on complaints that the rule of impartibility had been breached.

(8) It would undoubtedly prove a fertile source of strife in families.

After considering the objections mentioned above the Board unhesitatingly condemns legislation on the lines proposed even in a permissive form.

6. Turning to paragraph 3 of the memorandum, the Board feels constrained to oppose the suggestion that the darkhast rules should be so amended as to impose on lands hereafter assigned a condition of impartibility below a certain limit. To the lands hereafter assigned a condition of impartibility below a certain limit. To the principle involved in the proposal most of the objections urged against Mr. Keatinge's Bill apply. The limit of impartibility would naturally be that vague something termed the 'economic' limit and, as it is impossible to fix for this purpose any standard of size equally applicable to all holdings, the appropriate course to take for the purpose of determining the limit would be to examine the circumstances of each case separately. It would, however, be impossible with the existing revenue staff to conduct such inquiries.

Apart from this initial difficulty the rule would be a futile one and could never be used effectively to prevent partition. Evasion would be easy and as Messrs. Stokes, Henderson and others have pointed out, it is entirely wrong to assume that the revenue registration has necessarily any connexion with the separate enjoyment of land in actual fact. Moreover the proposal has an obvious weakness, which it shares with Mr. Keatinge's Bill, that it provides only for the registered holder and takes no account of the large class of tenants who are left entirely outside this scheme of 'economic holdings'. The Board regards the proposal, in short, as quite impracticable and fears that the only result of trying to introduce it would be to breed strife and complaints and inquisitorial inquiries to the detriment of more important business while at the best it could only have the effect of creating here and there amidst thousands of others, a field to which a condition of impartibility attaches. It is too late in the day, the Board considers, to think of imposing so novel a condition upon the assignment of land in pursuit of an idea the soundness of which is quite open to argument.

7. As to the very minor proposal regarding stamp duty, the Board considers that the petty benefit resulting from reduction of stamp duty would have no effect whatever towards inducing ryots to consolidate their holdings in opposition to their present practices.

(True extract)

H. R. PATR,
Secretary.

To the Secretary to Government, Revenue Department, with a statement and printed copies of reports from Collectors and the Director of Land Records.

ENCLOSURES

(1)

Statement showing the numbers and extents of agricultural holdings in the Presidency in faslis 1310 and 1325.

		Fasli 1310.			Fasli 1325.		
		Number of pattadars.	Extent of the holdings.	Average extent of the share of each pattadar.	Number of pattadars.	Extent of the holdings.	Average extent of the share of each pattadar.
			Ac.	Ac.		Ac.	Ac.
One rupee and less.	Single patta	308,788	264,933	0.83	405,779	276,367	0.68
	Joint patta	255,780	79,423	0.32	893,574	154,541	0.17
	Total	564,568	344,356	0.50	1,299,353	431,008	0.33
Ten rupees and less but over one rupee.	Single patta	1,249,817	4,435,962	3.56	1,612,728	4,884,910	3.03
	Joint patta	1,756,666	2,199,002	1.34	2,462,670	2,907,132	1.18
	Total	3,006,483	6,634,971	2.18	3,975,398	7,792,042	1.96
Over Rs. 10	Single patta	875,358	9,255,676	13.70	812,451	10,560,030	13.27
	Joint patta	1,468,473	6,468,605	4.40	1,678,599	6,464,735	3.86
	Total	2,343,831	15,724,281	7.48	2,491,050	17,024,765	6.97

(2)

Letter—from C. A. HENDERSON, Esq., I.C.S., Director of Land Records.
To—the Secretary to the Commissioners of Land Revenue.
Dated—Madras, the 19th November 1917.
No.—D. 715.

I have the honour to reply to Board's Reference No. 2093-Gt./17-1, dated 20th October 1917.

2. It does not seem possible to contest the proposition that a large number of ryotwari pattadars subsist after a fashion on 'uneconomic holdings.' But the suggestion that any remedy for this state of things is to be found in direct action by Government, in the way of limiting subdivisions, is based on the implicit fallacy that the conditions of landholding are in any way determined in this Presidency by the record of them which the Revenue Department purports to maintain. As matters stand, it is a never-ending source of difficulty to bring concealed enjoyment subdivisions to light and to get the record corrected to accord with the facts. It is notorious that the greater part of the work of a special staff consists of detecting and recording hitherto unrecorded enjoyment subdivisions; and this though prima facie the correct record of a subdivision is to the advantage of the owner, who has at present no incentive to avoid correct registration, other than the unauthorized fees which are usually demanded for effecting the change. It requires no great foresight to anticipate what the result would be, if subdivisions within limits were prohibited and the owner of a subdivision had in consequence a very definite motive to conceal the fact. This is the obvious practical objection to the introduction of any such provisions of law; they will in practice be evaded whenever the desire to evade them is sufficiently effective, and the necessity for evasion and concealment will furnish the karnam with another source of illegitimate income. The alternative is a large and incorruptible detective staff.

3. The proposed legislation in the Bombay Presidency is interesting, but remains purely permissive; that is, it assumes that 'economic progress' and 'the production of increased wealth,' as stated in the objects and reasons, are so obviously

desirable that the permission to adopt this new law of real estate will not be a dead letter. The history of similar permissive legislation is not encouraging, and I question strongly whether 'economic progress' or 'the production of increased wealth' are motives which affect any but the smallest possible minority of landholders in this Presidency. It is not sufficient to quote the success of similar legislation in European countries or even in Japan. If such permissive legislation, with the whole body of Hindu law, custom and sentiment in such matters opposed to it, has any serious effect on the size of holdings, it will, I think, be time to consider the application of similar measures to this Presidency. For I am unable to believe in the terms of the Hon'ble Mr. Keatinge's letter (paragraph 13) that if the Act is eventually found, by lack of compulsion, to be inoperative, no harm would have been done by its enactment. Perhaps conditions are more favourable in Bombay. In many cases in this Presidency there can be no reasonable doubt that the provision that the consent of all interested parties must be secured before an economic holding can be registered as such would render the proposed legislation inoperative. And if general consent were obtained it is not difficult to imagine the subsequent litigation on the point.

4. In this matter I am entirely in agreement with the Hon'ble Rao Bahadur V. K. Ramanuja Achariyar. It must be left to the sense of the people. Artificial restriction will lead simply to the multiplication of joint pattas, an obvious impediment to administration and distasteful to sensible landholders; or to evasion of the restriction.

5. I am not certain that I understand what concession in the matter of stamp duty is meant in paragraph 3 (ii) of the Government memorandum under reference. It is not a matter on which I feel competent to express an opinion, but I do not think that remission of stamp duty in respect of the deeds by which consolidation of holdings might be effected would of itself prove much of an incentive to consolidation.

(3)

Letter—from E. W. LEGH, Esq., I.C.S., Collector of Salem.
To—the Secretary to the Commissioners of Land Revenue.
Dated—the 13th December 1917.
No.—Dis. 4171-D.

With reference to Board's Reference No. 2093-Gt./17-1, dated 20th October 1917, I have the honour to report as follows.

2. I took the opportunity of going into this personally at Tiruchengodu. I went to three villages. In all villages the evil is admitted; the shares held are often too small to admit of their supporting a family. The holding of one man is moreover being often split up into several separated portions.

On the other hand, the ryots declared that the modification of the law of partition was unthinkable. One man said that if he suggested to his brother that he should relinquish his share he would 'cut his throat.' Jealousy between members of the family is so serious a thing that the idea of benefiting 'the family' (or the still vaguer thing 'the community') found in other countries appears to be not existent. Under these circumstances legislation is out of the question. The work must begin with the people themselves. I append a list of questions which I put in this connexion.

List of questions.

1. Are there many cases in your village where the area held by anyone cultivator is too small for him and his family to live on?
2. Do you think the number of such cases is increasing?
3. Is it due to the Hindu law of partition?
4. Would you welcome the opportunity (if given) to register any fixed portion of your lands an impartible property, i.e., not to be subdivided further by inheritance, sale, etc., but to be held by one heir in perpetuity?
5. Would it be useful if lands given on darkhast were assigned subject to condition that they should not be partible by inheritance or otherwise below a fixed limit?
6. Are there many cases in your village where one man holds small pieces of ground in several places?
7. Would the owners of such separate pieces welcome the opportunity to consolidate their holdings by exchange with others (if that could be done free of duty for stamps or registration) so as to get one single plot for each holder?

(4)

Letter— from F. B. EVANS, Esq., I.C.S., Collector of Malabar.
To—the Secretary to the Commissioners of Land Revenue.
Date— Calicut, the 13th December 1917.
No.—D. 72-Confid.

I have the honour to reply to Board's Reference No. 2093-Gt./17-1, dated 20th October 1917, about the subdivision of agricultural holdings.

2. The subject is very intricate and I do not see how it can really be discussed satisfactorily without the preliminary of a detailed inquiry into the economic history of several typical tracts. Anything of that nature was impossible in the limited time at my disposal (the enclosure to the Board's Proceedings reached me on 3rd November). The problem as a whole is also one that cannot easily be comprehended by the average 'ryot.' I have discussed various aspects of it with various persons during a recent tour and have obtained some useful information and opinions from Divisional officers and from the Zamorin's Estate Collector and Raja Vasudeva Raja of Kollengode. I have also had to make somewhat analogous inquiries in the course of the last two years in connexion with tenancy question. But I still find it impossible to say with any confidence even approximately either what should be taken as the minimum size of an 'economic holding' or whether holdings smaller than any postulated minimum are numerous or are on the increase or not. I have less hesitation in asserting that if the alleged evils exist the suggested remedies would be useless in a district like Malabar.

3. First as to the size of an economic holding. Both Mr. Keatinge and Doctor Slater seem to postulate a country of proprietors cultivating directly under the Government. In Malabar conditions are very different; the proprietor is usually not the cultivator, and the produce of most wet fields is divided between three or more families—proprietors, tenants and occupants. It follows that the area of the cultivator's holding is only one and not necessarily the most important factor in determining whether it is economic or not. A cultivating 5 acres on a wet rent may be worse off than B cultivating $2\frac{1}{2}$ acres on favourable terms. This fact in itself is probably sufficient to condemn any attempt to secure 'economy' by merely regulating subdivision. It at least makes it hopeless to attempt to fix any area as the minimum economic area. Local estimates of the minimum required for an average family of six or seven vary from 6 acres to 2 and from 200 paras of paddy to 400; while the estimate of the amount per acre that the cultivator may be assumed to get vary from 20 paras to 60. A statistician might deduce an average from such estimates corrected by experiments, but it would in my opinion be so abstract and divorced from reality as to be useless for any practical purpose. (I am throughout considering only wet land; since dry crops are unimportant in Malabar and garden crops are more industrial than agricultural.)

4. Next there is the difficulty of discovering with any approach to accuracy what proportion of cultivators' holdings falls below a postulated minimum area. The survey records are useless for this purpose in Malabar as the cultivating tenant's holding was not except by accident the unit of subdivision. In the Kollengode estate cultivators' holdings are said to be 'generally fairly large' (6 acres or more); 2 to 3 acre holdings are comparatively few; in parts of Walluvanad I was told that about 4 acres might be taken as an average; detailed inquiries in half a dozen paddy flats in Ernad and Walluvanad gave the average single holdings as between 1 and 2 acres in four cases and between 2 and 3 in two cases; but it is not certain that in these cases individual cultivators did not also cultivate land in other paddy flats.

5. There are similar difficulties in determining whether subdivision is on the increase—comparatively few new survey subdivisions are made on account of distribution amongst cultivators. Sub-registrar's registers show a good deal of splitting up of various interests; but it is difficult to judge from the mere document whether a cultivator's holding is affected; if a kanom holding is split up into half a dozen it does not necessarily, or even in most cases, mean that any actual cultivator's holding is affected. The laws of inheritance in Malabar only encourage partition amongst the Makkattayam Mappillas and the Pattars. The Marumakkattayam tarwad system encourages the reverse. Amongst the South Malabar Mappillas excessive partition has frequently been alleged for the last thirty years as a cause of their poverty. It may be so, that it is probably also a cause of their industry. And so far as can be seen

there is no general progressive increase in subdivision amongst them as a whole: land changes hands amongst Mappillas far more readily than amongst Hindus. A's land on his death may be split up between his widow and half a dozen children, but if the subdivisions are small they are probably soon sold to some man who has ready money in hand and wants to acquire a decent estate. Consolidation seems more or less to keep pace with fissure.

6. The general impression seems to be that though subdivision is not increasing to any great extent there is a large number of holdings that are 'too small'; and this is no doubt true if the standard is to be based on what I may call abstract agricultural economics. But such theoretical considerations would justify compulsory restripment into far larger holdings than either Mr. Keatinge or Doctor Slater seems to contemplate. If you could ignore population and take your area of cultivable land and distribute it in the most economical way amongst as many as it would feed and give employment to, it would probably be best to create large farms worked by agricultural labour; but it is doubtful whether this would conduce to the real happiness of the agricultural classes; and it postulates a practically infinite field of industrial development for the large numbers that must be told to earn their living otherwise than by agriculture. Such sweeping measures are of course out of the question: and Doctor Slater presumably would be content to aim at fields of about six acres. But in a country like Malabar it is doubtful whether a field of six acres of wet land can be cultivated in any sense more economically by one family than by two. In practice a purely agricultural class can hardly be said to exist in Malabar; and the class of cultivators amongst whom subdivision is most common is precisely that in which agriculture is not the sole or even their occupation. A very large number of petty cultivators supplement their earnings by coolie work of various sorts, and the income of a large number of petty shop-keepers, clerks, peons, etc., is supplemented by a small bit of cultivation held by a member of the family. The Kollengode Raja writes: "The ordinary holders of land do not depend solely on the produce of their fields. They supplement it by other sources of income, for example, tapping, minor industrial and general labour. Again in some cases all the adult male members of the family do not engage themselves in cultivation: one becomes a shop-keeper or assistant, another becomes a road maistri or coolie, the third, a bandyman, the fourth, a fuel-cutter and so on, leaving the cultivation of the land, the grazing of cattle and the like to be conducted by one or two adult males assisted by the boys and the females of the family. The cultivating members too engage themselves in minor occupations when the actual season of cultivation is over." It is doubtful whether true economy would be served by any interference with this state of things, even if it were practicable. The question is largely one of the pressure of the population on the soil but it obviously also involves a careful consideration of the economic condition of a district in all its aspects, as indeed Doctor Slater indicates. So far as Malabar is concerned it may be stated roughly that of Doctor Slater's alternative remedies for "friend A B", the first and second are generally availed of; and there is little sign of the descent of the district as a whole into the fifth condition of extreme poverty.

7. As to permissive legislation on the lines suggested by Mr. Keatinge, it may be doubtful whether it is necessary or desirable, but there seems no doubt that it would be a dead-letter in Malabar. Every one consulted agrees that it would be unpopular and impracticable. The Kollengode Raja writes: "Here there seems to be no point in constituting a holding as a registered economic holding. Generally, the holdings are fairly large. There are also small or petty holdings. It does not however seem worth while to register them as economic holdings, as it appears opposed to sentiment, as there are different interests in the land, as the holders have other income also, and as there is no particular advantage to be derived in the circumstances. As a matter of fact, in some cases, the people themselves do not subdivide the land when it is far too small and inconvenient for such division, and they make other arrangements to adjust the matter among themselves at the partition or other settlement by paying proportionate amount of money to the parties concerned leaving the land in the hands of one or two persons for the sake of convenience. The legislation suggested will meet with opposition from the public, as it is against their feelings, besides being unworkable owing to diverse interests in the same land. There will be no general consent to give up partition either. There seems to be a hallowed feeling or idea with certain people to have a bit of the ancestral family property." The Calicut Divisional Officer Khan Sahib Ammon

Sahib writes : " The Muhammadan Law of Inheritance which the Mappillas of South Malabar follow and for which the Marumakkattayam Mappillas of other parts are also striving hard and earnestly, does not leave any option in the matter of partition. The experience of Makkattayam families which have essayed to live joint family life has been without any exception most discouraging. It has led to endless litigation and ruin even during the lifetime of the first generation. A landowner, however small his holding may be, still considers himself and is considered by his neighbours as a somebody in his village much more important than one who makes even a more decent living by other occupations which are all looked upon as precarious when compared to income from land. Hence it is the general ambition to possess land, be it half an acre or even less, so that when an opportunity presents itself, it is hardly probable that anyone would be willing to forego the pride of position within his reach for a money compensation." The Tellicherry Divisional Officer Mr. Hill says : " The number of small holdings are increasing but most of the people to whom I have spoken are very doubtful whether the type of legislation described in the end of paragraph 2 of your letter would effect any improvement. Registration of a plot as impartible would, I presume, require the consent of every male member of the undivided family at the time of registration. If it did not do so the legislation would be most unpopular and if it did do so I think it would be very little availed of owing to the difficulty of getting the consent of all the members. Every one I have consulted has pointed out that such registration would make it impossible for them to borrow money on a small portion of the registered plot, or to sell such a small portion to clear off a debt on the remainder. This consideration would make the janmi less likely to wish to register any of his holdings as impartible and would not be counteracted by the consideration that such registration would secure a holding which was more economical to cultivate because it is most unlikely that he would cultivate it himself."

8. The kind of typical case in Malabar is as follows : A janmi *A* owns 50 acres of land ; under him konam tenants *B* and *C* hold 20 and 30 acres each : under *B* there may be four cultivating tenants *P Q R S* cultivating what may be presumed to be economic holdings, and under *C* a dozen tenants cultivating uneconomic holdings. There is no reason why *A*, *B* or *C* should resort to the Act, and if *P Q R* or *S* made an application *A* and *B* would probably object and the Collector would presumably in any case have to refuse registration. In fact I do not see how the Act as drafted could be applied to such a state of things.

9. The two minor palliatives suggested in paragraph 3 of the Government reference are quite unimportant from the economic point of view. As to the first there are practically no lands available for darkhast in Malabar, but if any conditions are to be imposed they should presumably include prohibitions regarding letting, as in section 17 of Mr. Keatinge's Bill.

10. As to the second a man who will trouble about consolidation is not likely to be deterred by the small stamp duties now involved, and I think that such trifling 'concessions' are objectionable in principle.

(5)

Letter—from A. Y. G. CAMPBELL, Esq., C.I.E., I.C.S., Collector of Kistna.

To—the Secretary to the Commissioners of Land Revenue.

Dated—Masulipatam, the 16th December 1917.

No.—R.O.C. 1751 B. & G.

I have the honour to reply to your Reference No. 2093-Gt./17-1, dated 20th October 1917, regarding the minute subdivision of agricultural lands.

2. I enclose some statistics which I have collected showing the extent to which small subdivisions exist at the present time in certain selected typical villages. It will be observed from these statistics that generally the percentage of the area of dry lands subdivided into plots of less than two acres to the total dry ayacut of the village is greater than the percentage of wet land subdivided into plots of less than one acre to the wet ayacut of the village. This is explained as due to the fact that the intensive cultivation of dry land, however small it may be, pays the cultivator. Such small areas can be turned to good account by raising chillies, brinjals, plantains, etc. More labour and more capital are required for raising produce on similar subdivisions of wet land.

3. In considering the statistics appended to this letter, it has to be borne in mind that in some cases subdivisions may be consolidated for purposes of cultivation

with neighbouring plots of land, but on the other hand there are survey fields which have not been subdivided in the revenue accounts although they are divided into plots cultivated by different cultivators.

4. It is clear from Mr. Slater's letter, dated 17th June 1917, that there are cases in which it may not be desirable to interfere with a holding smaller in area than that generally regarded as an economical holding. In some cases the plot of land may correspond to an allotment holding in England and may enable a man to raise garden or other crops though they may not be his sole source of livelihood.

5. The cultivators themselves adopt certain measures now to render the cultivation of small plots as economical as possible, for instance, they may borrow ploughs or bullocks from each other in exchange for labour.

6. One important factor in the fragmentation of holdings is the Hindu Law and the manner in which it is carried out, but it is clear from the reports which I have received that any direct interference with the Hindu or Muhammadan Law in this connexion will be very much resented and will no doubt be evaded. It seems to me that it will be of very little use to attempt to enforce any serious alteration of Hindu or Muhammadan Law, unless it is supported by the mass of the people who will be affected by it.

7. If a law is passed that if a holding less than a certain area is to be divided amongst the members of a Hindu family or if the division will render the various holdings less than the area of economical holding, in that case the holding should be retained by the senior member of the family who should compensate the other members by the payment of money, the result will generally be that the whole of the land will have to be sold or at least heavily mortgaged in order that the senior member of the family may obtain the required money. The final result will be that the land will pass out of the family into the hands of the money-lender.

8. Legislation on these lines will, therefore, adversely affect the interests of the poorer ryots and will benefit the wealthier classes.

9. Any artificial limitation of the extent to which subdivision should be carried appears to me of little use as the intention of any orders to that effect can be easily defeated.

10. In the same way the intention of an order that a holding included in one patta shall be entered in the name of a single pattadar if below a certain size can be readily defeated. The several joint-holders will put forward one man as the nominal pattadar and the only result of such an order will be that Government will have less security for its revenue, the security would be the property of the nominal pattadar only instead of the property of all the joint owners as at present.

11. In any legislation which is undertaken, it will be necessary to see that the holding of small areas similar to allotment holdings or gardens by persons having other avocations is not affected.

12. It will, further, be necessary to consider the case of subdivisions necessitated by the acquisition of land for such public purposes as railways and roads. In many cases the balance of the field not required for the public purpose may be less than the area of an economical holding. Will it be necessary for the Government or local authority concerned to acquire in such cases the whole field and hand over the land not required free of charge to the owner of an adjoining field? Obviously it cannot be handed over to any other person and as there will be little or no competition for the land the adjoining owner cannot be compelled to pay for the land and if it is not assigned to him it will go out of cultivation.

13. Apart from such lands as allotment holdings, etc., we are mainly concerned with seeing that the land in a single farm, i.e., managed for purposes of cultivation by one man or one corporate body either as owner or tenant or partly as owner and partly as tenant, should be an economical holding. I would suggest, therefore, for consideration that a farmer of land adjoining an uneconomical holding should be allowed to sue before the Divisional Officer for the tenancy of such adjoining uneconomical holding ; the conditions of the tenancy, the length of the lease and the rates of rent should be determined by the Divisional Officer, subject to such rules and orders as may be issued by the Government or the Board of Revenue.

14. Such a provision of law will not deprive a small owner of his ownership of the land, but it may deprive him of the cultivation of the land and compel him to lease it, unless it is of the nature of an allotment holding or garden. It is

possible that parties may not generally take advantage of such a provision of law except on account of the ill-feeling, but the fear of the possibility of such action may lead petty owners and tenants to combine uneconomical holdings and will provide an inducement to families to divide land amongst the various members so as to avoid as far as possible the fragmentation of fields.

15. A condition of the lease given by the Divisional Officer should be that the farm of which the land leased is to form part shall continue under the management of one person or corporate body.

16. Facilities may also be provided for the formation of farming associations (e.g., co-operative societies) for the purpose of dealing with uneconomical holdings.

17. As regards the two points referred to in paragraph 3 of the Government Memorandum No. 923-B/17-4, dated 3rd October 1917, I do not think that it is desirable to revise the darkhast rules so that land assigned on darkhast in future should be subject to a condition of impartibility beyond a certain limit. As I have already suggested the intention of such rules can be easily defeated. Moreover, it appears to me undesirable that there should be plots of land side by side in the same village subject to various conditions of tenure. In order to enforce such a rule, it will be necessary for civil courts and registration officers, in every case affecting a portion of a field or holding, to make inquiries whether the land is impartible or not.

18. Concessions in the matter of stamp duty to encourage the consolidation of small uneconomical holdings may be granted.

19. I have made the above suggestions with considerable diffidence. I am inclined to think that it may be desirable to make further inquiry regarding (a) the existence and nature of evils resulting from the subdivision and fragmentation of holdings and (b) the agricultural practices adopted by small ryots at the present time to mitigate those evils.

ENCLOSURES

(1)

Ellore division, Kovvur taluk.

Village.	Number of persons.	Dry area below two acres.	Total dry.	Percentage of column 3 to column 4.	Wet area below one acre.	Total wet.	Percentage of column 5 to column 7.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Tadepalli	616	403	3,835	11	111	531	21
Vadapalli	466	450	695	65	..	..	..
Kovvur	350	335	1,127	30	..	..	..
Madhavaram	238	95	1,783	5	19	1,016	11
Arugolana	599	577	3,204	18	181	601	30
<i>Ellore taluk.</i>							
Dendalur	394	128	3,248	4	57	2,219	2

(2)

Statement showing the plots in the separate enjoyment of the several individuals without being whole survey numbers or recognized subdivisions in the select villages.

Name of the village.	Number of survey numbers.	Number of subdivisions recognized.	Number of plots enjoyed separately without being survey numbers or recognized subdivisions.	Out of those in column 4 number of plots measuring			
				Less than 50 cents.		50 cents and less than an acre	
				Dry.	Wet.	Dry.	Wet.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
<i>BEZWADA DIVISION.</i>							
<i>Gunnavaram taluk.</i>							
Kesariipalli	556	..	816	117	221	54	60
Goda jarra	349	406	232	6	2	31	18
Vandakuru	145	414	987	328	29	78	65

(3)

Statement showing the number of sub-divided plots of less than one acre of wet land and two acres of dry land in each village.

Villages in the South Valluru estate.

Village.	Total area of the village.		Total number of fields whether whole survey numbers or subdivisions.	Number of fields.	
	Dry.	Wet.		Wet.	Dry.
				Below 1 acre.	Below 2 acres.
Vadlamannadu	ACS. 86.39	ACS. 2,182.09	1,684	610	303
Mukkollu	482.01	1,814.29	2,078	885	608
Gandram	37.27	510.18	383	154	75
Nagavaram	2.14	6.67	16	2	12
Gurivindagunta	7.95	483.93	361	141	65
Koppalli	40.62	387.14	345	166	61
Muthiligunta	23.24	271.50	249	132	82
Mnoherla	35.56	318.29	347	212	42
Nelakondapalli	46.77	164.85	195	81	60
Chodavaram	232.21	904.97	755	205	272
Bahussainpalem	52.02	124.71	57	4	14
Munigilam	800.27	663.27	916	260	471
Kanchadam	261.88	780.17	687	187	242
Barripadu	35.41	259.16	377	129	172
Kavipuram	0.68	284.44	169	56	16
Kuduru	169.48	345.20	415	144	165
Konkipudi	410.68	961.28	1,494	503	704
Valluru	639.93	343.62	1,059	311	1,061
Boddapadu	349.25	716.76	643	133	234
Chinapulipaka	84.89	597.90	492	235	57
Vasantavada	240.31	1,091.81	518	151	96
Rajupeta	171.67	511.97	347	89	40
Satyavole	135.53	237.35	385	88	19
Koppaka	3,309.68	728.39	1,907	206	871
Bhogapuram	546.98	148.74	501	96	276
Singavaram	322.61	54.29	221	42	85
Kotapalli	444.57	114.67	148	10	41
Pedavegi	3,559.92	37.68	1,255	19	658
Malakacherla	258.73	193.28	201	29	62
Chalaochintalapudi	1,239.72	163.59	382	25	106
	16.57				

(4)

Statement showing the number of sub-divisions and holdings, etc., in certain villages of the Kistna district.

Name of the village.	Total area of agricultural holdings.	Number of fields and subdivisions less than one acre in wet and two acres in dry.	Area of fields in column (3).	Percentage of columns (4) to (2).
(1)	(2)	(3)	(4)	(5)
<i>Narasapur division, Tanuku taluk.</i>				
Vanampalli	ACS. 168	71	37	22
Neggipudi	363	236	127	35
Marutaru	609	538	140	24
Peranali	1,365	286	134	10
<i>Bandar division, Bandar taluk.</i>				
Mandigama	Wet. 800 Dry. 283	Wet. 247 Dry. 124	Wet. 99 Dry. 124	Wet. 12 Dry. 43
Pedana	792 1,834	177 514	78 339	9 18
Satular	728 228	168 149	75 63	10 25
<i>Disi taluk.</i>				
Vekapur	2,019 803	1,822 1,150	663 458	33 57
Avanigadda	2,068 2,400	1,163 2,205	694 1,220	35 50
Kalorapalem	3,412 1,013	200 311	192 195	4 20
<i>Narasapur division, Tanuku taluk.</i>				
Ranipadu	679 870	149 65	77 53	13 6
Kaldhari	84 2,351	13 464	8 438	9 19

(5)

Village.	Subdivisions of				Assets of the village (compiled).		Percentage of		Holdings similar to those in column (2) to (6) not subdivided.				Percentage of				
	Less than one acre wet.		Less than two acres dry.		Wet.	Dry.	Column (3) to column (6), column (7).	Column (8) to column (9).	Wet.		Dry.		Columns (3) + (11) to column (6) wet.	Columns (5) + (13) to column (7) dry.			
	Number.	Extent.	Number.	Extent.					Number.	Extent.	Number.	Extent.					
					(2)	(3)	(4)	(5)					(6)	(7)	(8)	(9)	(10)
	(1)					ACS.	ACS.	ACS.	ACS.								
<i>Narasapur taluk.</i>																	
Kopparru ..	196	120-35	242	104-90	1,860-42	212-26	6-5	49	..	72-15	..	9-20	10-3	54			
Mogaltur ..	184	86-78	1,321	1,036-74	2,148-39	3,713-41	4	28	..	42-39	..	618-37	6	43			
Tunduru ..	131	59-62	66	42-40	2,487-57	1,670-36	2	2	..	46-54	..	84-60	4	7-5			
<i>Bhimavaram taluk.</i>																	
Pedmiram ..	291	106-29	124	49-77	1,923-12	129-26	6	39	23	..	3	..	..	..			
Bhimavaram ..	135	61-14	185	116-3	1,996-87	448-0	3	26	37	..	10	..	..	..			
Strungavruksham ..	283	150-13	133	97-4	3,038-76	463-99	5	21	10	..	3	..	..	..			
<i>Ellora taluk.</i>																	
Chitaparru ..	308	154-11	..	..	2,980-62	..	5	..	18	19-42	..	16-93	6	..			
Denduluru ..	60	18-79	145	111-24	2,031-07	3,437-15	0-9	3	4	3-30	..	56-85	1	3-7			
Dharmajigudem ..	46	31-96	191	129-84	542-64	2,388-00	6	5	20	11-79	..	..	8	7-7			
<i>Gudivada taluk.</i>																	
Gudivada ..	462	225-23	67	40-37	2,962-99	99-46	8	41	..	..	..	..	..	..			
Kavutavaram ..	633	357-20	289	154-91	1,618-35	262-8	24	61	..	..	..	..	..	..			
Gudlavaluru ..	113	168-69	83	66-32	1,264-74	144-72	13	46	..	..	..	..	..	..			
Dogiparru ..	1,248	610-38	197	97-63	3,025-1	456-63	17	21	763	..	112	..	..	..			
<i>Kaikalar taluk.</i>																	
Kaikalar ..	67	33-43	172	92-90	858-40	498-99	4	19	23	..	13	..	..	..			
Chavalipadu ..	13	8-69	110	86-20	299-94	343-72	3	26	40	..	69	..	..	..			
Loosandy ..	14	8-65	51	38-31	176-30	181-97	5	21	4	..	4	..	..	..			
<i>Bandar taluk.</i>																	
Arnapalli ..	151	69-83	480	347-96	707-21	1,619-48	10	21	..	29-16	..	202-58	14	34			
<i>Bemada taluk.</i>																	
Seri Matyalampadu ..	283	96-42	316	138-38	168-62	441-72	56	31	12	..	10	..	..	..			
Kupugallu ..	181	94-3	319	186-80	1,389-14	708-84	7	27	10	..	41	..	..	..			
Kankipadu ..	599	272-63	444	195-53	1,666-76	637-98	17	29	8	..	..	..	..	..			
Kolaveenu ..	666	312-94	634	219-36	2,144-52	604-76	16	36	15	..	..	..	..	..			

(6)

Letter—from Khan Bahadur S. M. V. OOSMAN SAHIB Bahadur, B.A., B.L.,
M.R.S.A., Acting Collector of Anantapur.

To—the Secretary to the Commissioners of Land Revenue.

Dated—the 17th December 1917.

No.—D. Dis. 3727.

I have the honour to submit the report called for in Board's Reference No. 2093-Gt./17-1, dated 20th October 1917, regarding the desirability of checking minute subdivisions of agricultural lands in this Presidency and also on the further questions raised in paragraph 3 of Government Memorandum No. 923 B/17-5, dated 3rd October 1917, communicated with the Board's Reference.

2. I have consulted some of my Divisional Officers and a few ryots who could be expected to make an intelligent expression of their views. The Sub-Collector remarks that some of the ryots whom he met did not quite understand the points for discussion. On the question as to how far the evil of carrying on subdivisions even to a ridiculously low limit exists in this district, there is some divergence of opinion among those consulted. The Divisional Officer, Gooty, reports that the tendency is common on the part of co-sharers in a holding to have their shares separately subdivided in order to avoid the risk of their property being sold for default of payment of revenue by the other co-sharers, and that this tendency has become aggravated by the laws of inheritance in vogue among the Hindus and Mussalmans. It is said to have become further accentuated by the steady and continuous increase in population and by the growing feeling in favour of a direct interest in, and attachment to, land. The cumulative effect of all these is the creation of too small and petty holdings wholly insufficient to maintain a family and quite uneconomical. This view has already been advanced by one of the opposers to the motion in the Legislative Council in the discussion held in May last. The Sub-Collector mentions an instance of a joint patta of 40 cents of land in which one of the owners could not sell his share except to the other owner who was his own brother and who would not offer him one-third of what an outsider was willing to give for his share. He says that it was asserted to him that his division (Penukonda) did not suffer much from this 'minute subdivision disease' and that commonsense generally acts as a deterrent. The Divisional Officer, Anantapur, on the other hand, avers that in the districts he has served so far, he has not come across villages in which many of the inhabitants have been suffering from 'chronic under-employment.' He does not see how the checking of minute subdivisions will remedy matters where such under-employment is the prevalent complaint in a congested district. I am inclined to the opinion that so far as Anantapur district is concerned, there is no reason to treat it as a congested district (from the point of availability and dearthness of labour), though there is no denying the fact that its poor soils on the whole and the steady increase in population have rendered the struggle for existence rather keen for the agricultural population. Even so far back as 1837, Sir Frederick Nicholson (then Collector of the district) made out clearly that this district is one of the poorest in the Presidency, that the bulk of the soil was very inferior and that the rainfall deficient and frequently unseasonable (vide his report on the economic condition of this district printed in Board's Proceedings No. 172, Revenue Settlement, Survey, Land Records and Agriculture, dated 27th June 1887). Since then, some industries in the district have been revived and have flourished, and fresh ones started. The introduction of oil engines, machines for extracting cane juice and husking paddy, groundnut shelling machines, the starting of cotton presses and cotton ginning factories, the working of the Goldmines at Ramagiri and the completion of two Railway lines (Guntakal-Bangalore section and Dharmavaram-Pakala line) have thrown open fresh fields for employment for the labouring classes, so much so that labour has become much dearer now than 30 years ago. It would not therefore be correct to say that in this district there are many villages whose inhabitants are unable to get full employment and maintenance on their own holdings and at the same time have no other sufficient means of subsidiary employment for earning a living wage. Much emphasis cannot therefore be laid on the score of 'under employment' leading to starvation and distress, in taking exception to the evil of minute subdivisions as far as it exists in this district, though the other

objections urged from the economic point of view, such as those summarized in paragraph 8 of the Hon'ble Mr. Keatinge's report hold good generally even in non-congested areas. The following figures taken from the district rent rolls will show how the number of small pattas of one rupee and less has nearly doubled itself during a period of five years:—

	Faali 1321. No.	Faali 1325. No.
Pattas of the value of Re. 1 and less	13,999	26,937
Pattas above Re. 1 and up to and including Rs. 10.	64,643	70,199
Pattas above Rs. 10 and up to Rs. 100	39,156	32,106
Pattas above Rs. 100	1,057	786

Allowing margin for cases of small assignments on darkhast, there is no doubt that the bulk of the increase under small pattas is accounted for by excessive subdivision and fragmentation of holdings. It is therefore an unmistakable symptom of the existence of the 'disease' complained of, and the time, I think, has come for sounding a note of alarm to forewarn the public and the Government towards the adoption of remedial measures to arrest its growth, so that the further and further splitting up of fields may not go on unchecked and eventually lead to absurdity.

3. If then the existence of the evil is sufficiently manifest, the further question arises how far it is advisable for the Government to step in and legislate on the lines laid down in the draft Bill appended as an enclosure. It is needless to add that there will be some opposition to state interference in such matters on the ground that such a course is contrary to established custom and opposed to sanctioned usage and the Hindu and the Muhammadan law of partition and inheritance. These objections have already been put forward by the Hon'ble Mr. Ranga Achari in the Legislative Council. Whether such interference by the State is politically sound is therefore a moot-point. The Divisional Officer, Gooty, remarks that the introduction of a law declaring the holdings indivisible is opposed to the ryotwari system and to the laws of partition, that in the case of holdings of small size, the son inheriting the property will not be in a position to find the money required for payment of compensation to his brother or other co-heirs and that the 'absence of equal treatment of the several sons of a pattadar would be opposed to the feelings, sentiments, customs and traditions of the people.' He thinks it is likely to lead to disruption of families and that the best thing therefore to do is to leave it to the good sense of the people whose customs and feelings must necessarily change with the spread of education. The Divisional Officer of Anantapur also has similar objections against the suggested remedy and doubts whether Indian opinion will support the proposed legislation. In short, this is tantamount to saying, 'what can't be cured must be endured.' But the question may well be asked whether the position is really irremediable? My Sub-Collector is in favour of Government assuming the responsibility of intervention whether the idea is viewed with favour by the public or not. I am inclined to agree with him. As he says, 'it is simply a case of saving the people from themselves.' If it has been found legally possible for a court of law to refrain from cutting up house-sites in partition cases and to order the site to be sold and the proceeds to be divided, there is no reason why the power of the law should not be extended to prevent agricultural holdings being similarly cut up and subdivided. After all, I presume the proposed legislation will only be aimed at and directed towards putting a stop to carrying subdivisions too far and to the ridiculous point, and both educated Indian opinion and village commonsense may be expected to see the necessity for State interference in a matter of such economic importance. It would be ineffective to wait for the poorer ryots to remedy matters by adjustment of holdings and mutual exchange of plots. The incentive even to such spontaneous action must come from Government, and it is by legislative enactment alone that it can be made effective.

4. As to the question whether it is advisable to fix a minimum limit to subdivision, I may add that, as already indicated in the Council debate, such a limit was actually in force some time ago and was abandoned for various administrative reasons. The old Board's Standing Order No. 3 was deleted I believe in the process of consolidation, and there cannot be much harm in reviving the limit so as to suit modern requirements. Of my Divisional Officers consulted, the Deputy Collector, Gooty, is in favour of making it one acre in the case of wet land and two acres for dry. The Divisional Officer of Anantapur proposes two acres for the wet and five for dry, except

in special cases such as small unobjectionable encroachments on assessed wastes and porambokes adjoining a pattadar's holding or the like which can be incorporated into the holding. The Sub-Collector on the other hand would put it as 50 cents and two acres for wet and dry, respectively. I am not in favour of prescribing one limit for all kinds of soils—at least in a district like this where more than 77 per cent of the assessed dry area is of the inferior red sort. The value of lands which has of late risen considerably owing to high prices of food-grains and stuffs and the dearness of other agricultural produce varies of course with the different soils. An acre of black cotton land may be priced at Rs. 50 to 150 and that of the red loam from 5 or 10 rupees to 40 or 50 rupees. Further, the inferior red soils of this district cannot bear the strain of annual crops and require periodical rest. In such cases, the laying of a uniform subdivision limit will work hardship. The subdivision limit should necessarily be larger in the case of poorer soils than in the case of fertile and rich lands, as the former are left fallow once in two or three years. I would, therefore, lay down that so far as wet land is concerned (which is generally valuable even in red soil tracts), a minimum limit of 50 cents may be proposed, except in the case of unobjectionable encroachments such as those referred to above. As for dry lands, a limit of one acre in black cotton soil and two acres in others will suit and may not cause dissatisfaction. The same minima may be extended to lands assigned under the darkhast rules, as it is but fair that the condition applicable to existing holdings should be extended to future assignments. Such a limit is desirable from the point of (1) encouragement of intensive cultivation and (2) the necessity of preventing the growth and multiplication of small indigent farmers. The latter, if they spring up in unusually large numbers, will prove a menace to the agricultural prosperity of any locality.

5. Lastly, I am in favour of extending the concession now in force regarding exemption of stamp duty in the case of Government lands to inam holdings also, when parties voluntarily consolidate their holdings.

(7)

Letter—from E. S. LLOYD, Esq., I.C.S., Collector of Trichinopoly.
To—the Secretary to the Commissioners of Land Revenue.
Dated—the 17th December 1917.
No.—D. Dis. 3744/R.

I have the honour to reply to Board's Reference No. 2093-Gt. 17-1, dated 20th October 1917.

2. The evils of excessive subdivision and 'fragmentation' of holdings are undoubtedly real and are much in evidence in this district and I believe elsewhere in the Presidency. As examples of the former I append a statement showing typical instances in the ryotwari villages of Kukur and L. Abishekapuram in the Trichinopoly taluk where wet fields of two to three acres have been split up into numerous minute subdivisions of a few cents each. The Divisional Officer, Namakkal, further gives illustrative details showing the number of subdivisions in certain villages according to the old survey of the Namakkal taluk and in the resurvey recently completed. The number has considerably more than doubled in all the villages mentioned while in one case—the wet village of Kumarapalaiyam—the number in the old survey was only 161 while the resurvey shows 1,720. The acceleration of the process is generally ascribed to the growth of population and the gradual break-up of the joint family system and it is greatly encouraged by the present rule governing the transfer of registry of holdings. That it is economically unsound is very generally admitted but some of the Divisional Officers point out that it has one advantage in enabling the poorer classes to get hold of small bits of land which they would not be able to do if the state of the law favoured the formation of large estates.

3. As an instance of the evils of fragmentation I may mention the case of M.R.Ry. Seturatnam Ayyar Avargal, a leading Mirasdar of Kulittalai. He has been kind enough to give me a rough sketch (which I enclose for the Board's perusal) showing how a property of 190 acres was divided between his father and aunts. He has personally informed me that the disadvantages of such a disposal of the property are great and that it sometimes happens for instance that while he wants to harvest a crop of a particular kind of paddy his relations will be wanting water for

(8)

Lettier—from A. GALLETTI, Esq., I.C.S., Acting Collector of Chittoor.

To—the Secretary to the Commissioner of Land Revenue.

Dated—the 22nd December 1917.

No.—4304.

I have the honour to reply to Board's Ref. No. 2093/Gt. 17-1, dated the 20th October 1917, on the subject of the desirability of checking minute subdivisions of agricultural lands in this Presidency.

2. Instead of referring the matter to Divisional Officers and Tahsildars, I referred it to the leading ryots of the district and then had a conference with a few of them at my office on the 20th instant. I enclose a copy of the proceedings of the conference.

3. There is no doubt that in parts of this district the subdivision and fragmentation of holdings has gone very far. We have instances of holdings of 1 cent and holdings of 2 cents enjoyed by nine persons. The ryots all agreed that the situation required a remedy so far as the minute subdivision as a result of partition and succession is concerned. They did not seem to be much troubled about the case of a man whose holding is scattered in different parts of a village. They seemed to think that it might even be advisable to have a piece here and a piece there so as to enjoy different varieties of soil and be able to grow different crops.

4. There was a good deal of difference of opinion regarding the extent of land required for the support of a family and the proper size of a holding in order that it may be an economic holding. I should imagine that if any legislation is undertaken authorizing the voluntary constitution of impartible holdings, and if the darkhast rules are altered to permit of the grant of impartible holdings, fairly wide limits should be laid down, say anything between 1 acre and 10 acres wet and anything between 5 acres and 25 acres dry.

5. None of the ryots present at the conference saw any objection to Government assigning land on darkhast on condition of impartibility. The Government Pleader who was present and who had also studied the papers previously and given his opinion in writing was positive that such darkhast grants would not be valid and would not be recognized by the courts unless special legislation is undertaken. In view, however, of the Crown Grants Act, 1895, I do not see what is to prevent Government making new grants on impartible inam or jaghir tenure, such grants being described as inams or jaghirs for the improvement of agriculture.

6. The conference was in favour of a suggestion that I made that the darkhast rules should be altered so that, of the two adjacent holders, the man with a smaller holding, being less than a certain maximum, should have a preference. A suggestion was also made by a ryot that an adjacent holder should be given a right of pre-emption by law in the case of holdings below a certain maximum placed on the market but most of the persons present thought this would lead to difficulties about the settling of the price and would decrease the value of the property.

7. Another suggestion was that some alteration of the remission rules was necessary to make it easier to consolidate the subdivisions within a survey number. When all the subdivisions become the property of one man, the Land Records department would consolidate them with the result that the owner would lose the chance of getting remission on a portion of his land. The suggestion was that the remission rules should be modified so as to provide for remission for parts of fields which have been consolidated.

8. No one appeared to be much attracted by the suggestion that a concession should be made in the matter of stamp duty when parties voluntarily consolidate their holdings. The sense of the meeting seemed to be that it would be an inducement insufficient to make any real difference but that it might be tried, the Registration Department being required to remit the stamp duty on the certificate of a subordinate revenue officer that the case was a genuine one of consolidation of a holding. It was thought that the proposal would be quite useless if a man had to pay the stamp duty in the first instance and to obtain a refund on application.

9. I see no objection to the enactment of a law on the lines suggested in Bombay to provide for the voluntary constitution of economic holdings, but the principle runs so counter to the habits and traditions of the people that I should think it would have no more practical results than the Malabar Marriage Act. Among the tens of thousands of laws on the Statute book of the Kingdom of Italy there is a permissive

law of this kind; but I have never heard of a case in which advantage was taken of it. My conference also was much more impressed with the injustice that the constitution of holdings descending by primogeniture would inflict in their view on the younger brothers than the advantages of keeping the holding intact. The creation of darkhast inams in the form of impartible economic holdings for the improvement of agriculture would appear to me to be a more hopeful departure. Such inams would serve a purpose by way of example and admonition, even though very few of them would be created as Government have very little land of any value left to give away. It may also be considered whether preference should not be granted as between two darkhastdars to the one whose holding will be made into or will approach the size of an economic holding by the addition of the land applied for. It may also be considered whether Board's Standing Order No. 13, paragraph 4 (remission), should not be amended in the sense suggested by my conference.

ENCLOSURE

Proceedings of the Chittoor Ryots' Conference to consider methods for preventing subdivision and fragmentation of holdings (20th December 1917).

PRESENT:

- | | | | |
|---|-----|-----|---|
| 1. A. Galletti, Esq., I.C.S. | ... | ... | Collector of Chittoor. |
| 2. P. N. Muhammad Miran Sahib Bahadur | ... | ... | Treasury Deputy Collector, Chittoor. |
| 3. M.R.Ry. B. V. Subrahmanya Ayyar | ... | ... | Huzur Sheristadar, Collector's Office, Chittoor. |
| 4. Do D. Vedamanikam Pillai | ... | ... | Head Clerk, Collector's Office, Chittoor. |
| 5. Do. D. Seshagiri Rao | ... | ... | Land Records Tahsildar, Chittoor. |
| 6. Do. Rao Bahadur B. C. Raghavayya | ... | ... | Government Pleader, Chittoor. |
| 7. Do. M. Narayanaswami Reddi | ... | ... | Landlord, Thondavada and President, Taluk Board, Chandragiri. |
| 8. Do. Konda Reddi of Piler. | | | |
| 9. Do. Viraraghava Reddi of Kattamanchi. | | | |
| 10. Do. Nanjundappa Reddi of Kalakattur. | | | |
| 11. Do. Muddappa Chetti of Palmaner. | | | |
| 12. Do. Obul Reddi of Chintamakulapalle. | | | |
| 13. Do. Chinna Chenga Reddi of Kolamasanapalle. | | | |

The Treasury Deputy Collector pointed out that the wakf system in the Muhammadan law provided a means of keeping property intact but only for religious and charitable purposes, not for mere economic purposes. However, as it is a family settlement it helps the family to keep the land intact for generations in the same family.

Facts regarding minute subdivision in this district.—Mr. Konda Reddi said that in Regallu the subdivision of holdings has gone down to 2 and 4 cents; Mr. Viraraghava Reddi of Kattamanchi that subdivision has gone down 7½ and 12½ cents in his village; Mr. Nanjundappa Reddi of Kalakattur that 26 cents is the minimum extent of a subdivision in his village; Mr. Obul Reddi of Chintamakulapalle that subdivision has not gone so far in his village; Mr. Chinna Chenga Reddi observed that in his village (Kolamasanapalle) subdivision has gone down to 5 cents. The Land Records Tahsildar produced accounts of Angallu village. In survey No. 507 of that village measuring 19 acres 29 cents there are 245 subdivisions ranging from 1 cent, 2 and 3 cents upwards. Some of these are held by joint pattadars, e.g., subdivision No. 138-4 is held by Mekala Chinnayya and Sitaramayya. In Vayalpad village there is survey No. 805 measuring acres 11-11 containing 126 subdivisions from 1 cent upwards, and survey No. 817 (acres 7-52) containing 108 subdivisions going down to 1 cent which is enjoyed by four persons. Other instances are: 3 cents are enjoyed by three persons, 7 cents enjoyed by 11 persons and 2 cents by nine persons. It is however pointed out that some of these small subdivisions might be wells or tree-sites and not arable land. Other instances were given from Doddipalle and Gundlur villages.

The extent of land required for the support of a family and the proper size of holding.—Mr. Nanjundappa Reddi observed that 80 cents will be required for the sustenance of a family but it might be more convenient to have the 80 cents in four different places with different kinds of soils for growing different crops. At the same time 80 cents of good soil is better than four plots of bad soil. Mr. Muddappa Chetti suggested that holdings should consist of not less than one acre wet. For the convenient support of a family, there should be not less than 4 acres wet or 10 acres dry land. Mr. Konda Reddi observed that in the case of wet lands under river-fed sources, 2 acres will be good enough for a family and elsewhere 4 to 6 acres—besides dry land to the extent of at least 5 to 10 acres in addition to the wet land. Mr. Chinna Chenga Reddi agreed with Mr. Muthappa Chetti. Mr. Viraraghava Reddi suggested 2½ acres of wet land and 5 to 6 acres of dry as the minimum extent sufficient for a family. Mr. Narayanaswami Reddi suggested 2 acres of wet under spring channels and in other places 4 to 5 acres

and dry land of at least 10 acres. An economic holding should not be less than these figures. In the case of dry land with no well in it, 25 acres would be an economic holding. Mr. Konda Reddi's opinion is that 10 acres would be a better figure for an economic holding in dry land than 25 acres because it has all to be ploughed in one season and 25 acres is too much for one family to plough.

Discussion of remedies.—The meeting having come to the conclusion that the situation requires a remedy, the ryots present were asked what remedy they would propose. As regards the consolidation of subdivisions in one survey number, Mr. Obul Reddi said that there are great difficulties in consolidation as people of different castes own land in the same survey number. The general opinion of the meeting was that there would be no willing exchange of land because a man would be particularly attached to a particular piece of land and so on.

Right of pre-emption of adjacent holder.—Mr. Konda Reddi suggested that an adjacent holder should have a right of pre-emption in the case of small plots placed on the market. He added that the price would have to be referred to arbitration in this case. Mr. Obul Reddi objected saying that this right of pre-emption would decrease the value of the property to be sold.

Voluntary constitution of impartible holdings.—Mr. Narayanaswami Reddi was in favour of a law for the voluntary constitution of every economic holding subject to a right of primogeniture but he considered that the exact extent of such holdings would have to be left for determination in each locality. Mr. Konda Reddi was not in favour of any system which would deprive the younger brothers of their share in the property. He suggested that the younger brother would have to be paid off in cash by instalments if the elder brother were given the holding. He was not in favour of any other system which would leave the younger brothers of the family to starve. Mr. Viraraghava Reddi was not in favour of the proposed law. Mr. Muddapa Chetti suggested that the economic holding system should not come into force until the second generation after that of the person voluntarily constituting an economic holding, that is to say, the holding would go to the eldest son, compensation being given to the other brothers but after them the holding would go by primogeniture. Many attempts were made to get an opinion from Mr. Obul Reddi. He seemed to be in favour of Government doing something to stop partition suits in civil courts but he had no scheme for legislation. Mr. Chinna Chenga Reddi was not in favour of any change.

Alteration of darkhast rules.—The meeting saw no objection to the land being given on darkhast in conveniently large plots on condition that it should not be alienable except as a whole and it should descend on the principle of primogeniture. The meeting was in favour of the proposal that the darkhast rule should be altered so that of two adjacent holders the man with the smallest holding should have preference.

Exemption from Stamp Duty.—Mr. Obul Reddi said that exemption of documents from stamp duty would not be sufficient inducement and would make no difference. The meeting seemed to agree with him. Mr. Konda Reddi's opinion is that it might be useful to some extent and that it should be remitted by the Sub-Registrar on a certificate from the karnam and the village munsif or the Firka Revenue Inspector that it is a real case of consolidation of holdings and it would then not be necessary to make the party use a stamp and then claim a refund from the Collector.

Alteration of remission rules.—It was suggested by Mr. Konda Reddi that the remission rules and the clubbing of subdivisions under the rules would result in a man losing by the consolidation of a holding, as the subdivisions of a division held by one man would disappear and he would no longer get remission on a particular subdivision. He suggested that the remission rules should be modified so as to provide for remission on parts of fields which had been consolidated.

The Government Pleader's opinion was that the darkhast rules could not be altered so as to attach conditions overriding the Hindu law of Succession without legislation.

(9)

Letter—from H. G. STOKES, Esq., C.I.E., I.C.S., Collector of Kurnool.
To—the Secretary to the Commissioners of Land Revenue.
Dated—the 31st December 1917.
No.—D. Dis. 4581-Genl.

Adverting to Board's Reference No. 2093/Genl. 17-1, dated 20th October 1917, on Government memorandum regarding the desirability of checking minute subdivisions of agricultural lands in this Presidency, I have the honour to report as follows.

2. The subject is of great importance and is novel to the people concerned, and it has not been possible in the period allowed for reply to go adequately into it. Some of my Divisional Officers have been consulted and a number of the leading ryots, and as might be expected, the general opinion is strongly against any legislative measure which would run counter to the principle of the Hindu and Muhammadan law of inheritance while no objection is taken to a purely permissive measure of the kind advocated by Mr. Keatinge in Bombay. As matters stand, a Hindu can dispose of his self-acquired property as he pleases and the proposed measure giving him in such case power to declare a self-acquired estate impartible would not seem to be

unduly revolutionary, though like Mr. Keatinge, I question whether such a measure will be largely resorted to. How far it would be compatible with the principles of Muhammadan law is a different question; and I am inclined to think that in this connexion the measure would be a real innovation in the existing law which might not improbably be regarded with distrust by the members of that very conservative community.

3. That the undue subdivision and "fragmentation" of holdings is an evil from the economic standpoint may, broadly speaking, be conceded, though in a district like this where the ryots are mostly themselves the cultivators, it may be doubted whether the results are so serious as they appear. Although "fragmentation" no doubt exists, I do not think it has been resulted in "putting the bulk of the land" outside the possibility of effective cultivation or economical organization. The main cause, as is recognized in the papers circulated, is to be found in the provisions of the Hindu and Muhammadan law of inheritance and it is precisely by reason of this fact that I should be opposed to any attempt to impose from without a theoretically better system. Appendix II to Mr. Keatinge's report illustrates already the difficulty of inducing acceptance of such a measure by the peasantry even in advanced communities of Europe, and, a fortiori, it would be unwise to make such an attempt in this country under present conditions, when the bulk of the peasantry are unfamiliar with economic theory, are wedded to the accepted "Mamul" and are totally incapable of comprehending the reasons for the contemplated change. The remedy for the evil I think is mainly to be found in the gradual enlightenment of the agricultural population by education, and in widening his views and knowledge of agricultural economics.

4. I do not think that anything would be achieved to secure the object aimed at by an executive order prohibiting subdivisions in revenue accounts below a certain minimum, because the revenue registry has no connexion of cause and effect with the separate enjoyment of land in actual fact, and were Government to refuse to register separately any holding below (say) three acres, there would still be no guarantee whatever that the three acres were being worked as an "economic" holding, and was not in fact enjoyed by half a dozen persons each in possession of a distressingly "uneconomic" holding. We have of recent years, with the aid of the Registration Department, attempted to bring our revenue registry into closer correspondence with the facts of enjoyment; to refuse separate registry below the theoretically "economic" minimum will merely divorce the revenue registry from the facts; it will moreover tend to multiply joint pattas, which are a nuisance both to Government and the ryot. For one thing the collection of revenue from the joint pattadars is a matter of considerable difficulty and if as often happens there is disagreement between the shareholders as to the extent of land owned by each, we have to depend on the statement of the karnam who is by no means very scrupulous. Joint holdings leave the door open to the village officers for fraud. From the point of view of the ryot there is a still greater danger, for when one of the shareholders makes default in the payment of revenue the entire holding is brought to sale and even those who have duly paid their share of the kist suffer with the defaulter.

5. As regards paragraph 3 of the Government memorandum it would no doubt be possible so to revise the darkhast rules, in respect of future grants, as to reserve the power of resumption to Government in case the land were subdivided below a certain minimum. I do not consider that this would be a very practicable remedy, or effective; and it would be, I think, open to serious objection. In the first place, revenue registry being no guarantee on evidence of the facts of enjoyment, we should have either to allow the order to remain a dead letter, or to undertake constant inquisitorial proceedings to discover the facts of enjoyment, which would be a constant source of irritation to all concerned, and would give village officers and mischief-makers a standing opportunity of causing trouble. For example suppose ten acres to be granted now to a 'A' in preference to 'B' on an "impartible" tenure: and suppose that the unsuccessful 'B', after waiting for a suitable interval, accuses 'A' of having in fact divided it up, thereby rendering the land liable to resumption, and incidentally available for re-grant to 'B'; follows an inquiry with witnesses, vakils, expenses, and much hard swearing, and, even if the allegation of 'B' is false, there is a good chance of his getting his witnesses believed. Or again, suppose after 30 years it is discovered that a family has in fact divided its "impartible" holding and has been for many years enjoying it in separate plots—theoretically I presume, Government might resume; practically it would not be possible to do so without

depriving the family of its livelihood and causing a real and natural sense of injustice. I do not think the irritation and insecurity which would result from such a condition would be at all balanced by the theoretical economic benefit resulting.

6. I see no objection to granting concessions in the matter of stamp duty when parties voluntarily consolidate their holdings. By "consolidation" I presume some adjustment of the nature of "restripment" is meant, which would be done by exchange of land or by conveyance involving material stamp fees. Consolidation by transfer of revenue registry would mean nothing necessarily and the fee for it is nominal. But I doubt whether the concessions will have much effect.

(10)

Letter—from J. M. Turing, Esq., I.C.S., Collector of Bellary.
To—the Secretary to the Commissioners of Land Revenue.
Dated—the 5th January 1918.
No.—D. Dis. 26.

I have the honour to submit the following reply to the Board's Reference No. 2093 Gt./17-1, dated the 20th October 1917.

2. As desired by the Board, reference has been made to all Divisional Officers, and conferences with ryots have been held by the Divisional officers and by certain selected Tahsildars. The officers concerned were asked to discuss the matter with a few educated and intelligent ryots, not so much as regards their own holdings, which would naturally be of larger size, but as regards the smaller holdings principally concerned, and also with ryots of the class most likely to be affected, i.e., ryots possessing holdings which they cultivate exclusively by the labour of themselves and their families, and whose holdings are barely sufficient for their support. The replies are interesting, and indicate that, framed in a much simplified form, the economic question under discussion, and the proposed method of dealing with it has been rendered intelligible to the ryots.

The general results may be summarised as follows:—

(a) The ryots consulted are of opinion that holdings which are not "economic" in the sense in which that term is used by Mr. Keatinge and Doctor Gilbert Slater are quite common.

(b) As regards the existence of 'fragmentation', to a serious degree, opinion is somewhat divided. I do not myself think that 'fragmentation' is as yet a very serious difficulty in this particular district.

(c) As regards a minimum limit to subdivision, the ryots' opinion were much divided, the majority being apparently against such restriction.

(d) The ryots consulted were almost universally opposed to any legal restrictions on inheritance and were of opinion that, although the permissive creation of such holdings as Mr. Keatinge's Bill contemplates was not of itself objectionable, it was unlikely that any large number of people would create such holdings.

The general view is summarised in the following phrase in the report of one of the Tahsildars, "In the end the ryots came to the conclusion that the proposal of creating economic holdings was quite sound" (sound in theory I presume), "but not at all practicable."

I could not choose any phrase which more accurately sums up my own view of the proposal.

3. As regards Doctor Gilbert Slater's letter, I would add the following remarks:—

No one is likely to question the existence all over the Presidency of 'uneconomic' holdings, and in a less serious degree of 'fragmentation' carried to absurd extremes. No one is likely to question the fact that numerous holdings can barely support the families who live on them, or that the increase of population is likely to accentuate these conditions, unless other avenues of employment can be found. This fact has, I believe, been recognized for the last 50 years at least, but I doubt very much whether any of the solutions suggested are both practicable and also likely to be effective.

4. The various proposals touched on in the Board's reference and its enclosures seem to me to fall into at least four divisions—

(a) compulsory restriping or other measures for enforcing the creation of 'economic' holdings,

(b) the permissive creation of such holdings,

(c) the mere restriction of subdivision to a certain minimum extent, and
(d) such minor proposals as the Board's suggestion to make lands granted on darkhast impartible below a certain minimum.

5. Item (a), paragraph 4.—I have perused with great interest Mr. Keatinge's Bill, his explanation of its objects and his description of the legislation undertaken in various European countries and in Japan on the same lines.

I submit, however, that success in European countries in the 're-stripping' of land is no indication of what is possible in oriental countries. Whatever may be said to the contrary, India has never been subjected to the process which some one has called "bludgeoning at the hands of the law", through which most European countries have passed. Nor have its inhabitants till within the last hundred years had much reason to believe that the measures of their rulers unintelligible to themselves were being carried out in their best interests. It would be absurd to expect in India either the intelligent co-operation or (in matters of land tenure any way) the submission with which the large body of agriculturists in a European country would meet their rulers in such a matter. A European Government can and does approach such a subject without more concern than, shall I say, the alteration of the country's policy from one of Free trade to Protection or vice versa. In India it would be impossible to treat the two matters as being on an equal footing. The desire to deal with his land as he likes, subject to reasonable taxation is I believe in the very fibres of the Indian ryot, and I do not believe that any Indian administration could thwart this instinct with safety.

This would be my criticism on any attempt at compulsion in the matter of economic holdings.

6. As regards purely voluntary efforts in the same direction, I consider that Mr. Keatinge has supplied the answer to his own Bill, in paragraph 13 of his letter to the Chief Secretary of the Bombay Government. He says "it may be argued that the Bill is so weak that it would be inoperative; in that case at least no harm that the Bill is so weak that it would be inoperative, but do not think that would have been done." I agree that it would be inoperative, but do not think that any advantage is gained by ornamenting the Statute Book with enactments which amount to no more than pious wishes. They are apt to produce the impression that a solution has been found, where there has really been no solution at all.

7. As regards the limitation of subdivisions my belief is it would do no more than touch the fringe of the economic difficulty under discussion. Even granted that joint holdings will support a larger number of people than smaller individual holdings of the same aggregate size, the restrictions imposed could scarcely achieve a greater success than to postpone the full pressure of population on the land in a certain number of instances for a very limited period, probably not more than one generation. It is no use complicating our system of land tenure for such a small result. Such restriction is also of course quite contrary to our present Land Records policy which is trying hard to break up joint holdings in order to secure accurate registration.

8. I submit that the eternal problem of the pressure of the agricultural population on the soil is not capable of solution by any such means. The most hopeful measure has always seemed to me to be extended emigration to lands where labour is still required. That this is now being opposed on grounds of sexual morality among others is a curious commentary on this hope.

9. As regards the Government's suggestions in paragraph 3 of its memorandum regarding the revision of the darkhast rules so as to assign lands subject to a condition of impartibility, and granting exemptions in the matter of stamp duty, the second of these suggestions would, I think, have no effect at all. The former of them would perhaps be the natural outcome of the limitation of subdivision and is subject to the objections advanced against that portion of the scheme. It is also subject to the following further disadvantage that the majority of successful darkhasts are for an extent so small that by itself it could not be regarded as an economic holding. For example, in the case of a man who owns two acres of dry land and obtains one more on darkhast, it would be quite useless to prescribe that the one acre he obtained should be incapable of subdivision. If his holding plus the extent he obtained on darkhast was jointly less than an 'economic' holding all his lands would no doubt be incapable of subdivision. The provision about darkhasts is in that case unnecessary, while without restriction on subdivision of existing holdings it would be useless, and impossibly inconvenient, implying as it does that of two adjoining ryotwari acres belonging to the same owner one might be 'impartible' while the other was not.

(11)

Letter—from Diwan Bahadur L. D. SWAMIKANNU PILLAI, Esq., M.A., B.L., LL.B.,
I.S.O., Collector of Nellore.

To—the Secretary to the Commissioners of Land Revenue.

Dated—the 12th January 1918.

No.—1024 G.B.

I have the honour to submit the following report with reference to Board's Ref. No. 2093/17-1, dated 20th October 1917, regarding the desirability of checking the minute subdivision of agricultural lands in this Presidency. The copy of the report on the subject from the Director of Agriculture, Bombay, to the Government of that province as well as the letter from Doctor Gilbert Slater was circulated to all my Divisional officers and I also took the opportunity as desired by the Board of consulting the views of ryots as well as of interested non-officials in the district.

2. The Bombay proposals aim at declaring by law the indivisibility and by consequence the impartibility of agricultural land below a certain limit. The subject is undoubtedly of great economic importance, but as matters now stand, any promulgation of a legislative measure on the subject would have to be preceded by very wide publication of the intentions of Government and the concurrence of the non-official members of the Legislative Council and their constituents would have to be secured as far as possible. I see, however, that the resolution moved by the Hon'ble Mr. A. S. Krishna Rao at the Council meeting, dated 22nd May 1917, was opposed on the spot by two important non-official members, the Hon'ble Messrs. T. Ranga Achariyar and V. K. Ramanuja Achariyar. It is of course possible that non-official opposition to any contemplated measure on the subject may undergo change, but it seems to me that before any such measure can be proposed, the main issues would have to be placed before the public, or at least before leading non-officials in some direct or indirect manner, so that the views of those concerned might be most readily ascertained. The paper drawn up by the Hon'ble Mr. Keatinge is a most valuable one, but evidently there are not enough copies of it to go round even among Divisional officers; whereas it would be necessary that the substance of the paper, including the account of what has been done in other countries, in order to combat the economic evils of excessive subdivision and excessive fragmentation, should be made known through Vernacular pamphlets or through articles in the public journals to the ryots of the Presidency.

3. All my Divisional officers except one are opposed to the measures suggested by Mr. Keatinge's paper and draft Bill; one Divisional officer alone proposes that land may be declared indivisible and impartible below a limit of one acre for dry and half an acre for wet; the few ryots whom I consulted seemed to welcome the arrangement. The officers who are opposed to reform have based their objections first on the repugnance of impartibility to Hindu ideas of inheritance; secondly, on the fact that the evils complained of do not exist to such an extent as to outweigh the objection to the novelty of the idea, and thirdly, on the vague and indefinite nature of the scientific objections to numerous subdivided holdings. They seem to argue that for the ordinary wet cultivation as pursued in this Presidency small holdings are not only useful but essential in order to keep the crop under water for the desired length of time and that this fact must be a permanent objection to laying out agricultural fields on a large scale so as to fit them for operation by steam and motor appliances.

4. It seems to me that on a priori grounds there could be no objection to Government declaring that for administrative reasons the division of land and the separate demarcation of subdivisions shall not proceed beyond a certain inferior limit. Such a declaration would be analogous to other restrictions upon individual rights which have been rendered necessary by administrative convenience. If indivisibility is declared the rule in regard to a certain class of lands, impartibility must follow as another administrative necessity. There would be in the alternative the possibility that minute subdivisions of land might be held jointly although for administrative reasons the subdivisions might be reckoned as one. Mr. Keatinge has provided an elaborate set of rules of succession based upon the English system of land inheritance. This of course would offer an easy target for legal criticism, but as admitted by Mr. Keatinge himself, the method of succession adopted is immaterial for economic purposes. I would recommend a system of nomination by each holder of impartible land as to who his successor should be, and in the event of no nomination being made by a person during his lifetime, I would propose that, in order to obviate the evils of litigation which would weigh most heavily upon such small

proprietors as are now under consideration, the selection of a successor to the vacant piece of land might be left to some local tribunal, preferably, to the village panchayat.

5. It is a moot question whether the adjustment of the values of shares in land which has been declared indivisible should be effected in accordance with strict rules of equity. In the familiar example of a house which descends to many persons in common and which they find it inconvenient to occupy in common, the rule is for one shareholder to take the house and for the others to be paid the value of their shares by him in money. In this country and under present conditions, it is not always possible for a person to obtain money on satisfactory terms even on the mortgage of immovable property in order to enable him to adjust such values but the organisation of credit is being carried on in this country through co-operative societies *pari passu* with other economic improvements, and it may be expected that in places where there are co-operative societies such adjustment can be effected on terms satisfactory to all parties. But the difficulty is that authorities like Dr. Gilbert Slater hold that land such as that now in question is economically indivisible, that is to say, that it will not pay any person to admit shareholders thereto. If this view is correct, it follows that in regard to these small parcels of land even the adjustment of shares in money should not be allowed. This would be a further instalment of reform than mere indivisibility or even impartibility. It is hardly necessary to do more at the present stage than to point out the practical features of the contemplated measure. It is inevitable that a great deal of criticism, most of it adverse, will have to be faced and overcome before the measure can become law.

6. All my divisional officers are of opinion that the remission of stamp duty proposed by Government on applications to consolidate holdings may have some encouraging effect. But they also point out that the individual saving which would accrue from such remission would not be so considerable as to make this alone an incentive to consolidation. I am afraid I must agree with those who think that a measure modelled on the lines proposed by Mr. Keatinge should be left merely permissive, instead of being rendered compulsory; it would add one more to the number of persuasive measures of advice tendered to the people at large, which are only regarded as the pious wishes of Government. If the measure is at all necessary, it would have to be made compulsory after obtaining the concurrence of a sufficient number of persons among those concerned.

(12)

Letter—from G. F. PADDISON, Esq., M.A., I.C.S., Collector of Madura.

To—the Secretary to the Commissioners of Land Revenue.

Dated—the 1st February 1918.

No.—D. Dis. 409-Rev.

With reference to Board's Reference No. 2093-Gt./17-1, dated the 20th October 1917, calling for report on the subject of the desirability of checking minute subdivisions of agricultural lands, I have the honour to state that I referred the subject to Mr. Reilly, the Divisional Officer, Dindigul, and Mr. C. S. Anantarama Ayyar, the Divisional Officer, Usilampatti.

2. Mr. Reilly states that a meeting of the ryots in his division and officers was held on 2nd December 1917, he found that the people were of opinion that the evils pointed out exist and that three-fifths of the people who attended were in favour of the introduction of the Bill proposed for the Bombay Presidency. The officers whom he consulted, i.e., the Tahsildars of Dindigul, Nilakottai and the Special Deputy Tahsildar, Palni, welcome the proposal to form economic holdings. The Tahsildar of Dindigul suggests certain modifications in the darkhast rules so as to encourage the formation of economic holdings and says that in the matter of granting permission to irrigate dry lands preference may be given to economic holdings. The Tahsildar of Nilakottai and the Special Deputy Tahsildar, Palni, are in favour of the formation of economic holdings as it will make the other members of a joint family more self-reliant and turn them to other means of livelihood. The economic holdings will on the one hand tend to improve the agricultural wealth of the country and on the other serve as a means of starting industrial enterprises. These two officers suggest that the grant of waste lands at the disposal of Government may be restricted to people who will maintain economic holdings or that preference may be given to holders of economic holdings.

M.R.Ry. S. V. Ramaswami Chettiyar, a non-official member, Taluk Board, Dindigul, is opposed to the idea of a formation of economic holdings as it is opposed to the Hindu Law of Inheritance and to their religious principles (a copy of his letter is enclosed).

3. Mr. Reilly (the Sub-Collector) himself is of opinion that in the Hindu community some permissive measure of this sort is highly desirable and that unless there is some active propaganda, official or non-official, any Bill passed would become a dead letter. He also points out that unless such a measure goes hand-in-hand with greater opportunities for industrial and commercial education and employment for the other members of the agricultural families such members will not be inclined to give up their hereditary rights. Mr. Reilly points out that the Bill does not provide for cases where the interests of minors are involved, e.g., whether a father who has three or four minor sons can apply to have his property registered as one or more economic holdings without the consent of his sons.

Again in view to further the object, namely, to create more economic holdings he suggests the following modifications to the existing darkhast rules:—

(a) The general rule that the adjacent landholder should have preference must be abrogated.

(b) In the case of extents insufficient to form a separate economic holding the man who has a small piece of land not sufficient for his living and who applies for the adjacent Government plot which together with his land would make up an economic holding should have the preferential claim if he agrees to have it registered as an 'economic holding.'

(c) If there is no such small holder the adjacent holder who agrees to create an economic holding of the land to be granted together with sufficient portion of his own land should come next in priority.

(d) Lands under the disposal of Government wherever of large extent should be split up into economic holding and then assigned.

4. The Divisional Officer, Usilampatti (Mr. C. S. Anantarama Ayyar), says that every Hindu whom he consulted is strongly opposed to the idea of interfering with the existing law of inheritance and custom of partition prevailing therein. He suggests that (1) in the case of joint pattas the owners should be required to nominate some one among them to be the proprietor for the purposes of revenue administration, (2) that Government may impose a condition that one acre for wet lands and two acres for dry lands should be the minimum limit below which subdivisions should not be allowed, (3) that Government may give a premium to any one who will buy petty fields and group them into one survey field and that Government may offer him a refund of half the stamp duty and registration fees incurred by him in buying the fields, (4) that Government may impose a condition in assigning new lands on darkhast that the lands shall not be subdivided below the proposed limit.

5. The officers consulted are in favour of granting the concessions in the matter of stamp duty when parties voluntarily consolidate their holdings, but the Sub-Collector thinks that the amount involved will not be in any case sufficiently appreciable to serve as an inducement.

6. The ryots of whom I have made personal inquiries are doubtful about the proposal; they recognize its economic value but fear that their religious feelings might be affected. My own opinion is that an attempt might be made in a district which is shortly to come under resettlement by the special staff in certain typical villages to see what can be done in the way of re-arrangement of holdings by consent. If the experiment is successful, it might be possible to extend it and even to make it eventually compulsory.

ENCLOSURE

Letter—from M.R.Ry. S. V. RAMASWAMI CHETTIYAR Avargal, Member, Taluk Board, Dindigul.

To—the Sub-Collector of Dindigul.

Dated—the 4th February 1918.

In accordance with your request to express my views separately on the subject of 'economic holdings' in connexion with a resolution brought in the Madras Provincial Legislative Council by the Hon'ble Mr. A. S. Krishna Rao, I have the honour to state my views as follows.

2. I explained the object of the 'economic holdings' to many ryots whom I came across during the last one week and most of them are opposed to the idea of setting apart a portion of their lands as an impartible 'economic holding.' The objections raised are—

(1) that eventually the 'economic holding' will be the sole property of a ryot who may have more than one son; in this case the other sons will have to enter upon the world with no capital for any livelihood;

(2) that he can raise no money on the holding for meeting even the bare expenses of cultivation, as such a contingency often arises with them;

(3) that a ryot ordinarily knows, or is experienced in, no other kind of labour or industry except cultivation;

(4) that Hindu law is opposed to the inheritance, by one member of a family, of the property which will naturally be partitioned by the several members of the family; and

(5) that Hindu law is based on some broad principles of religion and society, that the debt of a father will continue for two generations among all the male members of the family, which is contrary to the law of primogeniture.

3. Whatever may be the nature of objections raised, one point is clear that the Hindu nation as a whole have imbibed the partition system from religious principles, and they are averse to change their law of devolution of property. At the same time, it is a patent fact that India is growing poorer and poorer every day. Some months back there appeared, in the *Madras Mail*, a letter under the signatures of Dr. Gilbert Slater and the Rev. D. G. M. Leith, on 'primary poverty.' They calculated the cost of maintaining a family of four (husband, wife and two children) at Rs. 17 per mensem. How many of the agricultural poor approach it? Rupees 17 per mensem means Rs. 204 per year. Dividing among a family of four it gives Rs. 51 each per year. The average income per head in India has been estimated at Rs. 20. Where such a widespread misery exists, it is quite necessary that means should be devised for the improvement of the agricultural classes, India being mainly an agricultural country.

4. I would like to say a few words on the industrial aspect of the question. No country can be said to have advanced materially unless numerous industrial concerns are brought into existence with the aid of Government so that no raw product is allowed to pass outside the country of production except in the shape of manufactured articles. I say with the aid of Government purposely since no concern can thrive unless the Government itself helps it in the shape of money and protective tariff. India is a country rich in raw products and the help of the Government is much needed in both respects. Opening new industrial concerns inclusive of cottage industries means throwing open new avenues of life, and they would then serve as channels for drafting a portion of the agricultural classes to other kinds of labour. This will eventually act as a check upon the increase of agricultural classes in number, and will indirectly help the prevention of tiny subdivisions.

5. With the above prefatory remarks, I shall make my own suggestions on the question.

6. I would draw your kind attention to the provisional clause to sub-section (1) of section 145 of the Estates Land Act (Act I of 1908) which gives power to the landholders not to recognize subdivisions of a revenue field unless each subdivision is not less than 5 acres in extent if the field be classed as unirrigated and one acre in extent if the field be classed as irrigated or garden. In the case of ayan lands the Government stand in the place of landholders and a provision similar to the above may be advantageously inserted in the Revenue Recovery Act or any other Act. I however consider the above minimum to be more than necessary and I would like to reduce it by fixing the minimum at 2 acres in the case of dry and 50 cents in the case of wet.

7. I would also like to draw your kind attention to the provisional clauses (b) and (c) of sub-section (1) to section 60 of the Civil Procedure Code (Act V of 1908). These are provisions favourable to the agriculturists and they give a list of movable and immovable properties which shall not be liable to attachment and sale in execution of a decree. As the opinion of a large number of pattadars is against the formation of "economic holdings," I cannot but think it our duty to find other means whereby advantages similar to those of registration of "economic holdings" could be secured. I have already suggested how a minimum could be fixed in the legislature. The next point is how to make it remain with the family so as not to fall into the hands of mortgagees and decree holders. For this purpose I would suggest that the words "cultivable lands to the extent of 2 acres in the case of dry and 50 cents in the case of wet" might be inserted in clause (c) between the words "Enjoyment" and "belonging."

8. As regards the revision of darkhast rules, I would like that when a piece of land is assigned on darkhast, a condition be imposed that no subdivision be made from it when the subdivided extent is less than the minimum proposed above. As my suggestion in paragraph 6 does not recognize subdivisions of less than the minimum extent referred to therein, I consider that the condition also would become unnecessary when my suggestion is approved.

9. Lastly as I am not in favour of "economic holdings" I think I need not dwell on the question of concessions in the matter of stamp duty when holdings are consolidated.

(13)

Letter—from N. MACMICHAEL, Esq., M.A., I.C.S., Collector of Coimbatore.

To—the Secretary to the Commissioners of Land Revenue.

Dated—the 7th February 1918.

No.—B. Dis. 27-Rev.

I have the honour to reply to the Board's Reference No. 2093-Gt./17-1, dated 20th October 1917.

2. The time allowed has been insufficient to permit of anything like a thorough discussion with the ryots. The question is intricate, and the proposals are almost of a revolutionary character; and it would take months to get the ordinary ryot to understand them. However, from the inquiries that I have had time to make, I gather that the evils of excessive subdivision and fragmentation are generally admitted; but general opinion is somewhat sceptical as to the efficacy of the remedy proposed in Mr. Keatinge's Bill. As the Bill is of a permissive character and as the consent of every one interested in the holding is required, it is thought that the provisions are likely to be inoperative. It may, of course, be said that it will do no harm to pass a Bill of this sort; but I think it is a great waste of time and effort to push through a Bill for which there is no demand and which, if it becomes law, is likely to share the fate of the Malabar Marriage Act.

3. Some of the practical difficulties in the way of this legislation are obvious. How is an economic holding to be defined? Besides variations in the size according to the fertility of the land and similar considerations, there will be variations according to the tenure on which the land is held. What may be an economic holding for a ryot whose land is unencumbered and cultivated by himself and his family may not be so for a cultivator paying a high rent.

4. There are also many difficulties in connexion with the proposed artificial restriction of subdivisions. For several years, great stress has been laid on the necessity of making revenue registration correspond with actual enjoyment. It is very doubtful whether the limitation of subdivisions in the revenue accounts will have any effect on the actual size of holdings; it is much more likely simply to lead to an increase of joint pattas which are admittedly a nuisance.

5. I do not think the proposal to revise the darkhast rules so as to make future assignments impartible will effect its object. A condition prohibiting sub-letting would be required to make the proposal effective. But, how is such a condition to be enforced? Certainly not with our present revenue staff!

6. I doubt if concessions in the matter of stamp duty would have any effect in encouraging the consolidation of holdings.

(14)

Letter—from E. W. LEIGH, Esq., I.C.S., Collector of Salem.
To—the Secretary to the Commissioners of Land Revenue.
Dated—the 6th February 1918.
No.—Dis. 448-D.

In continuation of my letter No. 4171/D., dated 13th December 1917, on Board's Reference No. 2093-Gt./17-1, dated 20th October 1917, I have the honour to submit copies of reports received from the Deputy Collector, Sankari, and the Headquarter Deputy Collector for the information of the Board.

ENCLOSURES

(1)

Letter—from M.R.Ry. C. SRINIVASA RAO SAHIB Acargal, B.A., Revenue Divisional Officer, Sankari.
To—the Collector of Salem.
Dated—the 22nd December 1917.
No.—1677-D.

With reference to your Ref. No. 1295-B. & G., dated 13th November 1917, I beg to submit the replies of ryots as I understood them to be as no answers were recorded from individual ryots. The ryots of Tiruchengodu, Omalur and Edappadi were consulted by convening meeting for the purpose—

- (1) Yes.
- (2) Yes, increasing.
- (3) Yes, it is due to partition.
- (4) Yes, it would be welcome, if the minimum is to be fixed by the party himself. Second part mostly yes.
- (5) No.
- (6) Yes.
- (7) No.

(2)

Letter—from M.R.Ry. A. RAMACHA NEDUNGADI AVARGAL, B.A., B.L., Revenue Divisional Officer, Salem.
To—the Collector of Salem.
Dated—the 27th January 1918.
No.—97-D.

With reference to your Memorandum Ref. No. 1295-B. & G., dated 13th November 1917, calling for certain information regarding small holdings, I have the honour to report as follows.

2. I held conferences of ryots at Attur, Gangavalli, Isvaramurtipalaiyam, Tammampatti, Mallur, Rasipuram and Namagiripettai and discussed the subject with them, and their opinion is embodied in the replies given to each question. As the result of the inquiry was almost the same in all places there is no necessity to answer your questions separately for each village and so I have not done it.

(1) Are there any cases in your village where the area held by any one cultivator is too small for him and his family to live on?—In this question a cultivator is taken to mean a ryot owning patta land and not a lessee or a varam tenant, or a sivayi-jama cultivator, and it is presumed that he has to maintain a wife and two children, and that he has to depend solely on his land for the maintenance of himself and his family. What minimum extent of land he should have to maintain himself and his family was discussed at Attur where inquiry was first started, and though there was some difference of opinion it was finally decided by a large majority that it should be 1 acre of wet and 2 acres of dry or roughly lands having an assessment of Rs. 10, and the inquiry throughout was held on this basis, and it has been found that a large proportion of the ryots is of this class. This question has therefore to be answered in the affirmative.

(2) Do you think the number of such cases is increasing?—There is a consensus of opinion that the holdings are becoming less and less in extent, but the ryots cannot prove it by figures and the revenue statistics do not give accurate information on the point as though the holdings are divided pattas very often continue to be held jointly and in some cases joint pattas are divided and made several single pattas. For instance in Mangalapuram village, Attur taluk, there were 326 single pattas and 53 joint pattas or 379 on the whole with assessment of Rs. 10 and under in fasli 1315, the year of re-settlement, and now there are 360 single pattas and 20 joint pattas or 380 on the whole of that character. There is thus an increase of 34 single pattas and a decrease of 33 joint pattas and a net increase of one single patta. In Isvaramurti-palaiyam there were 218 single pattas and 75 joint pattas or on the whole 293 pattas with assessment of Rs. 10 and under in fasli 1315, but now there are 203 single pattas and 91 joint pattas or on the whole 294. In this case too there is only one excess patta, but here there is a decrease of 15 single pattas and increase of 16 joint pattas, probably because single pattas have become joint pattas now. In Peddunayakkampalaiyam village there were 165 single pattas and 238 joint pattas or 403 on the whole in fasli 1315, but now there are 174 single pattas and 238 joint pattas or on the whole 412 pattas. In this case there is increase in both kinds of pattas. These are typical villages, as there was no fresh assignment of lands in these villages after re-settlement. The above figures do not show that the evil of subdivision has assumed alarming proportions, though it may be said from practical experience that there is a tendency for people to subdivide their holdings.

(3) Is it due to the Hindu law of partition?—Though the Hindu law helps division of holdings to great extent, that is not the sole cause. People sell their lands to discharge debts incurred by their own impudence or for family purposes or to get money for carrying on trade and other business, or being absentee owners they cannot manage them properly or for such other causes. It is therefore not correct to throw the whole blame on the Hindu law.

(4) Would you welcome the opportunity (if given) to register any fixed portion of your land as an impartible property, i.e., not to be subdivided further by inheritance, sale, etc., but to be held by one heir in perpetuity?—The ryots condemn this proposal. They say that this system may work well in large estates where there will be much surplus to satisfy the demands of all the co-parceners, but it is quite unsuitable to the conditions of small holdings where every one of co-parceners has to co-operate with others to make their holdings profitable to them. The idea of impartibility is alien to the ordinary Hindu mind in this Presidency except in the West Coast and it is very difficult to convince the ryots that there are some good features in it. I think on the whole they are right, for impartibility does not appear an unmixed good. In the West Coast people have begun to feel the difficulties and disadvantages of the rigid system of impartibility and attempts were made more than once in the Madras Legislative Council to get a Partition Bill passed for British Malabar. They were not, however, successful owing to differences of opinion among the community. Now I have received a requisition from the Secretary of the Cochin Nayar Regulation Committee to give my opinion on a series of questions which the committee has raised regarding marriage maintenance, partition, inheritance, etc., with a view to legislate on these matters in the Cochin State. There is a volume of influential public opinion in Malabar now in favour of partition. Thus the West Coast clamour for partition and the East Coast for impartibility—and the inference is that there are advantages in both systems only to a limited extent, but beyond that both become inconvenient.

(5) Would it be useful if lands given on darkhast were assigned subject to condition that they should not be partible by inheritance or otherwise below a fixed limit?—The ryots are not in favour of this proposal either and for the reasons given above this proposal also does not commend itself to me.

(6) *Are there many cases in your village where one man holds some pieces of ground in several places?*—There are not several such cases in all villages but only few cases here and there.

(7) *Would the owners of such separate pieces welcome the opportunity to consolidate their holdings by exchange with others (if this could be done free of duty for stamps or registration) so as to get one single plot for each holder?*—The ryots say that this is not generally possible as lands in different portions of the same village will be of different quality with varying degrees of irrigation facilities and there is sentiment also to take into account. One would not part with his ancestral land however poor it may be on which his ancestors and himself have bestowed their utmost care and to which they have several associations attached in exchange for another plot simply for the purpose of making his holding a compact block, and at present co-parceners often demand portion of each plot of their ancestral property and are not satisfied with a total division, i.e., if there are four brothers and four plots to be divided, then each of the four plots has to be divided into four pieces making in all sixteen pieces and each co-parcener should be given a share in each plot and he is not satisfied with getting one plot. They add that wherever such exchange is possible it is being done even now without any interference from outside.

3. I do not think that any interference by Government in this matter is necessary, but that the ryots may be allowed free discretion to tackle with the difficulties if any which they may meet with in the best way they think proper.

(15)

Report—from G. A. D. STUART, Esq., I.C.S., Director of Agriculture.

To—the Secretary to Government, Revenue Department.

Dated—the 27th April 1918.

No.—R.O.C. 1108-1247-Genl.

I have the honour to reply to Board's Reference No. 2093-Gt./17-1, dated 20th October 1917. I apologize for the delay. The subject was discussed at the meeting of the Board of Agriculture at Poona in December last and I have been waiting for the receipt of a copy of the proceedings.

2. A reference is solicited to the report of the discussion on pages 26 to 39 of the printed proceedings. The final result was a somewhat general and non-committal resolution recommending further investigation and experiments.

3. There can be no doubt that the fragmentation of holdings, i.e., the fact that a 'holding' usually consists of a number of plots scattered all over a village, is an economic evil and a great obstacle to agricultural improvements. We have no reliable statistics on the subject, but my impression is that this evil varies inversely with the general level of education of a district. The existing state of fragmentation of holdings, which is most marked in the case of irrigated lands, undoubtedly had its origin in the system of periodical re-allotment of holdings, and has been accentuated by the indigenous laws of inheritance, enjoining equipartition among all the heirs. There are clear traces in the existing system of land-holding of the former widespread prevalence of the system of communal ownership, under which each member of the community did not own land as such, but merely a right to a definite share in the village lands. These lands were periodically re-allocated among the several shareholders, and the obvious way to do this with fairness was to give each shareholder a proportionate share of each different class of land that was available for division. The same system being adopted for partitioning among heirs it followed that each holding came to consist of a large number of small plots. Nowadays the shares are definitely fixed on the ground, except in a few villages, and there is a strong tendency among enlightened ryots to consolidate their holdings by buying or exchanging plots. But the continued fissiparous tendency of the laws of inheritance perpetually counteracts any attempt at consolidation.

4. It therefore follows that the first requisite for any considerable improvement is a change in the system of inheritance, and I do not see how this can be brought about without a change in the ideas of the people on this subject. I see no harm in permissive legislation of the kind proposed by Mr. Keatinge, but I do not think that anything can come of it until more enlightened ideas become widely prevalent.

5. At the same time it might be possible to do something to prevent the further dividing up of plots on partitions by amending the records and procedure of our land records system. At present we do not show the shares of joint pattadars in the revenue accounts, and we have no such machinery for carrying out partitions on the ground as is in existence in the Punjab. Take, for instance, the case of a patta covering the holding of a joint Hindu family consisting of, say ten plots, the lands being cultivated by tenants and the family sharing the rent. If the four members of the family wish to divide their holdings, it usually means at first that they wish to divide the patta so that each may be responsible for his share of the assessment only.

Our rules, however, do not admit of a division of the patta without definite allocation of the plots to each share. The parties therefore allocate one-fourth of each plot to each member as being the easiest and fairest way of dividing. They are told that the fields cannot be subdivided unless boundaries are first put up. They therefore proceed to throw bunds across plots which are already too small, as being the only way in which they can obtain partition on the ground. In the Punjab, I understand, the parties would ask for the partition to be effected by the revenue officers and there is a regular machinery by which the holding would be divided into reasonable shares, re-surveyed where necessary, and transferred on payment of fees. The same machinery is, I believe, made use of by the civil courts when partitions are decreed by them.

6. With regard to the general question of the absolute size of holdings I am of opinion that this must be left to settle itself by the operation of economic causes. As pointed out by Professor Stanley Jevons, a rise in the general standard of living naturally tends to ensure larger holdings by the elimination of the smaller holdings which fall below the limit at which any man will be content to try and live on them. But any sudden increase in the general size of holdings would mean the creation of a large landless class which would be a considerable evil. We must look to the gradual increase of industries to absorb the people thrown out of landholding by the increase of size of holdings. It has yet to be shown that in Madras the average holding is below the economic limit. It is a difficult matter to investigate, and requires careful research. Allowance must always be made for the large number of petty holdings which are held by agricultural labourers to supplement their income. There are also the petty shares of the rental of ancestral lands held by many absentee landlords belonging to the professional classes which under our system of land records figure in our accounts as 'holdings.' The fact that a clerk in Madras receiving rent from one acre of land in Tanjore has no bearing on the question as to whether the tenant who is cultivating that acre (and other lands in addition) possesses an economic holding. Yet the clerk's 'holding' of one acre figures in our statistics, while the tenant's holding is altogether omitted from consideration. It is the holdings of actual cultivators that should alone be considered, and even if it were shown that, in any particular locality, these were at or below the economic limit, there would yet remain the question whether the remedy was not more intensive and improved cultivation rather than any attempt at consolidation, which would inevitably drive some ryots off the land, and which might encourage slipshod farming by making conditions easier for the remainder.

APPENDIX XIII.

[Vide answer to question No. 116 asked by the Hon'ble Mr. B. Venkatapati Raju at the meeting of the Legislative Council held on the 19th November 1918, page 280 supra.]

G.O. No. 107 L., dated 24th January 1918.

The importance of planting trees by the side of roads where there are now none and of improving existing avenues has on several occasions in recent years been impressed on presidents of district boards but though considerable attention is paid to the matter in some districts, the information contained in the various administration reports indicates that less interest is taken in tree planting in others, and that the best results are not always obtained for the money spent. The planting and maintenance of avenues are generally entrusted to the Local Fund Engineering establishment; and where the Engineer or members of the superior staff study the requirements of the roads and take trouble to ascertain the most suitable kinds of trees the arrangement no doubt works well. It is feared however that overseers often find it difficult to pay much real attention to avenues or have insufficient knowledge of the subject; that money is wasted through an undue dissipation of effort or through want of continuity of policy; and that trees of no permanent value are often planted for the sake of immediate effect. On the other hand credit is taken in some places for the planting of trees likely to bring in revenue without regard to their value for purposes of shade which is of course the most important function of an avenue tree.

2. It is understood that programmes of tree planting extending over a period of years have been drawn up in most districts. The period covered, however, is generally comparatively short and the operations are scattered all over the districts; and it has been suggested to Government that better results might be obtained, in some districts at all events, on a system adopted recently in North Aroor. It was there resolved to make out a programme covering a period of 50 years and to concentrate operations in a small area at one time so that a small but full-time staff might be employed to attend solely to the planting and tending of trees until

a sufficient number in that area were of a size to need no further attention. The suggestion is commended to the presidents of district boards for consideration. If it is adopted it would be desirable to place in charge of the operations a man with some practical knowledge of tree planting rather than one trained to clerical duties, and it would be worth while to offer adequate pay to a man with the requisite knowledge, though without general educational qualifications. It is possible that such a man might receive practical instruction from the district forest officials; as an alternative it is understood that if a few district boards are prepared to contribute the cost, arrangements might perhaps be made for a course of training at the agri-horticultural society's gardens at Madras.

5. More use might perhaps be made of village agency in planting trees in the immediate neighbourhood of villages outside the circle of the intensive operations suggested in the preceding paragraph. Though the villagers or village heads may shrink from undertaking the maintenance of any great lengths of avenues it should be possible to arrange with them in some cases for the planting and care of trees in the immediate neighbourhood of their villages and some of the money now spent on coolies over whom there is little supervision might profitably be diverted to subsidies to village agencies, payment being made to some extent on results.

4. A pamphlet prepared by M.R.Ry. Rai Bahadur K. Krishnan Nayar, District Board Engineer, Malabar, which contains useful hints on details is printed as an appendix to this order.

(True extract)

R. A. GRAHAM,
Acting Secretary to Government.

To all Presidents of district boards,
,, the Revenue Department.

APPENDIX.

Avenue Planting.

The accompanying summary of instructions issued on avenue planting in the South Kanara district is circulated to all subdivisional and section officers in this district for information and guidance.

2. All expenditure on avenue planting or maintenance should, from this year, be incurred only in such a manner as to be chargeable either to a nursery or to a specified batch of plants. Registers should be maintained in the section office, subdivision office and the head office showing the charges incurred for each from year to year. When plants are ready to be removed from the nursery, their cost should be calculated and credited to the nursery and charged to the batch. Each batch should be not less than 50 plants nor further apart than one mile and should be consecutively marked A, B, C, etc., for each section. All the banyan and portia planting on one road may however receive one distinguishing letter provided such planting has been done on an extensive scale. At any stage, it should be possible at a glance to see what each batch has cost up to date. A description of the plants and their condition should be noted at the end of each year against the batch and it should be quite easy on the ground to see the result and judge it in view of the cost incurred.

3. Any expenditure incurred on account of old trees either for digging around them removing parasites or other purposes may be shown as miscellaneous expenditure on maintenance provided it is incurred in accordance with details furnished in the sanctioned estimates.

4. For planting in distant gaps, no avenue coolie can be sanctioned and whatever is possible must be got done by the road coolies.

5. The rain tree grows so fast that, properly looked after, it gets out of danger in two to three months. Here two to three years appear to be taken. It has been seen to grow 1' 1½" in a week. It requires substantial props properly strutted up. When it has grown 12 to 14 feet high, it should be cut off at 10 feet height. Till it grows to this height, no branches should be allowed. The branches also require similar pruning to be able to bear the weight of the luxurious growth.

6. Cuttings for banyan and portia should be 4 to 6 inches in girth. Pits should be dug and filled for these cuttings. The filling should be sufficiently higher than the ground to allow for settling.

7. Jack, mango, tamarind, margosa, Punna and Ganuga are among the fruit trees that may be largely planted.

COCANADA,
2nd January 1917.

K. KRISHNAN NAYAR,
District Board Engineer.

ENCLOSURE

The instructions issued by the District Board President and the District Board Engineer on the subject of avenue planting now cover nearly 64 foolscap pages of typed or printed matter and a summary of them has become necessary. Where these instructions have been fully carried out, very encouraging results have been obtained, results sufficient to show that the slow growth generally attributed to some plants is mainly due to want of proper attention and the ignoring of some of the elementary principles governing plant life.

2. One distinguishing feature of avenue planting is its great length without breadth. This adds considerably to the cost of rearing the plants and no effort should be spared to hasten their growth after planting and no expenditure grudged which, by advancing the time when they are out of danger, tends to economy in the long run. Besides, a fast growth necessarily requires a uniformly healthy condition and trees so grown will always continue to have a pleasing shape and appearance. A slow or stunted growth at the beginning accounts for the shapeless forms of trees so frequently seen and every lover of trees can recall to his mind the frequent temptations he had to destroy such trees.

3. The chief points requiring attention to secure a fast and healthy growth will be briefly referred to as far as possible in the order of time. At the very outset, it may be stated that too much importance cannot be attached to (1) the necessity of rearing seedlings in pots in a well managed nursery till they have a well established root system, (2) the proper preparation of pits dug in advance, allowed to weather and then filled in with good soil (as distinguished from sub-soil) and manure wherever necessary, (3) the securing of fences absolutely proof even against that "arch-enemy of all arboriculture, the ubiquitous goat," (4) the soil round all plant about 2 feet wider than the shadow at noon being kept always free from vegetation of any kind and raked from time to time so as to be always light and loose and (5) mulching that soil during the dry months of the year.

4. As soon as any planting is decided upon, a complete programme should be prepared showing the nature and cost of work to be done each year till the trees are out of danger as well as a calendar of all duties connected with it to ensure their being attended to in time. Samples of both are given in the printed memorandum of 13th May 1909.

Two years before the planting can be commenced in any place, a nursery should be started in the nearest possible place, where facilities for watering and supervision can be best secured. The seeds secured should be from well-seasoned fruits and all seeds defective in any way should be thrown away. The beds should be thoroughly well drained and may be in rows raised 6 to 9 inches higher than the paths or drains separating them. The soil should be light and does not require any manure and the covering layer should be generally as thick as the seed and themselves. After the seedlings have sprouted and grown sufficiently, they should be transplanted into small pots in time to allow this being done without in any way injuring the tap root. The plants may have to remain quite two years in the nursery to secure a well-established root system. Plants removed after a year from the nursery and put into the ground will no doubt for a time grow much larger than those remaining in the nursery but these latter when planted a year later are soon found to overtake the former. During the two years the plants remain in the nursery, they will have to be transferred periodically to larger pots probably about four times. Light rich soil is required for the pots and should be kept well drained. The pots should be full of soil almost up to the brim. Potted plants require watering every day, in the rainy season too when there has been no rain. But the watering should never be profuse. If this is regularly and judiciously done, there will be no water collecting at the surface when any watering is done. As, at every stage, unhealthy plants will have to be rejected, a larger number of seedlings should be raised than will be actually required. How much more depends entirely on the care with which the nursery is managed. With the proper attention, about 20 per cent more should suffice.

5. Almost simultaneously with the starting of the nursery, should pits be dug, in the vicinity of the planting proposed, to prepare leaf mould required for the mulching of the soil round the plants in the dry season. These pits should be filled with dry leaves well pressed and trampled down and finally covered with a thin coat of soil. If this is not properly supervised, there is the danger of the pit being filled with more of soil than leaves. If any drain is required to intercept drainage, narrow deep trenches may be dug instead of pits. This will have the additional advantage of allowing the dry leaves to be filled in again as the leaf mould is removed. Any touch-me-not cleared on the road side may well be used for this purpose.

If manure is required, it is best to secure it at this stage and store it in pits so that it may get thoroughly rotten by the time it is used.

6. The pits to be prepared for planting may also now be dug so that they may get sufficiently weathered. The dimensions of the pits depend entirely on the soil. In hard soil they may be 5 to 6 feet in diameter. The first three feet of depth should be cylindrical; for the remaining two or three feet of depth, the hole may taper towards the centre. The soil about a foot or a foot and a half in depth and generally distinguishable from the sub-soil by its colour should be stored on one side and the sub-soil kept separately to replace the soil round the pits that will be removed for filling them.

When earth is excavated for road repairs, the top soil which is not good for this purpose may be reserved for filling in avenue pits. Silt cleared from the side drain may also be used. Any filling done long before planting should be dug up. Here a warning is necessary against the practice of depositing side drain earth round trees and plants or adding manure so as to form a basement round them. Such heaps induce the trees to form surface roots above the natural ground level, which must necessarily suffer during the dry weather.

It may be quite possible to make the pits from which materials are removed for road repairs serve the purpose of planting also. Where earth has been already removed to some depth along the line of planting and where such removal is likely to continue, it is better to do the planting at the lower level.

7. Materials for fencing should now be thought of and where these are costly and can be made use of again but are too heavy to be conveyed to a different place except at great cost it is

desirable to plant only one-half or one-third of the number of plants finally required. The morning sun being more injurious to men and animals, the eastern side of a road should first be given preference over the western. The sun being nine months in the year in the south the southern side should have a similar preference.

A dry thorn fence if it can be maintained in good condition without the materials being stolen appears to be the best. One chief objection to it is the renewal it requires under ordinary conditions but if planting is done according to these instructions, it is found that the trees get out of danger before the fencing requires renewal. Open work of laterite is often too costly. When used they should be at least five feet high and where goats have to be feared, the gaps should not be more than three or four inches at the narrowest end. A table is appended showing how these cages are best constructed. Barbed wire fence has been tried and found to be a failure first against goats and then against other cattle. Mud walls shut out air and light from the plants, are a kind of furnace in the hot weather and foster all kinds of noxious weeds and should be avoided if possible. When used, it is not difficult to provide a large number of holes.

8. No hard and fast rules can be laid down for espacement. Where space permits it, the distance from tree to tree should be equal to the diameter of the crown of a fully developed tree and the distance from the margin of the used road should be half that diameter. For ordinary trees this diameter may be taken as 30 feet and so the trees should be planted 30 feet apart and 15 feet away from the margin of the used road.

9. The best time for planting appears to be when some light showers have heralded the approaching monsoon so that, when a month or more later the monsoon actually breaks, the plants will have sent their roots into the new ground and established themselves there. Some time in advance, all the pits should be filled sufficiently higher than the adjacent ground to allow for the unavoidable settlement. This filling in should never be of wet soil and should be of top soil and manure only, the soil previously kept apart and the soil about a foot away from the edge of the pit being used for the purpose. The filling in should overlap this foot of undug ground and the overlapping portion where the fence would naturally be constructed should be trodden down firmly so as to prevent any drainage water percolating through it into the loose soil in the pit. In sloping ground, a drain may have to be cut on the upper side of the pit to prevent drainage into the pit. The filling in should further slope upwards six to nine inches towards the centre. If the fencing takes some time to construct, this is the time to complete it. If the filling is done some little time before the planting, it will settle sufficiently and the surface has to be restored by a little more filling. If done just before planting, it is necessary to press down the filling a little so as to prevent an excessive settlement.

10. The planting is itself a simple process. Nevertheless some of the most fatal mistakes are made then. Quite a common mistake is to plant them too deep from a fancied analogy with the foundation of a building which of course cannot or should not grow downward. Trees like the coconut or the plantain may stand some such partial burial but generally there is no need to place the plants deeper than they were in the nursery and to ensure this, the nursery mark on the plant should be left visible. Another practice common throughout this country and unfortunately sanctioned in some of the standard works on road making is to put a number of seedlings, often of different varieties into the same pit, presumably under the impression that one or the other may survive. This practice cannot be too strongly condemned. If so planted, the young trees will compete for nourishment, moisture and light and will often all die in the struggle or survive as stunted and useless shrubs. In the few cases in which more than one tree survives in healthy condition, it is found hopeless in after years to remove one of them without destroying the balance and shape of the other. If plants are well looked after, there is no need to take any chances and the very few that may die or prove unhealthy can be replaced.

11. Props will be found necessary for almost all plants, particularly as these are not intended to be half buried. Besides they enable the trees to have a clean straight vertical stem. The props should be quite rigid themselves and for this purpose, they require struts fixing them at a height of four to five feet above the ground. Great care is required in tying the plants to the prop. Flat dry plantain fibre can best be used for the purpose and a thick piece of the same can be placed round the plant as a sort of packing. The tying should be periodically released. No mark of the tying should on any account be allowed to appear on the bark of the tree.

12. Many of the officers having charge of avenue planting are possessed by the one idea that ordering and paying for watering on a large scale will cover a multitude of sins. They do not even see that the watering paid for is done and the men employed are so doubtful about getting payment for all the watering ordered, on account of the inadequate results which they themselves fear, that they always take care to be on the safe side. The result is that some watering is done at inspection time which makes the surface cake and harden induces the roots to come to the surface to be parched up afterwards and does on the whole more harm than good.

During the period lapsing between planting and the breaking of the monsoon, regular watering will be required. In the next season, a little watering, certainly not on the same scale every month, may be required, say about once in three days in April, May and June, once in five days in January, February and March and once a week in previous months if there has been no rain at all. Even this is capable of being further reduced. It is best to arrange for this under proper supervision. When watering is done, the ground should be periodically raked to prevent its hardening. If the plants grow properly, no watering should be necessary.

in subsequent seasons. Nevertheless if the plants are found to suffer from the draught, an occasional profuse watering may be specially arranged for under proper supervision. The mere fact of a plant not growing should not be taken as due to any draught. Plants also require and take rest.

Water is really required a little below the surface. On the surface itself, it is merely wasted and does more harm than good and it is well worth trying to secure moisture below, without wetting the surface. If the soil is loose, water poured into broken necks of pots placed round the tree will secure this object.

All the water poured should collect uniformly round the tree but not near the stem and no portion should flow away nor should the watering form any pit. No watering should be permitted between 9 a.m. and 3 p.m.

13. Far more important than watering is the prevention of the soil around the plant from hardening. It should be kept raked from time to time and should be loose and light. No grass, weed or any kind of vegetation should be allowed. These rob the plants of moisture not only for themselves but also form a medium for passing the moisture in the soil into the atmosphere. Even after the plants have developed into young trees and are out of danger, a digging should be given round them both at the beginning and the end of the monsoon. In the first digging it may be sufficient if the clod is broken and overturned; in the second, it should be pulverised. With the first digging any manure thought necessary should be added. As manure will hasten the growth of the plants, it is worth while to incur expenditure on this account. It may be added in varying proportions to different plants to see how far this expenditure is justified. Tank silt and other such rich deposits charred (not burnt) with alternate layers of a litter of dry leaves and twigs and covered with the same soil in such a manner as not to allow the smoke to escape have almost a startling effect on plants.

14. As soon as the dry season commences, the soil round the stem 2 feet wider than the shadow at noon should be covered to a depth of 2 inches with leaf mould or decayed vegetable matter already referred to in paragraph 5. Any watering done should be over this mulched soil. The moisture is then retained much longer and the soil will then neither cake nor crack and the tender roots will not be injured.

15. If the instructions in paragraphs 12 and 13 are fully carried out, there will be no necessity for fire-tracing to protect the plants or trees from being injured by the dry grass in the vicinity taking fire. It will really pay to employ a person who takes interest in the planting to watch their growth from time to time, remove the caterpillars or other insects that injure them and generally to see that all causes that hinder the growth in any way are promptly removed. A system of rewards depending on the healthy growth of plants will have a salutary effect and such discrimination between good and bad work will prove a powerful incentive for good work.

16. The places where rearing of avenue plants is easiest will doubtless receive the first attention. It should, however, not be forgotten that places where they are difficult to rear are often where avenue trees are most required. In a rock plateau devoid of all vegetation, sufficiently large pits may be dug and filled with good soil. This may give a sufficient start to the plants and if a proper selection of some hardy variety be made, the tree may be able to send their roots into the rock. Where the rock gets hardened, by weathering, the filling in should be done as soon as the pits are opened. At least, a little in this direction should be done every year and the road specification may provide for this being done at least in one place in every such furlong. In some cases, the excavated soil may be useful for road repairs. Where loose soil is difficult to obtain, all the side drain silt should be stored till it is sufficient to fill in one pit.

desirable to plant only one-half or one-third of the number of plants finally required. The morning sun being more injurious to men and animals, the eastern side of a road should first be given preference over the western. The sun being nine months in the year in the south the southern side should have a similar preference.

A dry thorn fence if it can be maintained in good condition without the materials being stolen appears to be the best. One chief objection to it is the renewal it requires under ordinary conditions but if planting is done according to these instructions, it is found that the trees get out of danger before the fencing requires renewal. Open work of laterite is often too costly. When used they should be at least five feet high and where goats have to be feared, the gaps should not be more than three or four inches at the narrowest end. A table is appended showing how these cages are best constructed. Barbed wire fence has been tried and found to be a failure first against goats and then against other cattle. Mud walls shut out air and light from the plants, are a kind of furnace in the hot weather and foster all kinds of noxious weeds and should be avoided if possible. When used, it is not difficult to provide a large number of holes.

8. No hard and fast rules can be laid down for espacement. Where space permits it, the distance from tree to tree should be equal to the diameter of the crown of a fully developed tree and the distance from the margin of the used road should be half that diameter. For ordinary trees this diameter may be taken as 30 feet and so the trees should be planted 30 feet apart and 15 feet away from the margin of the used road.

9. The best time for planting appears to be when some light showers have heralded the approaching monsoon so that, when a month or more later the monsoon actually breaks, the plants will have sent their roots into the new ground and established themselves there. Some time in advance, all the pits should be filled sufficiently higher than the adjacent ground to allow for the unavoidable settlement. This filling in should never be of wet soil and should be of top soil and manure only, the soil previously kept apart and the soil about a foot away from the edge of the pit being used for the purpose. The filling in should overlap this foot of undug ground and the overlapping portion where the fence would naturally be constructed should be trodden down firmly so as to prevent any drainage water percolating through it into the loose soil in the pit. In sloping ground, a drain may have to be cut on the upper side of the pit to prevent drainage into the pit. The filling in should further slope upwards six to nine inches towards the centre. If the fencing takes some time to construct, this is the time to complete it. If the filling is done some little time before the planting, it will settle sufficiently and the surface has to be restored by a little more filling. If done just before planting, it is necessary to press down the filling a little so as to prevent an excessive settlement.

10. The planting is itself a simple process. Nevertheless some of the most fatal mistakes are made then. Quite a common mistake is to plant them too deep from a fancied analogy with the foundation of a building which of course cannot or should not grow downward. Trees like the coconut or the plantain may stand some such partial burial but generally there is no need to place the plants deeper than they were in the nursery and to ensure this, the nursery mark on the plant should be left visible. Another practice common throughout this country and unfortunately sanctioned in some of the standard works on road making is to put a number of seedlings, often of different varieties into the same pit, presumably under the impression that one or the other may survive. This practice cannot be too strongly condemned. If so planted, the young trees will compete for nourishment, moisture and light and will often all die in the struggle or survive as stunted and useless shrubs. In the few cases in which more than one tree survives in healthy condition, it is found hopeless in after years to remove one of them without destroying the balance and shape of the other. If plants are well looked after, there is no need to take any chances and the very few that may die or prove unhealthy can be replaced.

11. Props will be found necessary for almost all plants, particularly as these are not intended to be half buried. Besides they enable the trees to have a clean straight vertical stem. The props should be quite rigid themselves and for this purpose, they require struts fixing them at a height of four to five feet above the ground. Great care is required in tying the plants to the prop. Flat dry plantain fibre can best be used for the purpose and a thick piece of the same can be placed round the plant as a sort of packing. The tying should be periodically redone. No mark of the tying should on any account be allowed to appear on the bark of the tree.

12. Many of the officers having charge of avenue planting are possessed by the one idea that ordering and paying for watering on a large scale will cover a multitude of sins. They do not even see that the watering paid for is done and the men employed are so doubtful about getting payment for all the watering ordered, on account of the inadequate results which they themselves fear, that they always take care to be on the safe side. The result is that some watering is done at inspection time which makes the surface cake and harden induces the roots to come to the surface to be parched up afterwards and does on the whole more harm than good.

During the period elapsing between planting and the breaking of the monsoon, regular watering will be required. In the next season, a little watering, certainly not on the same scale every month, may be required, say about once in three days in April, May and June, once in five days in January, February and March and once a week in previous months if there has been no rain at all. Even this is capable of being further reduced. It is best to arrange for this under proper supervision. When watering is done, the ground should be periodically raked to prevent its hardening. If the plants grow properly, no watering should be necessary.

APPENDIX XIV.

[Vide answer to question No. 180 asked by the Hon'ble Mr. T. Ranga Achariyar at the meeting of the Legislative Council held on the 19th November 1918, pages 282-283 supra.]

Statement showing the number of voters in the district municipalities in the Presidency during 1917-18.

Name of district and municipality.	Number of registered voters in 1917-18.	Name of district and municipality.	Number of registered voters in 1917-18.
Anantapur—		Kistna—	
1. Anantapur	193	35. Bezwada	1,616
Arcoot, North—		36. Ellore	1,382
2. Gudiyattam	547	37. Masulipatam	1,465
3. Tiruppattūr	359	Kurnool—	
4. Tiruvannāmalai	385	38. Kurnool	631
5. Vaniyambadi	546	39. Nandyal	233
6. Vellore	1,671	Madura—	
7. Walajapet	291	40. Bodinayakanur	•
Arcoot, South—		41. Dindigul	1,197
8. Chidambaram	905	42. Kodaikanal	•
9. Cuddalore	1,084	43. Madura	7,424
Bellary—		44. Palni	303
10. Adoni	489	45. Periyakulam	351
11. Bellary	670	Malabar—	
12. Hospet	† 210	46. Calicut	1,914
Kanara, South—		47. Cannanore	678
13. Mangalore	1,876	48. Cochin	372
Chingleput—		49. Palghat	1,055
14. Chingleput	278	50. Tellicherry	695
15. Conjeeveram	1,515	Nellore—	
Chittoor—		51. Nellore	973
16. Chittoor	*	Nilgiris, The—	
17. Tirupati	416	52. Coonoor	† 231
Coimbatore—		53. Ootacamund	683
18. Coimbatore	1,655	Ramnad—	
19. Dhārāpuram	*	54. Srivilliputtūr	394
20. Erode	546	55. Virudupatti	•
21. Tiruppur	*	Salem—	
22. Udampet	*	56. Salem	1,788
Cuddapah—		Tanjore—	
23. Cuddapah	708	57. Kumbakonam	2,542
24. Proddatur	*	58. Mannārgudi	1,779
Ganjām—		59. Māyavaram	1,236
25. Bārhampur	872	60. Negapatam	2,408
26. Chicacole	331	61. Tanjore	1,558
27. Parlākimedi	371	62. Tiruvalur	•
Gōdāvari—		Tinnevely—	
28. Oocanada	1,261	63. Palamcottah	972
29. Poddapuram	•	64. Tinnevely	2,265
30. Rajahmundry	1,110	65. Tuticorin	2,157
Guntūr—		Trichinopoly—	
31. Guntūr	2,062	66. Karur	† 429
32. Narasaraopet	•	67. Srirangam	740
33. Ongole	355	68. Trichinopoly	3,222
34. Tenali	1,100	Vizagapatam—	
		69. Anakapalle	330
		70. Bimlipatam	159
		71. Vizagapatam	902
		72. Vizianagram	694

* No elective seats in 1917-18.

† These are 1916-17 figures. The figures for 1917-18 have not been reported.

‡ These are figures for 1915-16, no later figures being available.

COMMUNICATIONS TO THE COUNCIL; ACTS ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR-GENERAL AND THE KODALMANICKAM DEVASWOM BILL, 1918. 389

19TH NOVEMBER 1918.] (*Mr. Rajagopala Achariyar; Mr. Ranga Achariyar; Mr. Srinivasa Ayyangar; the President.*)

COMMUNICATIONS TO THE COUNCIL.

The SECRETARY reported to the Council the receipt of two communications, dated the 6th November 1918, from the Honorary Secretary to the Moslem League, Begampur, Dindigul, one regarding the Madras City Municipal Bill, 1918, and the other regarding the Bill to provide for the voluntary registration of Mussalman marriages and divorces.

ACTS ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR-GENERAL.

His Excellency the PRESIDENT announced that the Doddappanayakanur and Vuyyuru Impartible Estates Act, 1918, and the Madras Prevention of Adulteration Act, 1918, had received the assent of His Excellency the Governor-General on the 8th and 10th October 1918 respectively.

THE KODALMANICKAM DEVASWOM BILL, 1918.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I beg to move that the Koodalmanickam Devaswom Bill be read in Council: The reasons for the Bill are given in the Statement of Objects and Reasons appended to the draft. As stated there, the Koodalmanickam temple is situated in the Cochin State and holds large endowments in British Malabar, Travancore and Cochin. The properties in British Malabar are quite small in proportion to the endowments of the temple. The scheme for the management of the temple has been accepted both by the Travancore and the Cochin Darbar and has now been sanctioned. The object of the Bill is to make that scheme applicable to properties in British territories. The object of the scheme is to provide for the efficient and honest management of the temple. I would therefore commend the Bill to the acceptance of the Council."

The Hon'ble the Advocate-General seconded the motion.

The motion was put and agreed to.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I beg to move that the Bill be not referred to a Select Committee for report."

The Hon'ble the Advocate-General seconded the motion.

The Hon'ble Mr. T. RANGA ACHARIYAR :—"Your Excellency, I wish to oppose this motion and suggest that the Bill be referred to a Select Committee in view of the amendments proposed by the Advocate-General. It is a very important Bill and it is a matter which deals with the relations of this Government with reference to two foreign Princes, and the matters dealt with relate to matters of a religious nature in that the position of the head of a religious institution is to be considered and there is also a reference to a proposed measure in the Travancore Legislative Assembly. I have not seen that measure yet, nor do I find any reference to such a measure in the Administration Report of the Travancore Darbar. While I support the principle of the Bill cordially, I think it is a matter which requires to be carefully considered in the Select Committee especially whether this Legislature should pass an Act to extend the provisions of this Bill not only in British India, but also outside, if the suggested amendments of the Hon'ble the Advocate-General are to be considered. I do think, your Excellency, that this is a matter that might well be considered in the Select Committee. There is no urgency about it and I think the matter should be carefully considered in the Select Committee."

The Hon'ble Mr. S. SRINIVASA AYYANGAR :—"Your Excellency, the Hon'ble Mr. Ranga Achariyar is under a misapprehension as to the reasons why the amendments standing in my name are sought to be introduced. They are for the purpose of making it clear that this Legislative Council does not wish to go beyond the territorial limits of its jurisdiction. The properties that the Bill deals with are all in the Madras Presidency and there are no properties in other presidencies. The object of my amendments is to affect the properties belonging to the Devaswom and within the Presidency. The object of my amendments is not to make this Bill apply either to Travancore or Cochin as such. The Bill cannot affect the Travancore and Cochin properties. The Travancore and Cochin legislation will affect such properties. Even if this Legislative Council purported to travel outside and affect properties outside the Madras Presidency, they would not be affected. There are no words in the Bill which will give extra territorial jurisdiction. The object of the amendment is just the reverse of what the Hon'ble Mr. Ranga Achariyar thinks. It is to make it still more correct if it is possible to do so."

His Excellency the PRESIDENT :—"I do not know if there is anything which may be said on the point. As stated by the Honourable Member, we have no desire to force our views on the Council. The view of the Government is that it will not serve any useful purpose if it is referred to a Select Committee. We will take the sense of the Council and let them decide it."

The motion not to refer it to a Select Committee was put and agreed to.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I beg to move that the operation of Council Rule 46 be suspended and the Bill be taken into consideration."

The Hon'ble Mr. S. Srinivasa Ayyangar seconded the motion.

The motion was then agreed to.

The Secretary then read the title of the Bill.

340 THE KOODALMANICKAM DEVASWOM BILL, 1918, AND THE BILL TO AMEND THE MADRAS PORT TRUST ACT, 1905.

(Mr. Srinivasa Ayyangar; the President; Mr. Rajagopala Achariyar; Mr. A. S. Krishna Rao.) [19TH NOVEMBER 1918.]

The Hon'ble Mr. S. SRINIVASA AYYANGAR:—"I beg to move that the words 'In British India' in the title be omitted. It is to make it clear that the Bill affects only properties which this Legislature can affect, that is, properties of the Devaswom in the Madras Presidency. It is not necessary to say expressly 'properties of the Devaswom in the Madras Presidency.' I therefore propose to omit the words 'in British India' so as to make the point perfectly clear."

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar seconded the motion.

The motion was put and agreed to.

The consideration of the preamble was postponed.

Clause (1) was allowed to stand part of the Bill.

Clause (2) was allowed to stand part of the Bill.

Clause 3.

The Hon'ble Mr. S. SRINIVASA AYYANGAR:—"I beg to move that the words 'situated in British India' in clause 3 be omitted and the reasons are the same as those I mentioned in connexion with the amendment to the title of the Bill."

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar seconded the amendment. The amendment was put and agreed to. Clause (3) as amended was allowed to stand part of the Bill.

Clause 4.

The Hon'ble Mr. S. SRINIVASA AYYANGAR:—"I beg to move that the words 'in British India' in clause 4 be omitted for the same reasons."

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar seconded the amendment.

The amendment was put and agreed to. Clause (4) as amended was allowed to stand part of the Bill.

The preamble.

The Hon'ble Mr. S. SRINIVASA AYYANGAR:—"I beg to move that after the words 'and a manager appointed' the following words be inserted: 'and whereas the previous sanction of the Governor-General required by section 79, sub-sections (2) and (3) of the Government of India Act, 1915, has been obtained to the passing of this Act.'

"Under section 79, if local legislation affects in any way religious usages of any class, the previous sanction of the Governor-General is required. That previous sanction has been obtained but it is considered more desirable that the previous sanction so obtained should be expressly stated in the preamble to the Bill so that there may be no trouble afterwards.

"Then the reference to clause (2) of section 79 is also for a similar purpose, that is for the purpose of affecting section 92 of the Civil Procedure Code. Under that section 92, the Court will have power in a suit instituted by two persons with the sanction of the Advocate-General or with the sanction of the Collector, to settle a scheme. The object of this legislation is to have a statutory scheme which shall not be affected by Courts. The result, therefore, is that that portion of section 92 of the Civil Procedure Code will not be operative and for that purpose the sanction of the Government of India has to be obtained under section 79 of the Government of India Act. That is the reason why there is a reference to sub-sections (2) and (3)."

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar seconded the amendment.

His Excellency the PRESIDENT:—"It has been moved that in the preamble after the words 'and a manager appointed' in line 13, the following words shall be inserted: 'and whereas the previous sanction of the Governor-General required by section 79, sub-sections (2) and (3) of the Government of India Act, 1915, has been obtained to the passing of this Act.'"

The amendment was put and agreed to.

The preamble as amended was put and agreed to.

The motion that the title of the Bill be added was then put and agreed to.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I beg to move that the Bill be passed into law."

The Hon'ble Mr. S. Srinivasa Ayyangar seconded the motion.

The motion was put and agreed to.

THE BILL TO AMEND THE MADRAS PORT TRUST ACT, 1905.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I beg to present the report of the Select Committee on the Bill to amend the Madras Port Trust Act, 1905, and move that the Bill and report be taken into consideration at once."

The Hon'ble Mr. S. Srinivasa Ayyangar seconded the motion.

The motion was put and agreed to.

The consideration of the preamble was postponed.

Clause (1) was allowed to stand part of the Bill.

Clause (2) was allowed to stand part of the Bill.

Clause (3) was allowed to stand part of the Bill.

Clause 4.

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I have the honour to move the amendment to clause 4 standing against my name. It is to the effect that in

19TH NOVEMBER 1918.] (Mr. A. S. Krishna Rao; Mr. Yaqub Hasan Sahib.)

section 9, the word 'three' shall be substituted for the word 'two', which in other words means that in the place of the two members to be elected by the Southern India Chamber of Commerce, three should be elected by the members for the time being of the Southern India Chamber of Commerce. In section 8, Act II of 1905, the Port Trust Act, it was stated that the Board should consist of a chairman and not less than eight nor more than twelve other members, of whom not less than three shall be natives of India residing in the City of Madras. Under section 9 of the original Act, it was stated: 'Four of the Trustees shall be elected by the members for the time being of the Madras Chamber of Commerce, and one by the members for the time being of the Madras Trades Association, in such manner as shall from time to time be determined at a meeting of the members of the said Chamber or Trades Association convened in accordance with the rules of such Chamber or Association.' When this Act was amended in 1915, it was thought desirable to insert provisions in this Act so as to give representation to the Southern India Chamber of Commerce which came into existence in 1909. In the Statement of Objects and Reasons for the amendment of the Bill in 1915, it was expressly stated that the Government considered that the position attained by the Southern India Chamber of Commerce which came into existence after the then Act became law entitled it to have two members on the Board. I am reading it to show that though it did not find a place in the Act of 1905, when the Bill was amended, Your Excellency's Government recognized the position occupied by the Southern India Chamber of Commerce and thought it fit and necessary to give it adequate representation on the Port Trust. After the Bill of 1918 was introduced in this Council and while it was under the consideration of the Select Committee, it will be found that the Southern India Chamber of Commerce sent up a representation to the Government urging that the representatives of the Southern India Chamber of Commerce should be increased from two to three. This is what is stated in the letter: 'I am to ask you to be good enough to place before the Select Committee to consider the Madras Port Trust Act Amendment Bill, for its consideration, the request of my Chamber to have the privilege of electing three representatives to the Madras Port Trust Board instead of electing two as at present.' In section 9 of the Act, my Committee request that the word 'two' in line 2 may be altered to 'three.'

"The importance of the interests represented by this Chamber justifies the request, especially in view of the increasingly large share Indian merchants have in the seaborne trade of Madras and in the operations of the Madras Port Trust in relation thereto.

"In these terms the Southern India Chamber approached the Government with a request that the number of representatives of that body should be increased to three. We find that the Select Committee considered this aspect of it, but owing to reasons which I am not in a position to know, they did not see fit to increase the number. This is what is stated by the Select Committee in paragraph 3: 'The Madras Trades Association in the letters referred to us have asked that the number of their elected representatives under section 9 of the Act should be raised from one to two. The Southern India Chamber of Commerce have similarly asked that the number of their elected representatives should be raised from two to three. We have decided after discussion to recommend to the Council the former but not the latter proposal and have accordingly inserted a new clause.' The amendment which I suggest is that in view of the importance of that body and the interest which they are taking in the affairs of the Port Trust, their request may be complied with and the number of members representing the Southern India Chamber of Commerce may be raised to three. I have not been able to see any reason for not complying with that request when it was possible to comply with the request of the Madras Trades Association to raise their number from one to two."

The Hon'ble Mr. YAQUB HASAN SAHIB Bahadur:—"Your Excellency, I beg to second the proposition. The Southern India Chamber of Commerce is a very important body. It does not represent only the merchants of Madras, but its membership extends to the whole of South India as the name of the Chamber itself shows. In that body, not only commercial interests of Indians are represented, but it is also a Trades Association. Its members are not only importing and exporting firms, but also those who are engaged in carrying on a large trade in Madras, not only wholesale but also retail trade. So, when four members are given to the Madras Chamber of Commerce, which is only a small European body with a limited number of members, and when two members are given to the Trades Association which only represents the retail shop business of Madras, mostly European, it is only fair that a Chamber which represents the entire commerce of South India and the entire trades of South India, both wholesale and the entire commerce of South India should be adequately represented on the Madras Port Trust Board. So the request of that Chamber that the number of its representatives be raised from two to three was indeed a very modest one. They could have asked for at least as many as the Madras Chamber of Commerce has. They would have been even justified in asking for as many as the Madras Chamber of Commerce and the Trades Association put together. They were however very modest in their request and I cannot understand why the Select Committee was not prepared to accede even to that moderate request. I am aware that Your Excellency usually asked the Southern India Chamber to submit some names besides electing two representatives for consideration for selection of more Indians to the Harbour Trust Board; and now and then some representatives are selected by Your Excellency. In that way their number is raised somewhat, but we do not like that system. Whatever representation the Indian merchants deserve, let them have it through their body, through their representative chamber, and let none of them be nominated. We are going ahead in the matter of representation; many a body which had to depend upon nomination has become an elective body. I cannot see why Indians should be represented on this body partly through election and partly through

(Mr. Yaqub Hasan Sahib; Mr. Rajagopala Achariyar; [19TH NOVEMBER 1918.
Sir Francis Spring; Mr. Thonger.)

nomination. One or two seats that Your Excellency has reserved for nomination, may be given to the Southern India Chamber of Commerce. I therefore strongly second this proposition."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I regret that I am not in a position to accept the motion made to increase the representation of the Southern India Chamber of Commerce. I would first draw the attention of the Council to section 8 of the present Act which says that not less than 9 and not more than 14 members other than the Chairman shall be on the Board. As a matter of fact, the Board is now working at its full maximum strength and there is no room for more. It is a matter for consideration whether, considering the work which the Board has to do, 14 is not quite as large a number as would serve any useful purpose. I do not think it would be wise to raise the number. I mention that first. Secondly, the elected members are four on behalf of the Madras Chamber of Commerce, two on behalf of the Southern India Chamber of Commerce and two on behalf of the Madras Trades Association—one has now been raised to two. So there will be only six seats left to Government for nomination. It is a mistake to think that there is much discretion in regard to these six. The Collector of Sea Customs has to be on the Board, the Presidency Port Officer has to be on the Board, the Agents of the South Indian Railway and the Madras Railway both of whom are intimately connected with the working of the Board take two seats, and the Superintending Engineer, who is our chief expert officer of the Department of Public Works, takes one seat. So there is really only one seat which is available and that one seat has till now been filled up by allowing the Southern India Chamber to nominate a man whom we appoint. So, as a matter of fact, the Southern India Chamber has three representatives, one nominated and two elected. The proposal now is to take away that one seat and give it to the Southern India Chamber permanently. This question was considered by us in the Select Committee and I looked into it with some care. It is not a question of Indian versus European, but it is a question of the volume of interests that are concerned. Taking all things into consideration, the volume of interests concerned and represented by the Madras Chamber of Commerce, the Southern India Chamber of Commerce and the Madras Trades Association would be fairly covered by this distribution of four and two and two and there is no justification for increasing the representation, the statutory representation of the Southern India Chamber of Commerce from two to three as proposed by the Honourable Member. I feel bound, therefore, to oppose this amendment."

The Hon'ble Sir FRANCIS SPRING:—"Your Excellency, I do not wish it to be thought that in opposing this amendment, I am ungrateful to the Indian Members of my Board who have assisted me so very effectively in all these years. It was I who first suggested that the Southern India Chamber should elect two members, instead of the two being nominated as previously. It is a fact also, as the Hon'ble Mr. Rajagopala Achariyar has said, that we have at present on the Board three members of the Chamber, one nominated and two elected, and one other Indian gentleman nominated by the Trades Association, and I can say, sincerely, that I highly value the advice they give and that everything they say is taken into serious consideration by the remaining members of the Board, as I feel sure the Hon'ble Sir Gordon Fraser will be ready to testify. If I oppose the amendment, it is only for this reason: that we now have a good, workable and useful committee and I feel it right to oppose any tendency to spread it out and enlarge it. We are getting on very well, we are working steadily, usually we have few controversies, and I greatly value the advice and assistance that I get from the existing members of the Southern India Chamber who are on the Port Trust Board."

The Hon'ble Mr. J. H. THONGER:—"Your Excellency, I feel I must also oppose this amendment not that I have any personal objection to the Southern India Chamber of Commerce having as many members as this Government is prepared to give them, but because I feel that any association which has two members on the Board may consider itself to be well represented. The Chamber of Commerce has four, but that is more by accident than by design. I think I am indirectly responsible for this amendment though representing a sister association. I might refer to the fact that the suggestion that the Southern India Chamber of Commerce's representation should be increased from two to three was not made until after the Trades Association made its suggestion to increase their number from one to two."

"As the senior association and also in regard to the volume of interests that we represent, we are certainly entitled to equal representation with the Southern India Chamber of Commerce. But the Trades Association did not bring forward this amendment with a view to coming into equality with the Chamber, but more with idea, if I may so put it, of righting a wrong. When this Bill was before this Council in 1884, after going through the Select Committee, it definitely provided for two members for the Trades Association and three for the Chamber of Commerce. Apparently the Chamber in those days were not animated with the same friendly feelings that obtain at the present, otherwise they would not have induced the Hon'ble Mr. Mackenzie to propose that our representation should be decreased to one elected putting it to the vote, it was negatived. As the Bill was passed by this Council, the Trades Association enjoyed two seats and the Chamber of Commerce enjoyed three. The Bill was sent to the Government of India but was referred back in connexion with certain financial clauses, and was again referred to a Select Committee. Whether this Select Committee was in order in inserting a clause in connexion with representation which had been the subject of a majority vote in the Council, I do not know, but the fact remains that when the Bill again appeared

19TH NOVEMBER 1918.] (Mr. Thonger; Mr. M. Ramachandra Rao;
Mr. Rajagopala Achariyar; the President;
Mr. Narasimha Ayyar.)

in the Council the representation of the Trades Association had been reduced to one and that the Chamber of Commerce increased to four. At any rate I feel sure that this Council will agree that if, in 1884, the Trades Association could by virtue of their importance in the Presidency, their standing and their business relations, be considered entitled to two seats, they are entitled to two now. That is however by the way. My reason for opposing this amendment is not that the Southern India Chamber of Commerce may not have three against our two but because from practical experience, I feel that any Association with two representatives on the Port Trust is well represented."

The amendment was then put and lost.

Clause 4 was allowed to stand part of the Bill.

Clauses 5, 6, 7 and 8 were then agreed to—to stand part of the Bill.

Clause 9.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, I propose that the words 'and unless the sum claimed is one rupee or more' should be omitted from clause 9. I do not think it desirable to have these words in this clause. It is not right that the Port Trust should thus appropriate any sum however small it may be. I therefore propose this amendment."

The Hon'ble Mr. P. Siva Rao seconded the amendment.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I accept it."

The amendment was put and agreed to. Clause 9 as amended was allowed to stand part of the Bill.

Clause 10 was allowed to stand part of the Bill.

The preamble was then put and agreed to.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Under rule 51, I beg to move that the Bill be passed into law."

The Hon'ble Mr. S. Srinivasa Ayyangar seconded the motion.

The motion was then put and agreed to.

His Excellency the PRESIDENT:—"Before I call upon the Hon'ble Mr. Narasimha Ayyar to move resolution No. 1, it has been suggested to me that this Council would desire to put on record its satisfaction at the recent happy news regarding the war. It is extremely fitting that any motion of that kind should come in the first place from non-official members. I understand to-morrow will be more convenient than to-day for this. The following words have been suggested as giving Honourable Members an idea of the terms which are, I think, suitable and which can be amended in any manner if desired, but I think the Council will find that these words comprehend all the feelings, so far as our words could go:—

"This Council desires to place on record the deep satisfaction with which it has received the news of the Armistice between the Allied forces and Germany and its grateful admiration of the courage and endurance of His Imperial Majesty's forces whose magnificent achievements have so powerfully contributed to the triumph of the Allied cause. This Council would respectfully offer to His Imperial Majesty its loyal and heartfelt congratulations on this victorious issue of this great struggle throughout which His Majesty's personal example and devotion to duty have been an inspiration to the subjects of the United Empire. These are the words."

"I call upon the Hon'ble Mr. Narasimha Ayyar to move his resolution."

Resolutions on matters of general public interest.

INQUIRY INTO RECENT INCIDENTS IN MADURA.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, the resolution I have the honour to move runs in these terms:—

"I. This Council recommends to His Excellency in Council that a public inquiry should be held in the matter of the death of a police constable and a Sowrashtia in Madura on the 27th September 1918 and of the police firing on a crowd."

"Honourable Members are now aware that a recent Government Order dated 15th November has been issued with enclosures dealing with this question. Besides, the facts referred to in this resolution are very well known. Every reader of a newspaper would have fairly mastered the facts as far as they could be gleaned from newspaper accounts and therefore I may proceed to meet first what may be considered a preliminary objection to the discussion on this resolution. It might be stated that, now that Mr. Paddison's report is before this Council with the Government Order thereon, a public inquiry would be considered needless. I must admit in the first place that Mr. Paddison's inquiry partook very largely of the nature of a public inquiry, but it was not fully a public inquiry because the right of cross-examination was not conceded to all persons who claimed it and Mr. Paddison himself says that he allowed some persons to suggest questions to him. In the next place, a public inquiry is one

(Mr. Narasimha Ayyar.) [19TH NOVEMBER 1918.]

in which the public have a right to get witnesses examined as they desire. Those who have carefully gone through this report will notice that Mr. Paddison has excluded at his will and pleasure a certain set of persons from the witness-box, if I can use that term witness-box, in connexion with his inquiry. He has not taken evidence from police constables present on the occasion. These are the reasons why I have stated that the inquiry by Mr. Paddison though to a certain extent a public inquiry, was not fully a public inquiry and as I have already pointed out, the numerous defects in connexion with the conduct of the inquiry mar the utility of that inquiry and the report based thereon. It may also be stated that there is an order passed upon the report of the inquiry made by Mr. Paddison and also in part upon certain departmental reports by Mr. Pelly. It might be, therefore, just as well for me to meet these two preliminary contentions. I wish to point out that the defects which prevent Mr. Paddison's inquiry being called a public inquiry are not trivial defects. They are not defects which you may ignore and say, 'you have a substantial inquiry, you ought to be satisfied with it and any order passed thereon must be accepted, because these are trivial matters which ought not to oblige us to go through the same form through the same process again.' I may liken Mr. Paddison's inquiry which omitted to examine the constables to an inquiry by a magistrate into a case of murder in which he would not examine eye witnesses, but would content himself with circumstantial evidence. This analogy would point out the serious harm to the inquiry and the absence of any utility in getting a report of such an inquiry and orders passed thereon. In this case, there was a big crowd and there would be a lot of difficulty in finding out who were the persons near enough the scene of occurrence to be able to give accurate information. Of all the persons that could be mentioned, the constables are the persons who are most directly concerned. They may no doubt have a certain bias, and that bias may have to be considered in weighing their evidence, but they may be able to give very valuable evidence in this connexion indeed. It may be said that their statements have been taken departmentally and they were sent to Mr. Paddison. This I would point out is no satisfactory answer at all. We have heard in law of a fraud on powers and we can easily conceive of a fraud on the policy of a public inquiry. The object of a public inquiry is not somehow to get statements in, but a public inquiry places the deponent in circumstances which would give special value to his statement. Here a departmental inquiry was conducted in practical secrecy, and I notice that Mr. Paddison says that a few members of the public were admitted. I am sorry that the Hon'ble Mr. Rama Ayyangar is prevented by illness from attending to-day, but he was informed that some public men would be allowed to be present and he wanted to know further whether he would be at liberty to put questions. He wrote to the authorities concerned and the answer was that it was not their suggestion that he should be present. To the best of my recollection, Mr. Pelly or Mr. Paddison wrote to him that there was no particular purpose in his being present; and naturally a gentleman of the position of the Hon'ble Mr. Rama Ayyangar does not wish to attend such an inquiry. Therefore, the inquiry of Mr. Paddison being practically a departmental inquiry is shorn of much of its value and the statements taken by Mr. Pelly behind the back of the public cannot be considered satisfactory. The most important portion of the evidence being the evidence which the constables could give, it is fairly clear that Mr. Paddison's inquiry was incomplete. Therefore, we have this defect in the report of Mr. Paddison that it is based upon statements of various persons and upon the second-hand statements of police constables taken under circumstances which do not entitle them to any weight. There is another circumstance which detracts from the value of Mr. Paddison's report. Here again, I am sorry that the Hon'ble Mr. Rama Ayyangar is absent because it is he who told me: representations were sent from Madura to the Government, pointing out Mr. Paddison's connexion with the Madura district and saying that the Superintendent of Police continued there and that these would prevent many gentlemen from going before Mr. Pelly or Mr. Paddison to give evidence; and my Honourable Friend informed me that these facts did influence many gentlemen worthy of credit not to go before Mr. Pelly or Mr. Paddison. No doubt on the 5th or the 6th of October, the Madras Government passed orders on the representations of the Madras Mahajana Sabha, and the Madura Association and they stated that they did not see any sufficient reasons for interference and that Mr. Paddison had their fullest confidence. I wish in this place to point out that there is absolutely nothing said against Mr. Paddison personally. The Government Order seems to suggest that somebody was attacking Mr. Paddison's credit or his deserving the confidence of the Government. Neither myself nor any persons here who took the opportunity to send up resolutions to Government had any idea that Mr. Paddison had a personal bias or that he was personally unfit to conduct the investigation. We had the pleasure of attending with him this Council last year and we have all a fairly good opinion of Mr. Paddison as an officer and I take it that no portion of my speech will be understood as any reflection upon Mr. Paddison himself. The point urged by the various memorialists is that Mr. Paddison was the district officer and in that capacity the head of the police, and therefore any reflection on the administration of the Police in Madura must naturally affect Mr. Paddison not individually, but as the head of the district, human nature being what it is. At any rate, the people who are asked to come up and give evidence must be perfectly free from any idea that the officer conducting the inquiry is in any way likely to consider any statement made by them to be reflections upon himself. It is in this view also that they suggested that the District Superintendent of Police who was in a greater degree responsible for any mistakes committed by the Police department or for any negligence attributed to the Police should not be on the scene of the inquiry lest he should influence it. I do not mean that he would influence the people not to give evidence; I wish

19TH NOVEMBER 1918.] (Mr. Narasimha Ayyar; Mr. Davidson.)

to guard against my statement being understood that way, but the memorialists thought that the very presence of the District Superintendent concerned in the matter would be a circumstance against the inquiry being fruitful. We know how the spirit of the people is too weak to come forward and bear testimony against the lower subordinate officials of the department which might bring them into unpleasant relations with them. These memorialists asked that some other person should conduct the inquiry: but Government were not pleased to grant this prayer.

"I think in this story of the Madura incident, we have a series of unfortunate blunders. The first blunder was committed at the time when the order was given by Mr. Elliot asking the police to keep the crowd from approaching the carriage of Mr. Varadarajulu Nayudu. The second blunder was made at the time the shooting took place. The third blunder was committed at the time the order was passed, so that as the Hon'ble Mr. Rama Ayyangar told me, the impression on the mind of the public gained strength that the inquiry conducted by Mr. Paddison was to be a sort of inquiry to which we are accustomed in connexion with departmental inquiries, not a thing in which any person who has any self-respect would care to put himself forward or on the conclusions of which they would place much reliance. That is the conclusion which a large section of the public seem to have come to and that impression has gained strength by the order of the 5th or the 6th October and that of the 15th November.

"Then followed the other circumstance which impaired the value of Mr. Paddison's report. I have pointed out that the existence of Mr. Paddison's report and an order thereon need not debar us from pointing out various unsatisfactory features in the proceedings. In point of fact I wish to take Your Excellency through some of those unsatisfactory features, to show that there should be a further inquiry. In the first place, I may deal with the order of the Government, dated 15th November. The date of that order shows Honourable Members that the Government must have received notice of resolutions dealing with that subject and the Government must be fully aware that the representatives of the public in this assembly—I understand that not less than three members sent notice of resolutions—were anxious to place the views of the public on this very important matter, a matter which had caused a great deal of alarm, and we find the Government after receiving such notice and before the meeting came on, were anxious to close the whole subject with an order. That is a very unsatisfactory feature. It may be perhaps that the poor non-official representatives here have not got light enough to shed on the inner councils of Government, have not ability enough to offer suggestions, worthy of attention by Government. If that is so, we are an unfortunate lot and the public in having such helpless representatives are still more unfortunate. I do not know if the anxiety of the Government to pass orders even before the debate must be attributed to their supposition that the representatives of the public were incapable of giving suggestions or throwing any light on this matter. But I think to a certain extent, the public would take it that an order passed within these few days and without hearing the discussion would have to be discounted on that very ground. It seems to be too hurried an order and I shall presently proceed to show how the public has not been able to see eye to eye with the Government, and that there is still a lot of difference of opinion. I therefore think that the fact that there is an order, far from being a ground for refusing discussion on the matter furnishes an extra ground for discussion and a ground for the demand that there should be a public inquiry. In the first place Government in their order accept Mr. Paddison's inquiry and report in their entirety and then express the view that the criminal proceedings are undesirable and that departmental action is sufficient. Finally the order ends with encomium on the police and with the remark that 'up to the moment of firing, the measures taken by the Police were necessary and correct and further that, in discharging a dangerous and unpleasant duty, they showed all possible consideration to the crowd with which they had to deal.' These conclusions I may mention, surprised the public just as much as the shooting itself did. I shall proceed to state what exactly the public think with the information available to the public, namely the report of the evidence and the statements of gentlemen like the Hon'ble Mr. Rama Ayyangar, and what views they hold and I shall show how in the light of those views, there should be an inquiry. As soon as the papers announced that a crowd of 7,000 had gone to the Collector's office to witness Mr. Varadarajulu Nayudu's trial and that at the close of the trial on the 27th, they gathered round the carriage of Mr. Varadarajulu Nayudu and his legal advisers, that the police drove them back using some violence, that the mob got excited and that there was a firing on the crowd, the impression produced on the minds of the public was, I must say, indescribable. I found that persons in districts far away from Madura were greatly shaken in their faith in the normal continuance of peace and order and thought, as the Tamil saying expressively put it, that the fence was eating the paddy crop, and that the police instead of being the preservers of order, became the destroyers thereof. They were astonished that such a state of things should exist, but they still cling to the hope that there would be an inquiry on the part of the higher officials and that justice would be done."

The Hon'ble Mr. L. DAVIDSON:—"Higher officials?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Yes, higher than those who shot. It appears that a very large portion of the public thought that very little relief can be obtained until a public inquiry is held and some attempt is made to render justice. I shall refer to the incidents that took place. Mr. Paddison in referring to the crowd on the 27th says that they became unruly at 2 p.m. and they had to be pushed back because they created noise and that the Police formed a cordon. I can understand so far. When the Court had done its work for the day, when Mr. Varadarajulu Nayudu was going away, and when the public thought that there was something to be gained by looking at their demigod and his legal advisers, what was the

(Mr. Narasimha Ayyar ; Mr. Davidson.) [19TH NOVEMBER 1918.]

object of keeping the crowd away from Mr. Varadarajulu Nayudu? If the crowd wanted to make an idol of him and offer incense it is none of our business to interfere with that incense burning. In the very first enclosure to the order Mr. Paddison says that the Superintendent ordered the Police to push back the crowd? Why? What was the necessity? Was the Superintendent afraid that Mr. Varadarajulu Nayudu was going to be attacked and crushed and huddled into a jelly? or was he afraid that his legal advisers were in danger? If people gathered round his carriage, the carriage had to proceed slowly, but who on earth was going to suffer? and why should the whole file of Police be asked to push back the crowd? Then comes the tragedy of errors. Mr. Paddison was of opinion that there was no bayonet charge. There are certain statements which go to show that there was no regular bayonet charge on a large scale. There were, a large number, however, of witnesses including the public prosecutor Mr. Krishnan Nayar whose evidence showed that bayonets were used. As the Government are not going to place the records at our disposal I have to quote newspaper reports. It may be as the Government said that consideration was shown and that bayonet charge did not take place till after a long time. Some men had an injury in the leg. Suppose the bayonets were presented. Is that not in itself sufficient to cause the excitement of the crowd which Mr. Paddison refers to? The reason of the bayonets being present and some people being injured—that is the reason the crowd got excited. Mr. Paddison does not give the reasons. He merely says: 'The Superintendent ordered them to fall in again'. Why on earth is this anxiety of the Superintendent to drive the crowd from the carriage? Was he afraid that the public were going to loot the Collector's bungalow or the treasury. If any such thing was apprehended I can understand. This order is a brutal order."

The Hon'ble Mr. L. DAVIDSON:—"Do you refer to the order to 'fall in'?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"To 'push back again' was the order. The order 'fall in again' comes next. It is by way of a slip that I mentioned it. The order to push back the crowd was a brutal order. Then follows the mystery. There is a difference of versions here. According to the Superintendent's version, he did not ask any one to fire. The Inspector issued orders for 'mob fire and close'. But he did not issue any order to fire or to load. The Government in answer to the Hon'ble Mr. Rama Ayyangar's question state that no orders were given for loading; but somehow loading goes on and the result is that one loaded carbine is discharged. That is the result of the inquiry. Other persons thought that there was an order for firing, and curiously enough a large number of shots were fired on the crowd admittedly under circumstances which would not warrant firing. There is nothing in Mr. Paddison's report that circumstances had come about which would justify firing. Therefore I take it that the firing was improper, not merely unauthorized. The firing was very improper, because there was a Magistrate within a few yards, there was the District Superintendent of Police present. Who is to give the order? Is the subordinate to give the order and say 'fire' on the mob, when there is the Superintendent of Police and a first-class Magistrate? It is quite obvious therefore that firing under the circumstances was very highly improper. And with reference to this very highly improper act, let us see what has been done. Various versions and statements are taken and the net result is that firing has been found to be a totally unauthorized act. Somebody seems to have fancied that there was an order to 'fire'. There was no order for loading and yet there was loading unchecked by the superior officers present who must have seen the loading. There were lots of persons injured. These are vagaries and if these vagaries resulting in serious consequences are to be tolerated, human life is in danger. The one boast of the British administration is that there is personal security but if incidents like this are to be witnessed, such boasts will be impossible. It is of the utmost importance, therefore, that we should do our level best to increase personal security. We should carefully go into all these cases of firing and see if there is any justification. In this case, what was the justification? Various persons gave various versions and Mr. Paddison discovered a theory of his own. The Inspector and the higher officers say that there was no order of firing. The constables say they were ordered to fire. Each tries to shift the responsibility on the other; but in the result Mr. Paddison has acquitted both."

The Hon'ble Mr. L. DAVIDSON:—"No."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Yes, he acquits them on these two versions, though still there is a departmental inquiry. He discovered the theory of accident and that is a third version. There is no witness to prove this accident, and from the materials before him I am not able to see anything to justify his theory of accident. In spite of the remark of the Government in their Order about the voluminous record of Mr. Paddison's inquiry, there is this disadvantage that it is an one-sided inquiry; the inquiry of the police is not before the public and this inquiry we are told was very thorough. In this state of circumstances, the public cannot be content with the apology of an inquiry. The public are entitled to demand that there should be a public inquiry, if not a judicial inquiry. With reference to that, however, the Government in the first portion of their Order say that criminal proceedings are undesirable and will serve no useful purpose and as the Governor-General in Council would invariably act upon the ideas of this Government, there will be no chance of sanction being accorded and so there is no hope of a judicial proceeding to clear this matter. Therefore, it is that this Council should recommend a public inquiry and that is why it is being still pressed for. There is an answer that departmental action is going to be taken and nobody will be whitewashed. With reference to that, I should give a brief answer. I have got only five minutes more. With reference to the departmental action, what

19TH NOVEMBER 1918.] (Mr. Narasimha Ayyar ; Mr. Siva Rao.)

is stated is that there is going to be a departmental action in respect of those who have fired without orders, i.e., the constables. The finding is that the constables had no order to load or fire, and presumably it is the responsibility of the police constables. A departmental order may also deal with the superior officers who are responsible for keeping the police constables in that ill-disciplined condition, but the public cannot be satisfied with such a departmental proceeding. Departmental punishments sometimes very strongly resemble promotions. Some men are punished for the moment and two or three years hence, are promoted very much more rapidly than otherwise. So in spite of the Government's recommendation in favour of departmental action, this Council may proceed to consider the necessity for a public inquiry. Then comes the most important reason. The Government Order offers encomiums to the police. It says: 'The Government wish to place on record their opinion that up to the moment of firing, the measures taken by the police were necessary and correct.' Police means every one in the department including constables. There is an answer given to the Hon'ble Mr. Rama Ayyangar's statement that there was loading without any orders. Loading is preliminary to firing. The Government in this order not only seem to approve the action of those who loaded without any orders preliminary to firing but they also offer praise. Then they say that they showed consideration to the crowd, but I fail to see how the consideration to the crowd can be consistent with an order to push back the crowd when they were going to the carriage of Mr. Varadarajulu Nayudu. There are also several other reasons for pressing for a public inquiry. The foremost is the absence of examination of the constables. About that, Mr. Paddison himself says: "I did not, I regret to say, record statements from the constables who fired." In the sentence there is the next statement about the inquest. At the inquest one would expect that these constables would have been examined. But they were not examined. To rectify the omission, only one course is possible for this Council and that is to come to the conclusion that a public inquiry should now be recommended so that the Government might have a chance of rehabilitating the faith of the people, in peace and order under the aegis of the British Government. I may therefore point out that though circumstances have to a certain extent changed since the 27th of September, I hope the Government will not put forward the plea that orders have been passed and that a departmental inquiry has been held and departmental action will be taken; and I would entreat the Government to accept this resolution and defer departmental action in the light of a public inquiry and reconsider their view that they would not sanction criminal proceedings against police officers or men. At present, the impression is gaining ground that there is an attempt to whitewash and that there is something held back. I have always noticed that any refusal to allow evidence to be produced, has produced all sorts of impression on the persons who are not allowed to adduce evidence. People fancy that there is an attempt to screen the real offenders and to whitewash them. It is in the interests of the higher officers, in the interests of the Government themselves to impress the public that they will not tolerate any idea of screening anybody but that they are always for a public inquiry. Without meaning any slur upon Mr. Paddison or any other public officer, I would suggest to the Government that they may accept this resolution and defer action proposed to be taken in pursuance of this Government Order."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I beg to second this resolution. I believe the Honourable Mover has made out a very strong case for a public inquiry on the lines suggested by him. Your Excellency, in this case there has been undoubtedly firing as Mr. Paddison noted in his report: 'some of the reserve began to fire in all 26 rounds of fire'. Two lives have been lost, some have been injured and the lives of so many have been in danger by what we rather think the reckless firing that took place. It is very important and imperative to know how this firing took place, under whose orders and under what circumstances. My Lord, there have been very serious allegations on the conduct of the Police on that day and when such serious allegations have been made, it is not proper for the Government to refuse a public inquiry and I must say that public opinion is very strong in the matter; public opinion throughout the country has expressed itself in the most clear and unequivocal terms that there should be some sort of independent and impartial inquiry, which should be held above board. No doubt we have had a departmental inquiry. But it is very desirable and most expedient to allay public opinion in matters like this; when serious charges are brought against the servants of the Government, it is proper that there should be an inquiry. Without entering into the merits of the question—I have not formed any opinion as regards the merits of the case—it is high time and it is very expedient that the Government should place the matter in the hands of a tribunal which would command the confidence of all people. It is true that Mr. Paddison is an officer in whose integrity and judgment, Government have the utmost confidence and he has held an inquiry. But there is one serious drawback, as the Honourable Mover pointed out, in an inquiry like this. The officer who conducted it is virtually responsible for the peace in the district and he is also responsible for the police administration and it was this officer who made all arrangements for the maintenance of order on that day. It does not need any elaborate argument to convince anybody that the officer who is responsible for these arrangements would not be a proper person to conduct this inquiry. As regards a judicial inquiry it was unfortunate that the case, started about the alleged murder of the young unfortunate Sowrashttra boy, was burked for want of technical sanction at the hands of the Government of India. If there had been a judicial inquiry, there would have been a thorough sifting of facts and we would have been able to draw right conclusions and form right opinions. I do not think I have gone through the findings arrived at by the officer who conducted the inquiry, but I hope the provisional conclusions of the Government are given in answer to question No. 81 on

(Mr. Siva Rao; the President; [19TH NOVEMBER 1918.
Mr. Narasimha Ayyar; Mr. Davidson.]

the agenda to-day and they accept the theory of accident. Mr. Paddison has not come to any conclusions as to whether any orders of firing were given. There was some evidence that an order for firing was given. The only view that has found favour with him was that an order 'mob-firing close in' was given. That the reserve inspector should have taken the responsibility upon himself of saying 'mob-firing close in' especially under the circumstance when the Magistrate was a few yards away, in the upstairs of that building is what we cannot comprehend. That was taken as a sign on the part of the constables to fire and some of them prepared themselves for firing and some of the constables were preparing for loading and by accident the firing went off. This is the theory which has found acceptance at the hands of the District Magistrate who conducted the inquiry. I may say before I proceed further that we feel considerable hesitation in accepting the theory of accident. It is a very serious case, and once again I say that the lives of ever so many were seriously endangered on that particular occasion. Nothing is lost by an inquiry. Ultimately the police may come off with credit and they may vindicate themselves in the eyes of the public and in the eyes of the Government; but at all events we shall have an independent and a totally disinterested inquiry. I may point out in this connexion that the police were not, under the orders of the Deputy Inspector-General of Police, allowed to give evidence before the District Magistrate on the ground that there was the murder case pending against them at the time. So far as the examination of the police constables is concerned, it was a departmental inquiry to which the public had no access. For these reasons, I beg to support that there should be a public inquiry at Madura into this question."

His Excellency the PRESIDENT:—"This resolution covers Resolution No. XIII* also."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"The Hon'ble Mr. Rama Ayyangar is not come, so it would not be moved."

The Hon'ble Mr. L. DAVIDSON:—"Your Excellency, the Hon'ble Mr. B. V. Narasimha Ayyar has taken the Government to task for passing the order and laying it on the Editors' table in anticipation of the debate in this Council with the object, so to speak, of forestalling criticism. In the first place, the Honourable Member should remember that we had nine questions on this subject, as well as notice of resolutions and we had therefore to consider exactly how to answer those questions. In a matter of this description, in the case of questions ranging over a wide field, and much detail, obviously the most convenient arrangement was to publish the reports which we had received. If we had delayed doing so unduly, I have no doubt that we should have been taken to task for concealment and unnecessary postponement; indeed, I believe criticisms of that sort have been suggested by a gentleman who is sitting at the present moment in this chamber. Secondly, we could not very well publish without comment the reports of Mr. Paddison in this matter, concluding as they did with a specific request for orders on the question whether any further complaint in the matter of the alleged murder of the Sowrashtia boy should be sanctioned or whether it would suffice merely to take departmental action against the delinquent police constables. Some order was, I venture to say, necessary."

"On the point of delay, I may say that Mr. Paddison's final report, though dated 20th October was received only on the 23rd October. It was seen by the Hon'ble Mr. Gillman and I had the great advantage of discussing with him the course which, in the circumstances, it seemed most desirable to adopt. He was emphatically of opinion, as I myself was, that much the best plan—I do not know if he made the initial suggestion or not—would be to place before the public as many papers as we possibly could. The papers were of very considerable volume. There were the statements taken by the District Magistrate, I think, 34 in number, and the record of the Deputy Inspector-General's inquiry covered another 32 statements though there was a certain amount of overlapping because the senior police officers, four in number, were jointly examined by Mr. Paddison and Mr. Pelly sitting together. It may be asked why these statements or at least those recorded by the District Magistrate were not published together with his report. The answer to that is that there must be some reasonable limit to the publication of details in regard to a matter of public interest and I may add that having myself perused and scrutinized all the statements made before Mr. Paddison, not once but twice, I am satisfied that no useful purpose would be served by laying them before the public or the press. It is not that there is anything to conceal. There is nothing to conceal, but the evidence is of the nature with which any one who has had experience as a first-class magistrate and in that capacity has had to deal with riot cases is familiar. There are discrepancies on one point and discrepancies on another when the incidents are enwrapped in noise and confusion and no one present at the time has a precise recollection of what had taken place. But still, on a scrutiny of the statements as a whole, it is not as a rule very difficult to arrive at a very accurate idea of the main facts and I at least have no doubt whatsoever that Mr. Paddison's conclusions are substantially borne out by the record of his inquiry. That is the reason why we did not publish the details of Mr. Paddison's record of evidence. He had before him, as the Government Order states, a record of the statements taken from the police by Mr. Pelly and he no doubt took these statements into consideration when he was preparing his report to Government."

* The Hon'ble Mr. K. RAMA AYYANGAR:—

XIII. This Council recommends to the Governor in Council that a committee consisting preferably of officials and non-officials be appointed to inquire into and report upon the steps to be taken in connexion with the recent incident in Madura in which the Reserve Police fired on the 27th ultimo on people in the Collector's office compound.

19TH NOVEMBER 1918.] (Mr. Davidson.)

"I suppose the next question to answer is why the statements which Mr. Pelly took are not published. In the first place, it is not usual, and I do not think it is desirable, that a departmental inquiry like this, which would ordinarily lead to disciplinary action, should be published. That is in general consonance with the policy which the Government have rightly followed in these matters; but there is another particular objection in this case which I am surprised that a lawyer like my Honourable Friend should have so completely overlooked. It is this that the police constables to whom he refers as witnesses whose statements are essential for a proper solution of the problem in issue are really in the position of accused. Mr. Pelly's inquiry, I may say, consisted in examining every constable who fired except three and the reason why those three were not examined was no desire to burk the inquiry, but because one of them was the man who is dead, another was a constable who took leave on very urgent and private affairs,—what the private affairs are is not stated,—and the third was, I believe, the only constable who fired two shots and was therefore *prima facie* more to blame than any other, and this man absented himself without leave."

"I have read all the statements before Mr. Pelly as well as those taken by Mr. Paddison twice over very carefully and I cannot say that the perusal has advanced me one stage beyond Mr. Paddison's conclusions and those of Mr. Pelly. It is quite plain that a number of the men concerned concerted what their reply should be on the salient points of the order issued. Mr. Pelly refers in particular to the glib manner in which each man of the reserve police, when examined, gave out the orders 'mob-firing,' 'load,' 'commence' in quick succession; this led him to the undoubted conclusion that they had been tutored to say so or that the constables who knew they were going to be found fault with for firing without orders by superior officers should meet together informally and settle what story they should tell. But their story is not uniform and there is plenty of discrepancy even on the point whether they received the order 'mob-fire' followed by 'load' and 'commence.' I may with advantage refer to a brief passage from Mr. Pelly's report bearing upon this point:

"The order 'mob-firing' is a perfectly correct order. It is an order for the men to fix bayonets (which in this case were already fixed) and close up. The next order will be for the officer in charge to order so many files to load with buckshot and so many with ball. The next will be a warning to the crowd; and then firing will be ordered by files or sections, etc."

"It must be remembered that these men had halters round their necks; if they admitted that they had fired without orders on the crowd, they would be liable to severe departmental punishment and there was the further possibility that they might later on have to stand a criminal charge of murder or of causing death by a rash and negligent act, which, I may say in passing, is the reason why Mr. Pelly informed his men that their own conduct being in question, there was no obligation to answer incriminating questions. To continue my extract from Mr. Pelly's report:

"But in this case, if the statements of the men who fired are to be believed, the Reserve Inspector gave orders quite contrary to rules of practice, and they began to fire without any definite word of command as laid down for firing on mobs. I cannot for a moment think that the Reserve Inspector, who is an officer of experience, ever gave such orders. In the first place, he was aware that his Superintendent was not far off and that he could not order firing under the circumstances without his Superintendent's order; and then again, although the crowd was threatening and was throwing stones in great numbers, yet the situation was not so very serious at the moment, although the Superintendent says matters did look bad and that was why he had sent word for the Deputy Magistrate to come; and last of all, the orders which the Reserve Inspector is said to have given are really no orders at all in the strict sense as being applicable to 'mob-firing'."

"I have heard criticisms directed to the question who actually fired the shots which resulted in the regrettable death of the Sowrashtia boy and of the constable in the front rank. I notice now for the first time that Mr. Paddison's report, though implying an answer to this question, does not explicitly state it. I will myself say at once that every endeavour was made to ascertain who fired the shots which actually caused the damage. Naturally it was not possible to ascertain this. All those who were in the immediate vicinity were themselves implicated in the liability to blame; and who could possibly say precisely where the shot from a particular rifle went? We cannot find out who fired the fatal shots and that is one reason why criminal proceedings are quite out of the question. Criminal proceedings must be against some particular person. But we do not know whom to place in the dock."

"The Hon'ble Mr. Siva Rao, I think, referred to the complaint of the Sowrashtia as having been burked on a technical point and surmised that, but for this action, the public would have been in a position to take part in a full judicial inquiry. I think he will admit that he is mistaken. If there is no person to be put in the dock, there is no possibility of a preliminary inquiry before a magistrate on a charge of murder, and Mr. Paddison's action in dismissing that complaint was, I have no doubt, correct; but in any case the legality of his action has not been called in question anywhere and the proper tribunal to examine that issue would be a Court of Justice and not the Legislative Council."

"It has been said that Mr. Paddison's report was deficient because he failed to examine the police witnesses. I have dealt with this and as I said the witnesses who were not examined were persons who were really in the position of accused. Mr. Paddison did examine certain superior officers and he took statements, so far as I recollect in public, from the District Superintendent, the Reserve Inspector, two European sergeants and possibly also

(Mr. Davidson.)

[19TH NOVEMBER 1918.]

one or two constables before Mr. Pelly raised objection. I am glad that the mover of this resolution has been careful to dissociate himself from any reflections on the *bona fides* of the District Magistrate, Mr. Paddison. I should have thought, knowing the respect in which Mr. Paddison is held in Madura, that an inquiry conducted as he conducted it, after inviting any persons who might be in possession of facts to come forward to substantiate statements made in regard to the conduct of the police, after taking pains to find out other persons who might throw light on the matter, after examining all those whom he could discern to have been hurt, and after permitting those present, notably vakils of Madura, to suggest questions—I must say I should have thought that this inquiry would have satisfied the general public. It has been said that there was no cross-examination. Perhaps not; but I imagine that cross-examination was virtually possible through the medium of Mr. Paddison himself, for he notes in paragraph 2 of his report that there was practically no cross-examination of any witness but that he permitted those who wished to do so to suggest questions to him. I have said that I should have thought his inquiry would have generally commanded confidence and I may add that an inquiry conducted thus immediately is probably almost the only way, and certainly by far the most satisfactory way, of ascertaining the real facts of an occurrence of this nature.

“If I may refer again to my own experience, as a magistrate, of riot cases, it must be a fact well within the knowledge of all those present in this room who are accustomed to practise in the courts that discrepancies are inevitable in riot cases and those discrepancies are accentuated in a marked degree if the inquiries are protracted or undertaken long after the date of occurrence. If we had a public inquiry to-day, I venture to say that a number of witnesses who gave statements before Mr. Paddison and Mr. Pelly would undoubtedly contradict themselves on a variety of points if questioned as to the details of what took place at the end of September. I do not believe, therefore, that any further inquiry now would get the Government or the public one atom nearer the genuine facts of the case. That there should be discrepancies apart from mere failure of memory or inaccuracy is perhaps particularly likely in this case; so far as the police witnesses are concerned, there was the patent reason of self-protection, and so far as others were concerned, local feeling was running high and I should think that there was some tendency to exaggerate the case against the police. There were thus special reasons for discrepancy.

“Are there now any particular points in the speeches of the Honourable Mover and the Hon’ble Mr. Siva Rao which require a specific reply? I have covered the ground generally and anything I say must be taken as supplemental to the Government Order and the reports placed on the Editors’ table, which I must confess I thought would have been sufficient to eliminate many of the points raised and materially to curtail the debate. The Honourable Mover refers to the District Magistrate, Mr. Paddison, as naturally having a bias in this matter, and I think the same criticism has been made by the Hon’ble Mr. Siva Rao. It is perfectly true that the District Magistrate is responsible for the peace of his district and has general supervisory powers over police administration, but in this particular case the issue was in regard to a fatality which occurred when the District Magistrate himself was far away in connexion with arrangements made by the police officers on the spot and in consequence of the behaviour of the crowd with whom those police officers had to deal. It is obvious therefore that Mr. Paddison was not responsible for the fatality and had no personal responsibility for the firing of the police on the crowd, whether this was with or without orders. Many gentlemen here know Mr. Paddison personally and know how judicial his frame of mind is. I do not think there can be the least doubt that his inquiry into this case was eminently fair and judicial and that no other officer could have approached the facts with a more open mind. I may refer further to the other officer primarily concerned, Mr. Pelly, whose departmental report will doubtless lead to disciplinary action against some of those concerned and for obvious reasons cannot be published. I should like to say that I have been particularly struck on perusal of his report by the fair-minded and judicial spirit which characterizes it.

“The Hon’ble Mr. Narasimha Ayyar referred to the suggestion that Mr. Elliot ought to have been removed from the district while the inquiry was in progress and he suggested that in the public opinion both Mr. Elliot and Mr. Holland are really to be blamed and are being screened by Government. I should like to say, as emphatically and as publicly as I can, that I repudiate any such suggestion. I do not attribute it to the Hon’ble Mr. Narasimha Ayyar, who was merely repeating what he said was the popular impression. If that is the popular impression, it is entirely mistaken. Looking at the conduct of these two officers from the standpoint of departmental discipline, it is clear that they are both entitled to the fullest exoneration from any responsibility for this unfortunate fatality. That is the joint opinion of the District Magistrate and the Deputy Inspector-General; it is agreed in by the Inspector-General of Police and it is certainly my own view after a very careful scrutiny of all the records available; and I do not wish it to be thought that the Government in any way regard either Mr. Elliot or the Reserve Inspector as at fault in the matter.

“Some criticism has been devoted to the actual wording of the Government Order. The Hon’ble Mr. Narasimha Ayyar took exception to the phrase: ‘Up to the moment of firing.’ The Government Order says ‘The Government wish to place on record their opinion that up to the moment of firing the measures taken by the police were necessary and correct, and further that, in discharging a dangerous and unpleasant duty, they showed all possible consideration to the crowd with which they had to deal.’ I must plead guilty and admit that the criticism is just. I should have said ‘up to the moment of loading and firing.’ But we are told by the witnesses that the loading and firing must have been practically simultaneous and there is no

19TH NOVEMBER 1918.]

(Mr. Davidson; Mr. Narasimha Ayyar;
Mr. A. S. Krishna Rao.)

evidence to suggest that any rifles were loaded before the stage of the preliminary order ‘mob-firing.’ The Hon’ble Mr. Narasimha Ayyar has asked why it was necessary to interfere with the crowd when they broke through the police cordon and surrounded Dr. Varadarajulu Nayudu’s carriage.”

The Hon’ble Mr. B. V. NARASIMHA AYYAR:—“He is only Mr. not Dr.”

The Hon’ble Mr. L. DAVIDSON:—“I am sorry to have given him a title to which he has no claim. The answer to that question is given in paragraph 3 of Mr. Paddison’s report. It was necessary to let the carriage through; and I think I am right in saying that the necessity for getting the carriage through was realized by the occupants of the carriage themselves. They could not be got through unless the police helped them.”

The Hon’ble Mr. B. V. NARASIMHA AYYAR:—“Which occupants? Surely the occupants of the carriages behind Mr. Varadarajulu, i.e., his vakils, did not complain of obstruction.

The Hon’ble Mr. L. DAVIDSON:—“Those of the carriage which was taking Mr. Varadarajulu Nayudu and according to the report of Mr. Paddison also the occupants of another carriage which followed. There is, I think, only one other point which I need mention and that is with regard to the Hon’ble Mr. Narasimha Ayyar’s comment that there are no witnesses to prove the theory of accident. It is rather difficult to find witnesses to prove accident in circumstances such as those that obtained on that day, but I should think that there was considerable support to be found in the fact that one of the front rank men had his head blown away. That must have been due to accident; I do not think it can be suggested that the rear rank men really intended to kill him. Again it was found that the Sowrashtta boy was not in the midst of the crowd but more or less alone between the crowd to the east and the crowd to the west. Surely it must have been by accident that the shot got at him.

“I think, sir, I have now practically covered the field of this resolution, but I should like once more to say that anything that I have said to-day must be taken as supplemental to the papers which are laid on the editors’ table on this matter.”

The Hon’ble Mr. A. S. KRISHNA RAO:—“Your Excellency, the resolution now before this Council suggests that a public inquiry should be held in the matter of the death of a police constable and Sowrashtta boy on the 27th of September 1918. Your Excellency remarked in the beginning that Resolution No. XIII of the Hon’ble Mr. Rama Ayyangar may also be taken into consideration along with this, which suggests that a committee consisting preferably of officials and non-officials be appointed to inquire into and report upon those circumstances. We have heard with very great interest the speech of the Hon’ble Mr. Davidson in defence of the action taken by the District Magistrate and the Police officer. He also drew the attention of some of the members of this Council to their personal knowledge of Mr. Paddison and suggested that he is one with a peculiarly judicial frame of mind and that no objection can be taken to his report. After all, I am not satisfied that there are any serious objections to a proper inquiry being held into the unfortunate circumstances which led to the death of those two individuals. It is unnecessary for this Council to come to a deliberate conclusion as to whether Mr. Paddison is or is not justified in his conclusions to enable it to recommend an inquiry of the sort suggested in this resolution. It is one thing to say that the action of an officer is proper, is justified and is to be supported; but it is another thing to say that it is such as can satisfy the public. It is not enough that the Government, as the Hon’ble Mr. Davidson has told us, should be satisfied about the *bona fide* nature of the inquiry, about the correctness of the conclusions and about the evidence being such as to justify the conclusions. It is even more necessary that the public should have confidence in the correctness of the conclusions arrived at in a matter of this description; and it is that aspect of the question which I wish to place before this Council. The final authority to take action in respect of the conduct of officers is the Executive Government itself. So long as that function remains in the hands of the Executive Government, why should there be any objection to have an independent inquiry as to the circumstances which led to these unfortunate incidents. All the remarks made by the Honourable Mover of this resolution in support of this motion and all that appeared in the Press regarding the various incidents which took place in connexion with it must satisfy Your Excellency’s Government that the matters which led to these unfortunate incidents are such as to deserve a public and open inquiry. It is true that two or three vakils were allowed to be present and were allowed to suggest questions; it is true that Mr. Paddison gave opportunity to some to make a statement; but can it be stated that that would satisfy all the necessary requirements in a case in which innocent men were killed like the one now under consideration. Another point which deserves to be considered is this: if the statements taken by Mr. Paddison were published, it would have been more satisfactory than it is at present. We were told that the Hon’ble Mr. Davidson went through those statements, not once but twice, that he found some of those natural discrepancies which first-class magistrates trying such cases and lawyers are acquainted with and that he was satisfied that the conclusions are right or wrong; but it must be admitted by not in a position to say whether the conclusion is right or wrong; but it must be admitted by the Hon’ble Mr. Davidson that on such materials it is quite reasonable to infer that two men could take two different opinions. The Hon’ble Mr. Davidson may take one view, but another man may take another view. I am again placing this aspect before the Council. If these statements are published, and if it is pointed out that the matter deserves more careful consideration, the Government should have no hesitation in taking up such an inquiry. I am inclined to lay some stress upon this aspect of the question, because the conclusions and observations made

(Mr. A. S. Krishna Rao ; Mr. Ranga Achariyar.) [19TH NOVEMBER 1918.

by Mr. Paddison in his report of the 20th, in paragraph 5, require more careful investigation. He says: 'There is a considerable body of evidence that before the firing commenced, some order was issued.' This is also admitted by Mr. Holland, the Reserve Inspector of Police. He says that he gave the order 'mob-firing' thinking the situation was becoming serious. The District Superintendent of Police also states that he was actually sending a message asking the magistrate to come down when the firing occurred. The question is what was the order given. Certain persons say definitely that they knew the Reserve Inspector gave the order 'fire'. It is of course possible that they have mistaken the command 'fire' and 'mob-firing' which is merely a caution. On the other hand all the men examined by the Deputy Inspector-General of Police who actually fired say the word of command was 'mob firing, load, commence'. This is not a regular order I understand from the Deputy Inspector-General of Police, and is not supported by a single witness. I am therefore, after mature consideration, convinced that no order to fire was given. This is one of the points which forms the material issue for consideration in this case. It is a matter for consideration as to whether Police officers against whom it is proposed to take departmental action acted without orders, or whether any orders like the one attributed were issued by the Reserve Inspector. Will any serious harm ensue if a public inquiry were undertaken?

"While referring to the remarks of the Honourable Mover, the Hon'ble Mr. Davidson justified the action of the Government in publishing G.O. No. 2549, Home (Judicial), dated 15th November 1918. He said that if these papers were not published, the Government would have been taken to task on account of their concealing some papers or on account of some inexplicable delay or inordinate delay. If I understand the Honourable Mover rightly, it is not to the publication of the papers that he objects—I think he must thank the Government for giving an opportunity of knowing what is contained in the documents—but it is to the passing of the order on the 15th of November just a few days before the discussion in this Council that he complains. We are now placed in an awkward predicament in so far as the Government were not in a position to wait even for these four or five days, pending the discussion in this Council, but have committed themselves to a definite policy and stated their conclusions in explicit terms. The position now is this: that the Government in their order have exonerated all the Police officers and the magistrate and stated that their action was justified. Will it be possible for this Council constituted as it is to induce the Government to change their conclusion on the 19th, four days after? The suggestion made by the Honourable Mover is that it would have been far better if the Government had waited for four or five days without passing an order and had heard all the discussion in this Council, examined the matter further and then arrived at a conclusion regarding the questions involved. It is true that Mr. Paddison's report was dated 20th and was received on the 23rd October but could not the Government have waited for four days to hear the discussion in this Council before coming to a conclusion? That is the matter which the Hon'ble Mr. Narasimha Ayyar wished to place before the Council in that the Government forestalled this Council by passing the order on the 15th of November. If it is only possible for this Council to satisfy Your Excellency's Government that so as to inspire the confidence of the public in the strict and impartial administration of affairs, a public inquiry should be undertaken, I think some useful purpose will be served by this discussion. The final action to be taken will depend upon the result of the inquiry and the materials placed after such inquiry; but, so far, nothing has been suggested or indicated as to why such inquiry should not be undertaken."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"Your Excellency, I am glad that the Hon'ble Mr. Davidson has assured the public in his speech that Government have no desire to screen any offenders, be they officers or men in connexion with the discharge of the duties that they have been entrusted with. It appears to me on a careful reading of this Government Order and the enclosures thereto that there are very many matters which require further investigation. I do not think the conclusions which the Government have accepted, can be considered satisfactory even on the materials placed by Mr. Paddison in his report."

"There are three people concerned whose conduct is in question here; first of all, the men who actually fired, secondly the Reserve Inspector who gave the order 'mob fire' and thirdly the Superintendent of Police who gave the order 'fall in and close'. As regards the men, no one has sought to justify their act under the provisions of the law. It is admitted that they acted beyond the bounds of law. They had no order from any superior officer and the situation was not such that they should act on their own initiative. The provisions contained in the Penal Code and the Criminal Procedure Code, so far as Civil Government is concerned, are wide enough and liberal enough to give protection to the public against the excesses of the public and at the same time the provisions are careful in that they do not afford any unlimited power to the officers who have to discharge these unpleasant duties. My Lord, excesses in the name of law and order are as much to be deprecated as excesses on the part of the public against law and order and therefore a Government entrusted with the responsible task of maintaining law and order are as much bound to punish people who commit excesses in the name of law and order as those who break law and order. Therefore it is that in the rules made by Your Excellency's Government the Government lay down strict injunctions as to how policemen are to behave in such circumstances. In this case, admittedly the situation did not arise for the exercise of those powers which the law has rightly placed in the hands of the police, the magistracy. That being so, we have to see whether really these people who were responsible for the loss of these two innocent lives and for grievous injury to other persons deserve any consideration at all at the hands of Government and whether the law should not take its course in getting these men booked. Let us take the case of the men. It is admitted that they had no

19TH NOVEMBER 1918.]

(Mr. Ranga Achariyar.)

orders at all and in fact in the statement made by the Hon'ble Mr. Davidson to-day, he absolutely absolves the officers from any responsibility, both the Superintendent of Police and the Reserve Inspector, because they did not give any order at all which would lend any colour to their believing that any order was given. What is the conclusion of Mr. Paddison with reference to these men? His theory is—I do not think I can call it by the dignified name of a conclusion—it is a mistake; it is a pure guess on his part, unsupported by the statements made by the men themselves, the men themselves do not say that they were in a tight corner with a hail of stones round about them and that therefore they thought the situation was serious and therefore they fired on the mob, that is not their plea. Under section 76 and section 79 of the Indian Penal Code, a man may honestly believe by mistake of fact, that he is bound by law to do or justified by law to do a certain act; and if by honest mistake of fact, in good faith, he makes a mistake as to a question of fact and believes that he is bound or justified by law to do that act, then the law protects him. When the men say that they heard the order to fire, how can they be labouring under an honest mistake as to anything else? Their very statement puts them out of court; their plea is definite and distinct that they heard a definite order. I can understand a person who is at a distance making that mistake in a large crowd. But here the men are close to the man who is said to have given the order and they actually say that they heard the order and that they were within hearing distance of the order which is a falsehood, which the Government believe is a falsehood. Mr. Paddison also says it is a falsehood and therefore here are men who actually come forward with a falsehood to protect themselves against a crime which they have committed and how can they be heard to say in the same breath that they honestly believed that on account of the shot which accidentally went off that order was given? That is the unsatisfactory feature of the conclusion. I cannot understand why Mr. Paddison or the Government should treat that guess as a serious matter to be considered at all in dealing with the men. There is another circumstance which militates against that theory. We always attach importance to early statements and what is the early statement contained in Mr. Paddison's statement of the 28th of September 1918. This is what he says: 'About 2 in the afternoon the crowd outside the court became unruly making shouts and interrupted the court. So the Reserve Inspector pushed them back and formed a cordon 40 or 50 yards from court. Nothing serious happened till the court rose for the day, I ask the Hon'ble Mr. Davidson to note that very carefully, with reference to the latter version that after 2 p.m. the crowd was unruly and threw stones, which was not in the first report.' On the other hand, it is said 'nothing serious happened till the court rose for the day' and 'when the accused appeared, the crowd outside the court rushed the police cordon. The reserve fell in under the orders of the Superintendent who ordered them to push back the crowd'—I add 'with pointed bayonets.' The crowd became excited to a certain extent and the reserve a little dispersed; so come down at once. While his back was turned the inspector gave an order 'mob-firing close' upon these orders being given—mark the words—'some of the reserve began to fire, in all 26 rounds of fire, ball and buckshot. One constable was killed and one of the crowd wounded.' The theory of accident which was an after-thought is not here. Here it is stated 'upon the orders being given, the police began to fire and then it was that the policeman was killed and the other man was wounded and died subsequently in the hospital. Therefore the earliest statement is quite inconsistent with the suggestion or the guess made by Mr. Paddison, because it is unsupported by any statement and it is a pure guess and I submit such a guess ought not to stand in the way of the law taking its course especially in a case like this where the men had committed a crime; and if they are to come under an exception, they must prove facts which bring them within the exception; they must prove good faith and mistake of facts. I submit it is a case really where a man should not stand excused on a mere guess like this. I do not think this opinion in the order is correct: 'criminal proceedings against individual police officers or men would serve no useful purpose.' I rather think that is a matter which requires further investigation before this certificate is given to these people who have broken the law and who acted in defiance of law. As I said these demonstrations in honour of people are becoming more and more common nowadays. We can certainly put shackles in the way of policemen behaving in this way and we ought not to think that the Government would wink on the action of policemen wrongly firing shots. On the other hand, Government should put down such lawless men and not allow these men to be guilty of rash and negligent act resulting in death. Let them consult their law officers before they give their verdict that criminal prosecution would not serve any useful purpose. This is a matter which requires to be investigated on Mr. Paddison's own showing and on the conclusion arrived at by the Government themselves.

"Let us go to the Reserve Inspector. He was in the immediate presence of the Superintendent of Police who was quite close. Now what happened was, the Reserve Inspector takes it upon himself to give the order 'mob-fire' and to give order 'close' although in the later version, the word 'close' is not there. In the first report there is the word. The later version is 'mob-fire.' Whatever it is, why should he take it upon himself to give this order when the Superintendent of Police was there? What did he do when he did not give this order for firing and when he saw the men loading? Did he shut his eyes? I am not familiar with handling fire-arms, but I think loading will take some time. He might have noticed them loading, but why did he see them load and why did he not say 'stop loading'? Was any such order made? What did the Superintendent of Police do? No doubt his back was turned, but he must have heard the order. There are certain questions which the Hon'ble Mr. Rama Ayyangar has suggested in his interpellation No. 81 and if you look at page 14 of the agenda

(Mr. Ranga Achariyar ; Mr. Subbarayulu Reddiyar ; [19TH NOVEMBER 1918.
Mr. M. Ramachandra Rao.)

to-day you will find that there are a number of close and searching questions which the Hon'ble Mr. Rama Ayyangar placed for the consideration of Government, and the only answer is 'the Honourable Member is referred to G.O. No. 2549.' If the Honourable Member will turn to the Government Order, he will find no answer to any of his questions. His question No. 81 is:—

(c) When and by whom was it decided that fire-arms would have to be loaded and used that day? Where were the carbines that were used that day kept before they were taken to the Collector's office compound?

(d) Who gave the orders to get these carbines to the Collector's office compound and who actually brought them there and when?

(e) When (at what hour to the minute) were the cartridges distributed to the policemen? How many were so distributed and how many rifles were in the compound that day and with whom?

(f) Were all the rifles examined before and after the incident and by whom, and were any bullets discharged from the rifles?

(g) Were all the muskets examined before and after the incident and by whom? Who were the constables whose muskets had been emptied by firing?

(h) How many muskets remained unloaded? Who gave the order to fire?

(i) Was any precautionary action taken to see that only a few cartridges were used at first or that notice of firing was given beforehand? Did any of the police constables come with loaded muskets in the compound? Was there an order to load? Did all persons load only after the order to load was given?

(j) Is it a fact that the shots were all sent in the direction in which Dr. P. Varadarajulu's carriage went out? If so, is there any reason ascertained for that direction being aimed at?

"That is a matter which requires some inquiry. Mr. Paddison also refers to it in paragraph 8 of his report. He says: 'A jutka travelling behind the accused's carriage received a charge of buckshot, the driver being slightly hurt and one or two other persons received very slight wounds.' And again if you return to page 2 of the Government Order, it says: 'since writing the above, a vakil whose bandyman was hurt came and gave me an account. He was in a jutka just behind Varadarajulu's carriage. His jutka was hit four or five times and his driver was hit in the shoulder.' That is rather suggestive. Is it not necessary to inquire into it? How came it that behind the accused's carriage where there was a jutka also going, the police happened to fire. What was the aim? Was it accident? These are matters which require to be carefully investigated and I do really think that in the interests of that respect for law and order which we all have, I ask that there should be a public inquiry at which these matters should be investigated. My view on the point is that it is necessary to prevent a repetition of such conduct on the part of the police, because these demonstrations are likely to become more and more numerous."

The Hon'ble Diwan Bahadur A. SUBBARAYULU REDDIYAR:—"Your Excellency, I have read the papers laid on the table in connexion with this matter and I have also heard the speeches very carefully. I am inclined to think on the whole that in the interests of the public and in the interests of the magistracy and the police and their reputation, it is much better that the recommendation to Your Excellency's Government that a public inquiry should be held should be accepted and a further public inquiry held."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"Your Excellency, the Hon'ble Mr. Davidson began by referring to my Hon'ble Friend Mr. Narasimha Ayyar's statement about the publication of these papers just before the meeting and said that the complaint of the Honourable Member was that this publication was with a view to forestall criticism in this Council or some such thing. If the Hon'ble Mr. Narasimha Ayyar complained that the papers were published three days before the meeting, I at least would not complain of such a procedure. My complaint in this Council has been that if there are facts which must be placed before the public, the Government should take the earliest possible opportunity of doing so. I have said so, a number of times and I shall contend and continue to contend that it will serve the objects of peace, order and good government, that if there are any papers which should be placed before the public, they should be so placed at the earliest possible opportunity. It was with that view that when we met last time for discussing the proposals for constitutional reforms, I wanted to give the Government an opportunity or rather to suggest to them by way of a motion for adjournment that they should take the opportunity of that meeting for letting the public know the facts concerning the Madura incident. By that time, accounts of what had happened at Madura had already appeared and there were very broad suggestions that the police had exceeded their rights in opening fire without any justification whatsoever on those that were assembled on the 27th September last in the Collector's compound. It has taken nearly two months before we can get official, authorized version of the facts. The event took place on the 27th of September and Mr. Paddison sent a demi-official report the next day and he followed it up by another letter and formally sent his own report on the 20th of October and the report is published on the 15th of November. By that time, public opinion has settled itself as regards the facts and a great deal of suspicion has been roused as regards the bona fides of the police—whether rightly or wrongly I do not wish to say—and also in regard to what has really happened at the time. There were suggestions that the officers gave orders to fire, there are suggestions that the policemen went on firing without any orders. My Lord, if I value one thing, it is the continuance of the implicit faith of the people of this

19TH NOVEMBER 1918.] (Mr. M. Ramachandra Rao ; Mr. Davidson.)

Presidency in the officers of Government. It is with that view that I would suggest that there should be an open and public inquiry in regard to the facts of this incident; and this and the shooting incident at Conjeevaram have brought into prominence the necessity of some form of inquiry into matters of this kind. Without any reference to the Madura incident, I sent in a resolution to be moved at this meeting that, whenever there was occasion for the police to open fire on a mob for the dispersal of rioters, there should be an inquiry by the District Magistrate with whom two assessors should be associated. That was the mode of inquiry I suggested, not necessarily with a view to detract from the authority of the District Magistrate, but to show to the public that the Government were anxious to ascertain the true facts of the case and place beyond cavil and criticism the conduct of public officers. In doing so, I had in view various independent inquiries conducted in this way in England into the action of the police. This is not a new thing; Your Lordship might remember the Bristol riots, the Colliery riots, whenever there is a conflict between the executive and the public, there is always a howl and there is a suggestion that the police exceeded their rights and these matters have been settled by Royal Commissions who ascertained what really are the facts and who also suggested remedies. Perhaps the Hon'ble Mr. Davidson is also aware that in 1909 there was another Royal Commission to settle the duties of the police in regard to their right of entry into public meetings and what they should do on those occasions. I merely mention all this to show that the anxiety of the public is that the executive police should not exceed their rights. On the other hand, I also admit that the police have a difficult duty to perform. But I believe the only way in which public confidence can be maintained is by some form of inquiry in which the public will have some right of representation as regards the sifting of facts and it was with that intention that I suggested that in cases of shooting of this kind, two assessors should be associated with the District Magistrate for the purpose of sifting facts. As I began, it took nearly seven weeks before we could have an authorized version of events that took place in Madura.

"My Lord, going to the facts, I may mention that there is no suggestion of any kind that Mr. Paddison was biased in this matter. I know Mr. Paddison and have a high regard for his general fairness and intention to do the right thing to all parties; but the point to be remembered is public confidence. It may be that persons who know Mr. Paddison are perfectly aware of his qualities, but we have to deal with a public who form their own conclusions and it is necessary to unsettle some of those conclusions when they are wrongly formed. As regards the facts, I think a great deal has already been stated on the main facts of the case and it would be unnecessary to discuss every incident connected with what has happened at Madura. Mr. Paddison, as has been pointed out by my Hon'ble Friend Mr. Ranga Achariyar, proceeds on the assumption—it is clear from his report—that at any rate the first shot was an accident; on the assumption—their conduct that they had orders the policemen set up the defence or rather in justification of their conduct that they had orders to fire. I might perhaps read that portion of Mr. Paddison's report in which he says: 'There is ample evidence to show that at the time of firing a large number of stones were being pelted at the police. It is also sufficient to justify the use of force under this chapter if the crowd conducts itself in such a manner as to show a determination not to disperse. Whether excessive force was used is not for decision at this stage.' That is exactly the point that has to be decided and that has not been decided. He says: 'From my inquiry it appears also that the order "mob-firing" was given and though this is merely a caution, the constables who fired will see that the version of the police constables is that they had the order "load and commence" and the version of the officers responsible for the orders is that their order was "mob fire" and that the words "load and commence" were not uttered by them. Mr. Paddison discards both these versions and comes to the conclusion that the words . . ."

The Hon'ble Mr. L. DAVIDSON (interrupting):—"He does not discard that version. He is convinced that no order to fire was given. The order 'mob-firing' is not an order to fire. It is a preliminary caution, merely an order to assume certain positions."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"He discards the version of the police constables that the words 'load and commence' were uttered. That is the only aspect which we are considering now, and he comes to a deliberate conclusion that it was an accident, a version which was not stated either by the police officers or by the police constables. Neither party has set up that it is an accident and I believe my Lord, that under these circumstances to clear the facts, to restore public confidence, the only way is by a judicial inquiry where the policemen may be placed on their trial. It does not matter whether they are convicted or acquitted; but we must know by a proper judicial inquiry what the real facts of the case are, especially when it is suggested that the shots were directed in the direction of the carriage of the accused. I do not know what is intended by the suggestion, but I trust that there is no suggestion of any kind that the shots were intentional."

The Hon'ble Mr. L. DAVIDSON:—"The carriage was going due south and the policemen were facing south."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"As I have already stated, we do not know the facts. The facts are in the recorded evidence and the evidence has not been published. If I state things hypothetically, it is because I am not acquainted with the facts except those mentioned in the Government Order. There is one other point which I would like to note. Under Police Orders, section 394, I find it is stated that in every case in which the police use fire-arms in suppressing a riot, a report shall be sent to the Divisional officer. I know the

(Mr. M. Ramachandra Rao ; Mr. Davidson.) [19TH NOVEMBER 1918]

Divisional Magistrate was on the premises, but I am merely asking for information whether, as a matter of fact, there is this report on record. Police Order No. 394 states: 'In every case in which the police use fire-arms in suppressing a riot or in self-defence, an express report or telegram—whichever is quicker—shall be sent to the Divisional Magistrate. In this report, the number of persons killed or injured, if any, shall be stated.' If this is available, probably we shall be in a position to know what the real facts are as stated in the earliest possible report, when it was as early as possible to do so. Perhaps it is quite likely that because the Divisional Magistrate was in the premises no such report was sent. But I want to know the facts and I merely ask for information."

The Hon'ble Mr. L. DAVIDSON:—"A telegraphic report was received from the District Magistrate on the 27th regarding the riot and the circumstances which led to the opening of fire, and it said one constable was killed by accident and one man was wounded."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"I should like to know whether the police sent in a report."

The Hon'ble Mr. L. DAVIDSON:—"The District Magistrate was there and I do not know whether they sent him a report."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"Did the police send in a report as is required in this order?"

The Hon'ble Mr. L. DAVIDSON:—"I cannot say. Statements were taken from police officers that very evening."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, in regard to the rules regulating the circumstances and the manner in which the police may fire on crowds during riots and other disturbances of the peace, I made inquiries as to whether there are statutory rules. I received a reply to the effect that the existing rules are statutory rules, though they do not appear to have been passed under the Act of 1859. I would suggest for the consideration of Government whether they should not draw any distinction between police who are called in for the purpose of maintaining peace and order at public meetings—for, I can only compare the assembly of persons in the District Magistrate's office to a public meeting or something of that kind—and between the police who are called in for the purpose of suppressing riots. In the present case, I am led to make this remark for the reason that it appears to me that there was absolutely no necessity for the police who are asked to keep order and peace in the compound carrying to the place fire-arms and also buckshot and ball cartridges. There may be circumstances probably, but I do not see anywhere in the record anything which gave any apprehension to the police of some big disorder in the compound. So far as I can judge of the facts, it seems to me that where the police are asked to look after large crowds assembled as in the Collector's compound, there seems to be absolutely no necessity to take fire-arms, much less to use them, to the place even assuming that there was pelting of stones. I am quite prepared to admit that the crowd might get unruly and that those who are entrusted with the duty of keeping peace must do their level best to discharge their duty without as far as possible resorting to fire-arms. As regards good faith, perhaps the Hon'ble Mr. Davidson who was a District Magistrate is already aware of the rulings of the High Court with regard to firing on mobs. The case in the Indian Law Reports, XXI Madras, page 249, is in point. It says: 'A caused crops to be sown on land, as to the enjoyment of which there was a dispute between her and B. Persons having proceeded to reap the crops on behalf of B. the servants of A went to the place with the station-house officer and some constables who were armed. The station-house officer ordered the reapers to leave off reaping and to disperse, but they did not do so; he then told one of the constables to fire, and he fired into the air. Some of the reapers remained and assumed a defiant attitude. The station-house officer, without attempting to make any arrests and without warning the reaper that, if they did not desist from reaping, they would be fired at, gave orders to shoot, and one of the constables fired and mortally wounded one of the reapers. It was found that neither the station-house officer nor the last-mentioned constable believed that it was necessary for the public security to disperse the reapers by firing on them."

"Held that the station-house officer and the constable were not acting in good faith and that the order to shoot was illegal and did not justify the constable and that both he and the station-house officer were guilty of murder.' I am merely pointing out that there is some necessity to differentiate cases where police are called in to disperse riots and cases where, as in Madura, people are assembled peaceably to witness judicial proceedings or to attend public meetings and the police have merely to maintain order. One is distinct from the other. Some distinction of this kind seems to have been drawn in England with reference to public meetings. Therefore I trust that whatever may be the result of this motion, the Government would endeavour to make some distinction of this kind and try so to modify the rules as to avoid unjustifiable conflicts between the police and an excited crowd. In this case, the crowd seem to have behaved in a very cool manner notwithstanding the death of two of those who were assembled there, because there was absolutely no kind of demonstration afterwards. They all went home without the slightest difficulty and according to Mr. Paddison—he was there—everybody listened to him. Was any warning given to any of these persons to disperse? I do not see any reference to it in the records that any such warning was given and that they refused to obey the warning. Even if there was pelting of stones, that does not justify firing. This is merely a matter in which we are trying to see what the facts are and how public confidence can be restored in the action of the executive in regard to this matter."

[19TH NOVEMBER 1918.] (The President ; Mr. Suryanarayana Rao ; Venkatapati Raju ; Mr. Narasimha Ayyar.)

His Excellency the PRESIDENT:—"I propose we might adjourn for luncheon. I shall call on the Hon'ble Mr. A. Suryanarayana Rao immediately after lunch."

The Council then adjourned for a short interval and re-assembled at 3 p.m. when the discussion on resolutions was continued.

The Hon'ble Mr. A. SURYANARAYANA RAO:—"Your Excellency, we are very glad for the assurance that has been given on behalf of Government that the Government have no intention of screening the Reserve Inspector or the Police constables, if they are really guilty. One would infer from the order that the Government are anxious or that some one is anxious to see that they are not at all brought to book. The Government Order shows that there is a conflict of evidence offered on the point before Mr. Paddison, and Mr. Paddison himself is only drawing his own conclusions with regard to the evidence placed before him. Would it not be more satisfactory if this evidence is placed before a judicial tribunal and proper conclusions are drawn upon that evidence? With regard to the order that has been actually issued to the Reserve constables there is a conflict of evidence, the constables saying that there was an order to fire by the Reserve Inspector who says however that he gave an order only 'mob firing close in' while some people who were present at the time apparently suggested to Mr. Paddison as we see in paragraph 4 that the Police officers ordered the men to fire. He says: 'The next suggestion and the most serious one of all is that the Police officers ordered the men to fire'; it may be true or it may not be true, but however there may be some independent persons at the time and those persons would be in a position to give evidence on the point, and they would be subjected to cross-examination and if their statements are untrue, the evidence might be rejected if necessary. But I certainly think that all the evidence that is available should be subjected to judicial scrutiny and the officer who tries the case should have an opportunity of seeing whether the evidence is trustworthy or not and the public should have a right to go before the highest tribunal, the High Court in revision, if there should be any discharge or acquittal in the case. I come from one of the remotest districts of the Presidency, but I may say that when we read the incidents in the papers—I must confess the impression that was formed in the minds of us, Vizageer, was that the Police exceeded their powers. Whether that is correct or not can only be seen by the judgment of a proper court and with all respect due to the opinions of Mr. Paddison, it was after all the opinion of Mr. Paddison who does not himself say that he is personally aware of all these circumstances but he is only drawing his own conclusion. I think it will be more satisfactory if the very same conclusion is arrived at by a judge after trying the case. The order of the Government says that criminal proceedings against individual police officers or men would serve no useful purpose. I respectfully venture to submit that it would serve useful purpose, because it would clear their character once for all and finally and the Government will have the satisfaction that their conduct has been cleared up in an open trial and the public will also have the satisfaction that the Government have not allowed the matter to be screened for any ulterior purpose but the officers have been tried and acquitted in a proper trial. I therefore strongly support the resolution moved by the Hon'ble Mr. B. V. Narasimha Ayyar."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, it is practically conceded on our side that Mr. Paddison is a most sympathetic officer and a broad-minded gentleman and therefore there is no question about the capacity of that gentleman to conduct the inquiry. But it is not a subject that ought to be entrusted to a departmental officer with reference to an inquiry as regards persons in the department. Why we are more anxious with reference to a public inquiry is that such precedents, if allowed, would be quoted hereafter and would lead to the adoption of dangerous measures whenever the officer concerned thinks it necessary to use unnecessarily harsh measures against persons who congregate in public assembly to congratulate any particular person who is not in good terms with the Government. In this connexion, I can very well quote what the Hon'ble Mr. Couchman has well said at Coimbatore at the Prize Distribution of the Forest College. He then said that *esprit de corps* in the department is good enough but it ought not to be made the occasion to gloss over the fault and to say that whatever they do is right. Such a procedure would ruin the department and would bring them into friction with the public and especially on such occasions like this, the department should have nothing to do with the inquiry. It should be a judicial inquiry in the sense that a judicial officer may be appointed to inquire into it as is done in England on similar occasions. By adopting such a course alone, the people will have confidence in the conclusions arrived at. Till then, the people will be of opinion that the truth was not out in spite of the reports published by various officers. Therefore, I join with others in appealing to the Government that this is a public occasion when the Government should agree with the people that there should be a public inquiry in the matter where two innocent people had been killed and there is not a word of regret throughout the report why these people suffered and not a word that their families should be provided for. Though there is praise of officers, and criticism of others, there is not a word of regret and nobody thinks about the poor people who have died."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I propose to make a very brief reply. The Hon'ble Mr. Davidson and the Hon'ble Mr. Ramachandra Rao seem to have mistaken what I said about the publication of the papers. I never complained about the publication of the papers. What I meant to say and what I did say was that orders need not be passed in such a hurry before hearing us. If Hon'ble Mr. Davidson should say: 'We cannot publish papers

(Mr. Narasimha Ayyar.)

[19TH NOVEMBER 1918.]

without any orders being passed I object to that assumption for which I do not see any reason. What I wanted is that the papers may be placed before us, that our suggestions may be taken and that ultimately the Government may pass any orders. Till now, having carefully listened to all that the Hon'ble Mr. Davidson has said I am unable to see any defence put up for the position that Honourable Members should not be consulted or that there was any urgency that existed on the 15th instant for the immediate pronouncement of orders and that their judgment should not have been delayed for four or five days.

"The second matter which the Hon'ble Mr. Davidson touched upon was the publication of the other papers, the record and all that. From the Government Order, using the word 'voluminous', I fancied that there was a huge bundle. As a lawyer, I am accustomed to see heavy bundles sometimes several feet in height. But when he presented the papers, covering 24 pages and 36 pages, I was much amused. We lawyers are accustomed to treat this as a trifling thing which may ordinarily be handed over to juniors who have just entered the profession. The whole printing might have been undertaken at a very cheap cost and I do not think it is a voluminous record.

"As to the other question, the Hon'ble Mr. Davidson is right in saying that there are limits to the publication of papers. In a matter which has agitated the public mind so greatly is it not worth while to try and allay the alarm that has been caused in the public mind? So I do not think after the bulk of the record has been placed before us that Honourable Members would be all of them quite convinced that it is too large to be printed. I shall accordingly mention one or two matters to show that Honourable Members even now would like to have these papers.

"The Hon'ble Mr. Davidson said that as a lawyer, I ought to see the difference between an accused and a witness. From my question No. 3, he might have noticed that I knew the difference and I did point out to Government that the stage of the accused had passed. Mr. Paddison struck off the proceedings against the constables on the ground that sanction was a necessary preliminary to a case against them. If they are considered to be accused, there must be at least a revision petition before the High Court; but there is no such petition nor application before that body or the Governor-General; so that, there is absolutely no accused now; and certainly on the date on which the occurrence took place Mr. Paddison was not prevented by any impression that any constables were 'accused.' In his order he says that he regrets not having examined them; as they are not accused, there is no difficulty now in examining them. Mr. Pelly warned them that they are not bound to answer incriminating questions. Far from being incriminating questions, they would have questions enabling them to set out defences. There was no question of protection of these constables; they could have been very well examined and they would have taken very good care of their own interests and in point of fact, there are men who say that the orders issued by Mr. Pelly were not orders to protect constables, but to protect somebody else. Their suggestions may be uncharitable. A public inquiry alone can decide if they are.

"Then the Hon'ble Mr. Davidson said that criminal proceedings were now impossible, because Mr. Paddison asked the whole lot of constables who was the very man whose shot went and killed the constable and the Sowrashtia and that it was to their interest to refuse to answer the question or to say 'we do not know.' The Hon'ble Mr. Davidson seems to think that it is a sufficient answer. I say, no. There were two others not examined among the constables who shot and I did not see any valid reason why those two should not have been examined. Again with reference to statements to be made by constables, the constables may be able to cite others. If they are examined, they might say whether they had orders or not and they might point out and cite other people who may know what the actual facts were and these may be examined after the examination of the constables. Therefore, the inquiry by Mr. Paddison was necessarily incomplete. There is no use of the Hon'ble Mr. Davidson saying that at present we are not able to say who fired the first shot. A public inquiry may throw light on that identical matter and may show who did it. There is no use quoting the results of an inquiry which is far short of a public inquiry. Therefore the assumption that criminal proceedings are impossible because it is not possible for us to say now who was the particular offender—that position cannot stand. The Hon'ble Mr. Davidson said that Mr. Paddison permitted questions and that that was equivalent to cross-examination. I do not think any self-respecting vakil would agree to attend a place where he could only suggest questions which are or may be treated with contempt or ignored. The Hon'ble Mr. Rama Ayyangar definitely told me that he was given a chance of making suggestions but then he thought it inconsistent with his position and dignity to attend and merely to offer suggestions which might be rejected. This is far short of what the public have a right to expect. The Hon'ble Mr. Davidson told us that Mr. Paddison had no personal responsibility for the firing, but now even on the conclusions of the Government we see that there were a set of police people who were in a terrible funk, who were so badly disorganized that they went on firing shots, which shot even one of their own number, without specific orders and went on loading without orders and all this reflects considerable discredit on the police training there. If I were in Mr. Paddison's position—I know he is an excellent gentleman and I do not wish to say anything against him personally—I should feel considerably pained at this state of affairs revealed to the public and the Government. It is irritating to find that the police for whom he was in a general way responsible have committed an offence or have behaved in this shabby way. If the Court comes to the same finding as the Government have, the police who shot the people would certainly be convicted of culpable homicide or of causing a rash and negligent act. There is a certain amount of discredit reflected on the police officers. There is

[19TH NOVEMBER 1918.] (Mr. Narasimha Ayyar; Mr. Davidson.)

either general negligence or a terrible funk on their part. The police there have not been trained properly. Therefore the argument advanced, namely, that there was no personal responsibility on the part of Mr. Paddison is not satisfactory. He was to a certain extent in touch with the administration which made it desirable that he should be avoided.

"The other position which the Hon'ble Mr. Davidson took up was that even the Inspector was not at fault. This is a matter which is much harder for me to understand. I tried my best to follow the Hon'ble Mr. Davidson but I found it difficult to follow him. Because it is stated that the Inspector gave the order 'mob firing close.' I think that was the finding of Mr. Paddison. If he did give the order without consulting the District Superintendent of Police, who says that he is not responsible for any order, the Inspector was wrong in acting without consultation with the District Superintendent of Police and without consultation with the Magistrate."

The Hon'ble Mr. L. Davidson:—"It was only a preliminary caution."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Preliminary caution implies that the next thing may be to open fire. How is it possible for us to permit the Inspector to take upon himself the responsibility of saying that the stage had arrived for firing without consulting the District Superintendent of Police when he was there? A certain degree of moral blame attaches to the Inspector. I have not understood in what way he has explained his conduct in issuing that order and in allowing loading without orders to go on under his very nose, if there is an explanation of Mr. Holland, the Inspector.

"As for the most important point, it seems to me there was no necessity at all for pushing the crowd with bayonets. The answer was that there were occupants of some carriages who wanted to get out. I saw accounts in the papers, but I did not think that any people in carriages wished the crowd to be thrust out with bayonets. I have seen statements of persons concerned in the papers to the effect that the Police should have left things alone. Mr. Paddison says that there was one vakil who at a later stage offered to lead the crowd away. Mr. Paddison refers to a vakil and says 'A Home Rule Vakil'—I do not know what he means by that—said he would speak to them and lead them away. Probably he was so confident of his popularity that he thought that he could lead them. So many things might have been tried. But without meaning any disparagement of Mr. Elliot's capacity to manage a crowd, I think he might have asked Mr. Varadarajulu Nayudu to lead the procession out. That is the way in which any man of common sense would have acted. I cannot understand the order of the District Superintendent of Police. He seems to have been upset by what took place early in the day. It is said that there were some stones pelted. That is no justification for any such order. The argument which Mr. Paddison employs against the bayonet charge could be equally employed against stone-throwing. How many were the constables that were hit by stone-throwing? How many were there with torn skins and torn coats? The number of such people is remarkably small and therefore it is clear that the necessity had not arisen for the police to push the crowd away in a body and irritate them. That is a matter for further examination by a public inquiry.

"I may give the last reason for further examination. The Hon'ble Mr. Subbarayulu Reddiyar was quite right in saying that the object of asking for a public inquiry is not the certainty that a public inquiry will arrive at results different from those of the Government; but what is the difference? The difference is in the result. The difference is that the public will have a feeling of satisfaction and their doubts will be cleared. Your Lordship will see that even the Hon'ble Mr. Rama Ayyangar in his question No. 81 includes certain suggestions. He says: 'Is it a fact that the shots were all sent in the direction in which Mr. P. Varadarajulu's carriage went out? If so, is there any reason ascertained for that direction being aimed at?' This is one of those wild doubts that the object of some of the police people was to shoot in the direction of Mr. Varadarajulu Nayudu. This is a very wild statement to make but evidently the statement has been made and the Hon'ble Mr. Rama Ayyangar is anxious that such a statement should not be made. He refers to the examination of rifles and wants to know how many were discharged and how many were not. I had a statement made by certain lawyers who seem to know something about it and they say that there was a revolver found on the spot, and it was found discharged of its contents and that the bullet extracted from the body of the constable was found to be a bullet such as can be sent out from the revolver. These things go round and the idea prevails that somebody was in a terrible funk and fired off with a revolver issuing orders to the constables to fire. In order to set all these things at rest, it is desirable that there should be a public inquiry. I don't know what a public inquiry would result in. It may show that the police got so thoroughly funky that they shot one of their own number. But it is desirable that there should be a public inquiry even though the result of all this inquiry may delay for some weeks any Government Order. In these circumstances, I hope it will be possible to accept the resolution."

The Hon'ble Mr. L. Davidson:—"Your Excellency, I do not propose to detain the Council very long with my final remarks on this resolution. But there are one or two points on which I had better say a few words. There have been two references made to the Hon'ble Mr. Rama Ayyangar's question No. 81 as suggestive of a line of examination which might elicit useful facts. We have not given a detailed answer to the question but it must not be supposed for that reason that attention has not been directed to practically all the points mentioned in

(Mr. Davidson.)

[19TH NOVEMBER 1918.]

the question. I do not think that Government can very well submit themselves to a detailed cross-examination on minor incidents brought out in an inquiry the record of which they are not prepared to lay on the table. The Deputy Inspector-General's report deals with almost all these points and the evidence which he and Mr. Paddison had before them also touched upon them. We have some evidence as to the equipment brought by the police constables present at the time; we have a record of the examination of their rifles both before and immediately after the firing took place; and that is of some value, not because it shows who caused the firing or the injury, but because it brings out quite clearly which of the police were guilty of a breach of discipline, if we accept the story that they had no order to fire. They knew perfectly well that they would be blamed for utilizing some of the cartridges in their pouches, and that was an inducement to give some specific explanation of how they came to use their cartridges but the story put forward that they positively heard an order to fire is, I believe, absolutely false. I have no doubt that, as Mr. Paddison says, in the process of unauthorized loading, some one touched his trigger and so blew off the head of the man in the front rank. There was a lot of noise and confusion at the time and a number of stones were thrown. We have statements that a number of constables were injured by stones, not very many, but some. It is quite likely that they were frightened, and the firing of a single shot set off a number of nervous constables. If that is the fact, any one would expect them to say in personal defence, 'we had an order.' So much for question No. 81 except for clause (j) which contains the suggestion that the shots were all sent in the direction in which Dr. Varadarajulu Nayudu's carriage went out. The 'Doctor' is the Hon'ble Mr. Rama Ayyangar's appellation and not mine. Was there any reason for that direction to be aimed at? It is a fact that a certain number of shots went in that direction. It was to the south that the carriage would be leaving the compound and at the moment the firing took place it was straight in front. That is why the policeman in the front rank was hit, for they had fallen in again after the process of dispersing the crowd. Mr. Pelly attaches a rough sketch to his report; the position of the reserve police at the time when the firing took place was facing south and naturally they would fire in that direction. Mr. Pelly's remark is that unfortunately the firing was in the direction in which the accused's carriage and other carriages were proceeding. When he asked a number of policemen, one version was: 'I fired in the air and without aim'; others fearing they might be taken to task departmentally for not firing at the crowd said: 'I fired at the crowd' or 'I fired straight in front.' This surely gives the answer to clause (j). There is nothing to show that any shots were fired with a view to injure Mr. Varadarajulu Nayudu's carriage, but it happened to be just in front of the police.

"The Hon'ble Mr. Ranga Achariyar drew attention to a statement somewhere that no less than five shots had struck one particular jutka. The answer to that is very simple. What happened was that there were two sorts of ammunition used, buckshot and ball. As a rule, unless specific orders are given, buckshot is used. In this instance, several constables are known to have used buckshot. I do not know how many pellets there are in a cartridge; but they make very small holes and the examination of the jutka showed four or five holes, none of them large enough to allow a ball to go through. This does not mean that it was hit five times, merely that it received one charge of buckshot. Mr. Paddison specially mentioned this—I do not know if it was in his written report or elsewhere—and he sent in an envelope with a pencil showing the exact size of the holes. They were of such a size that no ball, no rifle ball, could go through them.

I may refer to two reasons against a further public inquiry. One is that Madura is fairly heated now and if you had a public inquiry at Madura, sitting at Madura as it must, local feeling being what unfortunately it is and has been, this would certainly not allay the feeling. Things are very much better without such an inquiry and I do not think it would contribute to the public peace of Madura. If there were a well-founded grievance or sore, it would only serve to keep open the grievance or sore. I do not admit that there is any such grievance or sore and I do not think there is any reason for a further public inquiry in a matter which has been adequately investigated and in regard to which we have taken steps to place the matter before the public.

"There is yet another reason. It is assumed that what is possible is a judicial inquiry. There has been a good deal of loose speaking and the assumption is that there would be a Court trying prisoners, that evidence would be taken, subject to cross-examination, and that there would be a regular judicial finding. I suppose the first essential of any such inquiry as has been suggested—I do not say particularly by the Hon'ble Mr. Narasimha Ayyar, but by other speakers—is that there must be somebody to be put on the dock. That must be on the complaint of a private individual, or on a charge preferred by the police. So far as a private individual is concerned, the only complaint we have had is that from the father of the Sowrashtro boy. He says: 'Your petitioner was not present and is not in a position to specify the person who fired.' He merely asks for an investigation. Under ordinary circumstances the preliminary investigation would be conducted by the police. There is no use ordering the police to investigate this matter but if any one could suggest to me that a criminal complaint should be filed before a Court against a particular individual, that would be something and one might consider the matter further. But we do not know who fired the fatal shots; in the preliminary inquiry conducted by the District Magistrate and the Deputy Inspector-General the outcome of which is before the public it is quite certain there is not any basis for a definite criminal charge against any one.

19TH NOVEMBER 1918.] (Mr. Davidson; Mr. Narasimha Ayyar.)

"I should like once more to emphasise the fact that 'mob-firing' is only a preliminary caution. The Hon'ble Mr. Narasimha Ayyar perhaps misunderstood me when I used that phrase. I was desirous of giving the impression that it was a precautionary step taken by the Inspector. In military orders it is customary before the effective part of the order is given to precede it by what is known as a preliminary caution addressed to the unit concerned. Sometimes this is a single word and sometimes more."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I know full well caution was only to prepare the ground."

The Hon'ble Mr. L. DAVIDSON:—"There is nothing wrong in an Inspector giving that caution. The actual order for firing could not follow until a later stage. I thought I had made this plain when I quoted from Mr. Pelly's report his statement of the normal procedure in cases where the command 'mob-firing' is given."

"One more point—the story of revolvers being used. I do not know if the sinister suggestion is that Mr. Elliot nervously used his revolver and blew out the brains of the constable. If so, the evidence recorded shows that there no revolver was used. Mr. Elliot had not got his with him. That is specially mentioned in Mr. Paddison's report in paragraph 7: 'There were vague allegations about revolvers being used. An astonishing story by one Jaya Rao Pillai who says he saw the District Superintendent of Police fire his revolver holding it behind his men when the Reserve Inspector ordered the men to fire.'—There is not a shadow of truth in this.—This man seemed to me to have a disordered brain. He was quite unsupported. The District Superintendent of Police, I observe from Mr. Pelly's enquiry, states specifically that he had not his pistol with him. It is incredible that the District Superintendent of Police should leave it to the Reserve Inspector to order fire and then himself fire in the back of his own men himself. No revolvers were fired though one witness says the Reserve Inspector drew his revolver and replaced it at once.' I have read these passages from Mr. Paddison's report in order to show that this revolver story was not left undealt with."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"All sorts of stories are going, that what was extracted from the dead man was a bullet that went out from a revolver."

The Hon'ble Mr. L. DAVIDSON:—"In the inquest report which was sent up to me, there is no mention of anything of the sort; and there is no evidence that a revolver was used by any one."

"To sum up in a single sentence, the Hon'ble Mr. Narasimha Ayyar thinks that a public inquiry might throw light on who fired the fatal shot. It seems to me impossible that such a result could reasonably be expected to come from a further inquiry and I am afraid Government cannot accept this resolution."

The resolution was then put to the vote and lost.

RESOLUTION RE DRINKING WATER FOR CATTLE IN RESERVED FORESTS.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, this resolution is, I believe, one not unfamiliar to this Council. It is as follows:—

"II. This Council recommends to His Excellency in Council that adequate facilities should be afforded to cattle-owners taking permits for grazing cattle in reserve forests for getting drinking water for their cattle in or near the places where they graze."

"I believe the provision of drinking water for cattle in grazing grounds, whether they are away from reserves or in reserves is covered by several Government pronouncements and I believe the Famine Commission report deals with that subject. On the end of April 1914 we had a debate in this Council on the provision of water-supply for cattle in grazing grounds. I am reading from pages 754 and 757 of Council Proceedings of 1913-14 when this statement was made by the Hon'ble Sir Sivaswami Ayyar on behalf of Government: 'It will be possible, I hope, to take some steps in that direction'—in the direction of supplying water in grazing grounds—but beyond the provision of drinking water supplies in grazing grounds, whether situated in forests or elsewhere, it may not be possible to undertake any such large schemes as the Hon'ble Mr. Krishna Rao desires the Council to recommend to Government.' I am not now making the same recommendation which the late Mr. K. R. V. Krishna Rao made that, in all rural areas, provision should be made for the improvement of water-supply and pure drinking water. I am making a much more modest request and I find in the course of the same debate that Sir John Atkinson said that it was the object of the Government to carry out the recommendations of the Famine Commission which pointed out that wherever there were grazing grounds, Government should, as far as possible, provide water-supply for cattle that went there to graze. The reason why I have taken up a matter on which Government have admitted their liability and are making some efforts, is this: till recently there has been a failure of the seasonal rains and even now in several of the interior districts like Salem the rainfall has been anything but adequate. In Salem, we have had 50 per cent of our usual rainfall coming from the new year and the consequence is that there is very little pasture in various places and in various other places where there is pasture in reserves the water-supply has run short."

RESOLUTION RE DRINKING WATER FOR CATTLE IN RESERVED FORESTS.

(Mr. Narasimha Ayyar; Mr. Couchman;
the President.)

[19TH NOVEMBER 1918.]

Government have provided a few tanks and a few troughs but these are all dry. A complaint was made to the local officers and they have been promising to pay some attention to the matter. The people of Salem however found that adequate attention had not been paid and two conferences have passed resolutions on this subject. One was at the Uttankarai conference in May when the situation was not quite so serious and that was sent up to the Government by the President of the conference and he sent me a copy asking me to press the Government to see that there is adequate provision of water-supply in grazing grounds in Government forest reserves. Very recently I had to preside at the Salem agriculturists' conference and there they pressed the same matter. I sent up a copy of the resolution passed by the conference to the Chief Secretary. That also deals with the same situation which however is now rendered much worse by continued failure of rains in the Salem district. The chief difficulty is that there are a large number of persons who send a good portion of their cattle to the forest reserves to get their grazing. Usually there would be water and also grazing-ground in most blocks but now on account of the failure of rains, a good many blocks exist which contain a little bit of pasture but in which there is no provision for water and therefore in consequence the working of the forests is largely left to the subordinates and what happens is that it is strictly an offence for a cattle-owner to allow the cattle to graze in one block and take water in another block for drinking. This is strictly a forest offence for which an officer if he is strict, charges the man, but some who are lenient do not do so. This situation has been explained to the local officers and the Collector of Salem and the forest officer promised to look into the matter. This difficulty continues to be felt. Some remedy must be found. There are blocks where some pasture is found without drinking water. If you do not find water in one block, permit us to go to another block where there is water—this is the request put forward in the various conferences. The reason of this is appreciated by a number of local officers and I am quite sure if the Government put themselves in touch with the local officers, they will find and admit its reasonableness. I am dealing with a matter on which Government have admitted their liability. It is their duty to see how many wells could be further deepened and whatever further arrangement they may make to enable the cattle to have drinking water. This is a matter in short which has only to be pressed on the attention of the Government and I am quite sure that Government would make some early provision for the relief of the ryot population.

The Hon'ble Mr. A. S. Krishna Rao seconded the resolution.

The Hon'ble Mr. M. E. COUCHMAN:—"Your Excellency, the subject of provision of water-supply for cattle in forests was first of all raised by the Forest Committee who recommend that a considerable sum should be spent annually on the improvement of water-supply among other things. After the debate in the Legislative Council to which the Hon'ble Mr. Narasimha Ayyar referred, orders were issued to make adequate allotment for the purpose in drawing up the annual plan of operations and that special mention should be made in the annual administration report of the success of the measures adopted during the year. Orders were issued accordingly but the date of the order is 29th June 1914 and almost immediately after that war broke out and subsequently very strict financial restrictions were imposed by the Government. In 1915 one order was issued that "all expenditure which can be postponed without creating inconvenience must be postponed, and that no provision should be made for new schemes unless they are of pressing urgency." In the following year, it was laid down that measures involving increased expenditure should not be introduced unless there was an immediate necessity or unless they were immediately remunerative. That is the excuse for much not being done up to the present time. About Rs. 3,400 were spent last year and Rs. 4,500 the year before, but as soon as financial restrictions are removed, we have every intention of carrying out the programme. I accept the resolution."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"May I request information? Even now in cases of urgent necessity, you can provide money. Peace conditions are almost in sight. I would like to know whether even under the old orders something cannot be done."

The Hon'ble Mr. M. E. COUCHMAN:—"This is a matter for the local officers to deal with and if, in any particular case, matters are represented to them, I have no doubt that special relief would be granted. They would report it to me. The Collector of Salem reported to me some time ago that there was insufficient pasturage and therefore I decided to stop the supply of hay for the army from the Salem district. In Bellary and Kurnool considerable concessions were made in the way of allowing cattle to have free grazing and of throwing open reserves and of even allowing the cattle to be fed on the leaves of trees. Even the forest officers raised no objection to that. Whenever representations are made by local authorities of districts, we are prepared to make similar concessions. If he would represent to the District Forest Officer or to the Collector of Salem in which way relief is urgently required, I have not the slightest doubt that it will be given."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"As something is going to be done, I withdraw my resolution. (Laughter.)"

"I understand it has been accepted."

His Excellency the PRESIDENT:—"It does not matter."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE SCALE OF GRAZING FEES IN RESERVES NOT TO BE INCREASED.

19TH NOVEMBER 1918.]

(Mr. Narasimha Ayyar; Mr. Couchman.)

RESOLUTION RE SCALE OF GRAZING FEES IN RESERVES NOT TO BE INCREASED.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"The resolution that I have the honour to move runs in these terms:—

'III. This Council recommends to His Excellency in Council that the scale of grazing fees in reserves should not be raised.'

"With reference to this resolution, Your Excellency, the facts are slightly more complicated than those of the last resolution. The same Uttankarai conference to which I referred in dealing with the last resolution dealt also with these facts about the grazing fees. The facts are, in various places, different rates are being charged for permits for cattle, in some places three annas, in some places four annas; that was the state of affairs in Salem five or six months back and I find in other places, different rates were charged for different people. Question No. 167 shows that for different sets of people different rates are levied. In the case of Lambadia, the charges are raised from annas three to one rupee; in the Salem district, the rate has been raised in some places from four annas to eight annas in some other places, from three annas to nine annas. The Uttankarai conference pointed out the hardship in raising the grazing fee and the hardship was all the greater because it came into effect this year in certain places; effect was given to the raised fees from the 1st of July. By the 1st of July people were hard hit by the monsoon having proved unsatisfactory and people are feeling hard pressed on account of the higher rates. They were expecting free grazing of the cattle. Many of the cattleowners send some of their cattle to the forest and keep others to be fed on their own patta lands and when there was a failure of rain and patta lands yielded nothing, they sent even the remaining cattle and they hoped that Government would give them free grazing, but they found that, instead of getting free grazing, on the 1st of July the rates were raised. That is the position which several of them felt very keenly and at the agricultural conference over which I presided, many of them hoped that Government would see their way to cancel their arrangements from the 1st of July and in many other places proposals are still held in abeyance. In this resolution though I say that it should not be raised, it may be taken therefore that what I mean is this: in places where it has been raised, the previous state of things should be restored and in places where there are no rates, no rate should be levied. In the first place, the reason is owing to the peculiar conditions of this year. In the second place I may point out that there is hardly any necessity to increase the scale of grazing fees. I do not know on what particular grounds grazing fees have been raised. I shall await the reply of the Hon'ble Mr. Couchman before I say anything as to the reasons for the scale of the fees being raised. At present, as conditions are, in the present year, it is clearly desirable that the scale of grazing fees should not be raised. With these words, I place this resolution before this Council."

The Hon'ble Mr. K. Chidambaramudaliyar seconded the resolution.

The Hon'ble Mr. M. E. COUCHMAN:—"Your Excellency, from the wording of the resolution I thought that the Hon'ble Mr. Narasimha Ayyar was going to raise a general question throughout the Presidency about raising the scale of fees. But if I understand him aright, he is raising the question only as regards the Salem district. Am I right in understanding him so?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"That is not so, because the Hon'ble Mr. Siva Rao says that the rates have been raised in other districts also."

The Hon'ble Mr. M. E. COUCHMAN:—"The subject is a vast one and the Forest Committee have gone through it so thoroughly that I do not know where to begin. I suppose most non-official members have read the Forest Committee's report and they must be aware of the history of the subject. I may just recall to their mind the fact that the evidence of witnesses examined by the Commission went to show the general feeling that forests were being overgrazed and that some restriction was necessary. I could give you a very large number of quotations from the Forest Committee's report to bear out that point. But I may read a few extracts from the evidence taken by the Committee.—

(1) By M.R.Ry. R. Subbarayudu Garu, B.A., B.L., Pleader, Nellore.

Q.—You expressed yourself rather strongly in favour of limitation?

A.—Yes.

Q.—Why?

A.—To prevent overgrazing.

Q.—In your opinion, are the Government forests overgrazed at present?

A.—I think they are.

Q.—And the result is?

A.—There is not sufficient pasture.

Q.—Have you had any personal knowledge of the grievances of the villagers of oppression, and what do you gather to be the principal grievance?

A.—The principal grievance seems to be there being no limitation whatsoever.

Q.—Is it that ryots generally regard that as a grievance?

A.—They do.

Q.—But if the limitation was enforced some ryots will be able to get no grazing at all?

A.—There will be some provision made.

(Mr. Couchman.) [19TH NOVEMBER 1918.]

Q.—You would have to exclude many of the cattle which now graze?
A.—May be. Many of the agricultural cattle may be excluded.

(2) By Muhammad Sharif Sahib.

Q.—How many do you send to the Government forest?
A.—All ten.
Q.—Is there good grazing there?
A.—No, bad grazing.
Q.—Why?
A.—Because there are too many cattle grazing in it.
Q.—Is the grass injured by unlimited grazing?
A.—Yes, not the trees.

(3) By Mapati Naveer Reddi of Vedicherla.

Q.—Do you think there are too many cattle grazing in your reserve?
A.—Too many cattle. It is overgrazed.
Q.—Is that the reason that there is nothing to eat in it?
A.—Yes. The cattle are very many and the grass is very little.
Q.—Will the grazing be better if so many cattle do not go in it?
A.—If only 100 cattle go to the reserve, there will be more grass.

(4) By Adinarayana Reddi Garu.

Q.—Why do you not send any of your cattle to Government forests?
A.—It is not worth while. Only poor and helpless people that have no other go send their cattle to Government forests. There is no good grass in it, almost nothing.
Q.—Why is that?
A.—Because the forest people do not reserve it when it ought to be reserved, when the rains set in, as we do. The nature of the soil of the district is not favourable to the growth of good grass. Lastly they allow too many cattle to graze there, and my cattle will not have sufficient grazing.
Q.—Do you consider limitation essential?
A.—Yes: without limitation there will be no use.
Q.—You think it is better that few cattle should be fed well and others badly fed?
A.—In the other case all will be badly fed. You let in as many cattle as that block can afford to feed.
Q.—In that way will the grazing be improved?
A.—Yes.
Q.—If you were a member of a panchayat in these circumstances how would you limit grazing?
A.—I would regulate the grazing according to the area cultivated and the total number of cattle to be admitted to that reserve. The highest I can allow is one animal for every four acres.
Q.—What are the difficulties in Government forests?
A.—There is not much grass in the reserves.

(5) By Vema Reddi Ranga Reddi Garu of Varagali.

Q.—Do you think that the number of cattle grazing in the Government reserves should be limited?
A.—It depends upon the area of the reserve.
Q.—Should it be limited according to the area and the grazing available?
A.—Yes. It is necessary.
Q.—Or should all be allowed to graze if they pay?
A.—It is only on account of that that we do not go to the reserves even if we are allowed free.
Q.—Is it overgrazed?
A.—Yes. It is overgrazed and there is no control. Some infected cattle from other places also come there.

(6) By M.R.Ry. V. Krishnaswami Rao Avargal, Union Chairman, Kavali.

Q.—I gather from your written statement that you are in favour of limiting grazing in reserves?
A.—Yes; because, I think, at present, they are overgrazed, and they have deteriorated for want of control.

19TH NOVEMBER 1918.] (Mr. Couchman.)

"A very large number of instances I could pick out from the Forest Committee's report, but I will not trouble you with many of them. The Hon'ble Mr. Rama Ayyangar was a strong supporter of limitations and heavy punishment when cattle went into forests; I shall read what the Hon'ble Mr. A. S. Krishna Rao says—

By M.R.Ry. A. S. Krishna Rao Garu, Vakil, Nellore.

Q.—Will you please explain?

A.—So far as agricultural cattle are concerned, grazing may be limited. I am for limitation of grazing. Due regard being had for the quantity and quality of pasture available and the number of cattle in the particular area, the number of cattle allowed for free grazing must also be limited.

"The Forest Committee dealt with this question and they pointed out that it was impossible for Government officials to select what cattle should be allowed to graze and what should not. They proposed to establish forest panchayats throughout the Presidency to control grazing in forests where grazing was the chief consideration. In the other forests where grazing was not the chief consideration, they proposed to retain the forests under the management of the department, but to try and get the people to limit grazing. Salem district falls under one of these. It contains a very large number of valuable sandal-wood forests and we are trying to introduce there what is called the forest village system; in return for allowing them to graze, we allow them a rebate of the greater portion of the fee if they limit the number of cattle and if they protect the forests from fire and other damage. Before we can get them to agree to that, we have to raise the fees. If the fee is only As. 4 and we say 'if you behave well throughout the year, we will give you back the As. 4' that is not a sufficient inducement. If we raise it to As. 8 there will be something to bargain with. If a man has 50 cows, and pays As. 4 for each it will be only Rs. 12-8-0. But if he pays As. 8 he will have to pay Rs. 25.

"It is a larger sum and there will be greater reason for him to co-operate with us. In the Jaradi Hills we have given people free grazing on condition that they are to protect the sandal forests. Year before last, we refunded over Rs. 7,000 to Malayalis; because they helped in saving the sandalwood areas from damage. We raise the fee in the first instance and give it all back to them if the conditions we lay down for the essential requirements of the forests are kept up. That is one thing. In regard to grazing areas where grazing is an essential consideration and we do not care very much about the forests, we are trying to introduce panchayats. That was the solution which the Hon'ble Mr. Ramachandra Rao and his colleagues considered. They were of opinion that people throughout the Presidency were quite willing to come forward and take up all these areas under panchayat management. But experience shows that they rather over-estimated the oppression of the villagers by the forest subordinates. The fact is that as long as forest guards are satisfied with the regulation mamul and as long as they allow the illicit privileges which the villagers bargain for, all goes on well and there is no complaint. It is only when a forest guard spurred on by some energetic superior interferes with the privileges and enforces strict conditions, difficulties arise. Suppose the forest guard has an expensive wedding in his house. Then he wishes to raise the mamul. As a rule, they get on very well together. In several districts it has been reported to me, in two districts I have been told, by the Collectors themselves that when they went round to get the people to agree to panchayats they said 'Why should we bother, we are able to get along with forest guards.' Therefore it is quite clear that the fear of oppression is not a sufficient motive for them to take up large areas under panchayat management. The latest figures, I find, show that there are less than 600 square miles under panchayat management, that is about 3 per cent of the reserved forests in the Presidency is actually under panchayat management. The question is how to induce the people to take them up under panchayat management, which we all want. We want in the words of the authors of the reform scheme to disturb their placid contentment. We want to put pressure upon them to take them up and we do it by raising the fee. We say 'if you do not take up the forest management under panchayats, we shall raise the fees.' The way it works is this: if there are 1,000 cattle grazing in the forests and if they pay Rs. 250, we say that next year it would be Rs. 500; but if you like, take it under panchayat management and pay only Rs. 250, that is to say, the average assessment of the past which is only Rs. 250; and even from that amount, we deduct the amount required to keep up the guard and therefore the result would be that they would have to pay Rs. 200 instead of Rs. 250. Here again although we are nominally raising the fee, we are really reducing it and we are doing so to induce them to take up self-government. In some cases they do come forward and take up the management.

"I should like Honourable Members to understand what a very small thing the fee actually is. It is As. 4 a year for feeding a cow. It is really nothing at all. In his report on the cattle of this Presidency Mr. Sampson estimates that an animal one year old will be worth on an average Rs. 20; in order to obtain that Rs. 20 the owner has only to pay 4 annas as grazing fee and 4 annas to the grazier and for an expenditure of 8 annas, he gets Rs. 20. That is about 4,000 per cent. My Hon'ble friend Mr. Aziz-ud-din who knows the secrets of merchants in Madras will be able to tell you if they would consider this a satisfactory rate of profit. If you take plough-cattle, a man pays 8 annas a year for grazing a pair of plough-cattle and that represents less than one day's hire; in less than a day they can earn their living for a year. I think very

366. RESOLUTION RE SCALE OF GRAZING FEES IN RESERVES NOT TO BE INCREASED.

(Mr. Couchman; Mr. Chidambaranatha Mudaliyar; [19TH NOVEMBER 1918. Mr. Narasimha Ayyar.]

few of us are in that lucky position (laughter). The Hon'ble Mr. Ramachandra Rao on a previous occasion was pleased to say that my salary was fat. I am sure I could not live for a year on one day's salary and I do not know if he could live for a year on his one day's earning as a vakil.

"As to the manuring cattle, here again the fee demanded cannot be considered high; I feel it difficult to believe that the manure they produce is worth less than 4 annas. If it is worth 4 annas, they should not mind paying it. If it is not worth 4 annas there is no use sending them to the forest. The actual fee now levied represents nothing at all. Therefore the main object we have in raising the fee is to improve grazing and protect the grazing grounds; we have also the interests of the forests in our mind. If too many cattle graze, the forests will disappear in course of time. Suppose every year all the young trees are grazed down; in course of time there would be no tree to take the place of the old trees and all the trees will have died out. I would like Honourable Members to see this picture which illustrates the difference between a place where there has been grazing and a place where there has been no grazing. If we have too many cattle grazing, it can only result in the complete disappearance of the forest and that is the reason why we try to restrict the number of cattle to graze to such a number as the forest can reasonably stand. I hope that no Honourable Members here will have any idea that we are trying to screw a little more money out of the ryots. I hope they will be satisfied that our main consideration is the improvement of our grazing grounds by raising the fees and that although we seem to raise the grazing fees it is always within the power of the people to get back the whole fee if they co-operate with us in reducing the excessive number of cattle and in protecting the forests. I hope this will satisfy the Hon'ble Mr. Narasimha Ayyar because this will apply particularly to the Salem district. In Salem we have raised the fee to 8 annas but we hope to introduce the forest village system by this means, by which we hope to be in a position to refund it. Therefore, I think, this explanation will quite satisfy the Honourable Member that it is reasonable and in the interests of the people."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"May I know what extent of grazing ground exists in each district and the proportion it bears to the cultivable area. My own fear is that there is very little public grazing ground so far as I am aware in a district like Tanjore."

The Hon'ble Mr. M. E. COUCHMAN:—"I am only speaking of reserve forests."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"The Hon'ble Mr. Couchman explained that this raising of fees was due to the desire to keep the grazing grounds in a better condition. The first question is whether there are grazing-grounds. If there is a sufficient extent of grazing-grounds, it may mean that raising the scale of fees may bring out an expansion of the present policy of the Government. That is why I asked the question whether in districts where there are common grazing grounds, whether their extent is at present really enough to justify such a policy."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"This beautiful hall has got such peculiar acoustic properties that on the last occasion when my Honourable Friend said that he accepted the resolution, I did not understand what he said. On this occasion I did not understand his last words. He seems to have said that there were some peculiarities in Salem and that the forest village system might be specially developed there and in view of that, they have raised the fee. I was not able to make out exactly. May I know what he meant?"

The Hon'ble Mr. M. E. COUCHMAN:—"What I said was that in the Salem district there are large areas of sandal wood forests which we want to protect by the introduction of the forest village system. We want to offer the villagers special concessions which will amount in very many cases to giving them free grazing provided they agree to certain restrictions."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I presume it will apply not merely to the Malayalis but to all people."

The Hon'ble Mr. M. E. COUCHMAN:—"Yes."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"May I know whether it is different from the forest panchayats that we are starting?"

The Hon'ble Mr. M. E. COUCHMAN:—"Different."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, I see in this matter Couchman in saying that there should not be over-grazing and that limits should be placed upon it. The extracts he read from the evidence given before the Forest Committee that over-grazing should be prevented are quite convincing; but the only question is whether the placing of the limit should be by raising the fee. On that matter, it is not quite clear that the fixing of the limit should necessarily be by raising the fee. The Hon'ble Mr. Couchman has advanced some other reasons. He seems to be of opinion that increased expenditure is required for guarding these grazing grounds and therefore it is just as well to get some more money out of cattle-owners and added to that, he says that the change from 4 annas to 8 annas is so small and the profit derived by a person who sends his cattle to graze is so great that one should not make any complaint in the matter. That was the impression I formed when the matter was first mentioned to me. But I noticed that there are reasons for such complaint. At present there are persons who own 20 or 30 heads of cattle and keep them for manure purposes. If the owner of 50 cattle is

RESOLUTIONS RE SCALE OF GRAZING FEES IN RESERVES NOT TO BE INCREASED AND A COMMITTEE TO INVESTIGATE THE NATURE, ETC., IN REGARD TO THE INFLUENZA EPIDEMIC. 367

19TH NOVEMBER 1918.] (Mr. Narasimha Ayyar; Mr. Siva Rao.)

asked to pay not Rs. 12-8-0 but Rs. 25, he does think that this extra Rs. 12-8-0 is an additional burden and especially when it comes at a time like this when he wishes to get more fodder for his cattle; and when as a matter of fact, he gets less fodder, it does seem to me that there is difficulty to the cattle-owners. As to the argument that the man has got such a large return for his fee; that represents only one side. On the other side it may be said that the Government keep these cattle for such a long period that they get very valuable manure and the manure that the Government get is much more than counterbalanced by the value of the cow, namely, Rs. 20. If the real object is to disturb the contentment of the people in the language of the Reform Scheme, it is a novel and ingenious plea that is put forward. I do not know what to say to it but it does disturb their contentment and I see that and that is why they have asked me to move this resolution in this Council. I do think that it has disturbed their contentment. If it will have the effect of forming more panchayats, I shall rejoice. I have, however, my own doubts whether raising the fee will result in forming more panchayats for the reason that, in a district like Salem, people are in some places left without forest panchayats and without any responsibility being laid on their own shoulders. What the Hon'ble Mr. Couchman says that in some places they do not want panchayats is quite true. In point of fact, the present system may be described as a system of possible oppression by widespread corruption, which makes it possible for the people to get on well and difficulties arise only when there is a difference between the forest guard and the people. In some places, at any rate, I found that the district forest officer was not able to provide grazing ground, for certain areas which were willing to form panchayats. Anyhow, I do not know whether the attempt to constitute more of these forest village panchayats would result in any benefit to all the people concerned. I have myself had experience of one set of people who came complaining to me that their mamul extent of land had been taken and they had been asked to go in under the forest reserve system and made responsible for the prevention of fire and other damage. I do not know whether the forest village system will give relief to a large number of people. I am glad it is tried and I hope the Hon'ble Mr. Couchman will try in Salem to push it further. At present, it appears to me that the difficulty which made the agriculturists of Salem meet together and put forward this resolution, still exists. At any rate, during the present year I thought it would be possible for the Government to agree that the scale of grazing fees should not be raised. Under these circumstances, I would press this resolution on the attention of the Council and the Government in the circumstances of this year."

The resolution was put to the vote and lost.

RESOLUTION RE A COMMITTEE TO INVESTIGATE THE NATURE, ETC., IN REGARD TO THE INFLUENZA EPIDEMIC.

The Hon'ble Mr. P. SIVA RAO:—"The resolution which I have the honour to move reads thus:—

'IV. This Council recommends to His Excellency the Governor in Council that a committee of 'experts' may be appointed to inquire into the nature and causes of the present 'influenza' epidemic and to suggest suitable remedies therefor, and also that urgent steps may be taken to combat the disease and to afford medical and other relief to the people suffering in the various parts of the Presidency.'

"Your Excellency's Government are aware that the epidemic of influenza has been violently raging in this Presidency not merely in the important cities, but also in almost every village as well with unprecedented virulence. It has been so raging for the last six months or so. It first broke out in the month of July in Bombay and it was branded as 'spanish influenza' in the first instance, and from Bombay it seems to have been communicated to towns; it first arose only in port towns and then spread with wonderful rapidity almost throughout the length and breadth of the other India. Nothing is known about the nature of this epidemic; I may say that it has disabled many during the last six months; it has attacked and broken out in almost every village, and in the villages it has attacked, almost the major portion of the population seems to have been affected, sometimes two-thirds, sometimes 90 per cent of the population and very many cases have proved fatal. I may say that the statistics of deaths due to this disease are not available; no doubt in the municipal towns, they have been sending up the returns of deaths due to this cause to the Sanitary Commissioner but as is apparent from the answer to question No. 5 on the agenda there have been no accurate statistics of the number of deaths due to this cause. It has been stated that there is no special column for the purpose and the Government have been pleased to say 'having regard to the qualifications of the staff available for registration of vital statistics, the Government do not consider it practicable to adopt the Honourable Member's suggestion.' So it is a pity that accurate statistics are not available and it is only in case of certain municipalities containing over 25,000 population, that returns are available. I may give some idea of the havoc which this epidemic has been playing in this Presidency. In the City of Madras, the deaths were over 700 to 800 per diem and in a town like Bellary the mortality rose to 60 and 70 and in smaller villages, its work has been more dreadful on account of want of medical relief; in a small village containing about 500

19TH NOVEMBER 1918.] (*Mr. Suryanarayana Rao ; Major-Genl. Giffard.*)

have lost several eminent men including our multimillionaire Mr. P. Ramamurti Chetti who made a donation of one lakh and 50,000 in his last will and testament to the public. In Vizagapatam I do not know what the official report is, but we are losing about 20 to 30 people every day and on a single day I noticed four corpses from the time that I started from my house to my office which is not more than a mile and the only information that we can get every day is that some corpses are ready to be carried and are carried silently without any tom-tom. In Bimlipatam and in Vizagapatam and in all those suburbs, influenza is causing considerable havoc much more than plague. With regard to influenza, there seems to be practically no medicine, while as regards plague some remedial measures were taken. I must say that some of our Ayurvedic doctors are coming to our help and what they prescribe is to give the patients some liquid food and give them complete rest. They are also giving some medicine for they are distributing an influenza mixture and are prescribing some sort of diet and some sort of treatment; but after all, I must say that nobody has been able to find out the real cause and this disease has been spreading even to quarters which are entirely under Government control. I refer to the Lunatic Asylum. When I left Vizagapatam, I heard that 70 lunatics had been attacked with influenza and some died. I do not know what has happened subsequently. I know the District Medical and Sanitary Officer and others are taking every precaution, but somehow or other the disease is spreading to places, under the control of the District Medical and Sanitary Officer, where special care is taken for the patients.

and Sanitary Officer, where special care is taken for the patients.

"The only question is what can be done. This disease seems to be a world-wide disease. It is not confined to India and I really do not know what remedies are discovered on the continent with regard to putting down influenza. The other day the Bombay Government appointed a committee to inquire into the causes and the method of putting down influenza and I do not think we can have a special committee of experts to inquire into the question. We can advantageously take stock of the reports to be submitted by the experts in Bombay and see what has been done in the continent and we can benefit by the advice given there. If we can have those opinions and that advice and if we adopt the methods that are adopted there to put down influenza, probably we will be saving a good lot of men and money and probably there will be no necessity for a committee of experts. I appeal to Your Excellency's Government that it is absolutely necessary that something should be done to put down this epidemic of influenza and to allay the fears and anxieties of the public. In every house, where we see there are some 20 or 30 inmates almost all the members of the house are laid up with influenza and at least one or two are carried away before the disease finally leaves that particular house. That is how we are suffering. There is absolutely no certainty that a man who leaves his house will return to his house in the evening. That is the fear which we are having in our district. I now hear it has spread to Ganjam and is creating similar havoc there. It seems to me that the disease spreads throughout the whole of India and I hope something will be done and I hope the Surgeon-General will be pleased to take some steps in the matter."

"Your Excellency, it is not a simple task

The Hon'ble Major-General G. G. GIFFARD :—“ Your Excellency, it is not a simple task for me to answer these speeches and to deal with this resolution. I am entirely in sympathy with the ideas that are at the bottom of this resolution and with the desire that all that could be done and that can possibly be done ought to be done for the sick people of this Presidency. Both the Honourable Mover and the Seconder of the resolution have, I think, given us more arguments in favour of the impossibility of doing anything than suggestions as to what might be done. The fact is that India in ordinary times, as is only too well known, is hopelessly insufficiently staffed by medical people and India in epidemic times in vast areas of the Presidency is absolutely helpless. When this great epidemic sweeps over the country in war time, when the medical department is very badly depleted, matters are of course worse. We have already supplied the army with 40 out of 57 of our Indian Medical Service officers, we have sent 200 sub-assistant surgeons to the war and 75 of our best young graduates that have passed out during the last five years; had they been present in the country it would have been possible to do a great deal more. I think that we should have a committee of experts to

possible to do a great deal more.

“The first part of the resolution suggests that we should have a committee of experts to examine and inquire into the nature and causes of the disease. We should be delighted to do that if we had the experts, but we have not got a single expert in the Presidency who is not overworked; and very few of those are competent to undertake the task because the only person who can really satisfactorily examine into the question of this kind is a highly trained physician and a highly trained bacteriologist. We have only one or two highly trained physicians capable of undertaking the task and only one bacteriologist. We have three who may undertake the work; but they are all at Guindy and already more than overworked. There ought to be six at Guindy but we have only three. It is not for want of desire to help that nothing has been done. I do not think this Presidency can take up such an inquiry. It is being done by the other people, in other parts of the world. I am sure that their results will be accepted by the Madras Presidency as soon as they are known. It is difficult for me to explain to this Council what this involves—an inquiry into the nature and causes of the epidemic. The cause of the epidemic is known to this extent, that we know that it is due to the influenza bacillus but what it is that makes this bacillus capable of travelling over the whole world in certain years and is unable to do so in other years—we do not know any more than we know why cholera if it once starts, ever stops, or why a cholera epidemic proceeds to kill persons in a definite rotation, nearly all those attacked in the beginning, 50 per cent in the middle and a very small proportion in the end. There is very little known about the epidemiology and the pathology of the disease

“Your Excellency, this disease of influenza has been creating considerable havoc in our Northern Circars; it has deprived us of some of our eminent men. In Coacanada we have lost the Zamindar of Polavaram, who died of influenza followed by pneumonia and in our town we

370 RESOLUTION RE A COMMITTEE TO INVESTIGATE THE NATURE, ETC., IN REGARD TO THE INFLUENZA EPIDEMIC.

(Major.-Genl. Giffard; Mr. Ahmad Tambi Marakkayar.) [19TH NOVEMBER 1918.]

and there is a great deal to be known about epidemic disease. I really feel, Sir, that it is impossible to expect us in the present depleted position of the services to undertake an inquiry which is being undertaken by more capable people all over the world. I am afraid Madras cannot hope, until it gets its whole staff, to do any work and by the time the staff returns, the epidemic will have ceased.

"The second part of the resolution suggests that 'urgent steps may be taken to combat the disease and to afford medical and other relief to the people suffering in the various parts of the Presidency.' Your Excellency, I may say that as far as I have been concerned and the part of the department under my control, urgent steps have been taken. Every man who can be spared has been put on duty, but Your Excellency's Government know perfectly well that the Medical Department of this Presidency is, very largely, not under the control of the Surgeon-General. It is split up into 24 different departments with 24 different administrators and if these administrators of the medical department of the Presidency have not done all they can to take urgent steps to afford medical relief to the people, it is not my fault. Those who have applied to me for help have received it as quickly as possible. I cannot supply subordinates when they do not exist and there is no use transferring subordinates from one part to the other when the epidemic has spread all over the Presidency. District Board Presidents have, at their disposal, a certain number of assistant and sub-assistant surgeons and they can do anything they like without referring to Government or to the heads of the department. They have a certain number of dispensaries where they could stock medicine and if they want more medicine urgently, an urgent indent to Madras will supply them; if they want more money, if they have to incur more expenditure, they can ask Government for extra money. As far as any indents coming to Madras are concerned, I have pushed them through at once. It is only yesterday that I had an urgent indent from Ganjam and my Personal Assistant is at this moment at the Medical Stores to see that the medicines go away by to-night's mail. It is not fair to say that urgent steps should be taken when we have done everything that we can with the resources under our control. If, as the Hon'ble Mr. Siva Rao says, nothing has been done by local boards, and if they have made no attempt to do anything, then that is not my fault; that is the fault of the local boards. That is a fault, if it is a fault, of allowing local self-government to manage medical affairs all over the Presidency. As far as help is concerned, I am prepared to help in any way. I have done so from the first. The Madras Municipality came to me and at once we closed the Medical Schools and closed the Medical College and we asked all the students to go out to help the Health Officer and allowed everybody who can to go to the people whom the Hon'ble Mr. Siva Rao mentioned and help them wherever possible. We cannot order district board presidents or chairmen of municipalities to force their vaccinators or plague inspectors or sanitary inspectors to go out and treat the people; but if they wish to do so, they will get every encouragement from the Government, from the Surgeon-General and from the Sanitary Commissioner. I wish it were possible to do more as far as treatment is concerned. We have been greatly handicapped by the fact in the suburban parts of the Presidency, that the habits of the people are such that they spread the disease with extraordinary rapidity. When an ordinary villager is ill with fever especially in a cold place—that is why the epidemic has been more fatal in the hills than in the plains—he will go home and cover himself with a blanket and breathe his own breath and poison himself till he produces pneumonia. It is also the custom in most Indian villages to assemble a sick person's friends in the village and not only that, but he sends for them wherever they may be. That is absolutely the best way of spreading the disease. When I was in Cuddalore I was told that it is universally believed by the common people that it was sinful and irreligious to take medicine when you have this disease, that some goddess will be displeased by the taking of medicine. You cannot blame us if the people in their unfortunate ignorance infect themselves to this extent. If either the Honourable Mover or the Honourable Seconder of the resolution propose something definite or something new, I should jump at it; but it is hardly fair to come here and say that nothing has been done by Government or by the Medical department. We have, I submit, done the best that we can with our depleted staff and in the face of a population which did not want to be treated in most cases. Supposing we are able to get vaccine to vaccinate for this disease. It is very doubtful what the effect of it will be. It has only been tried in very few cases. Supposing it is proved to be a success and supposing it is proved to be cheap and easy to obtain, I feel certain that we should have some difficulty in applying this remedy to the people as we had in making them believe in inoculation for plague or in vaccination. I am afraid the epidemic will have passed away before this kind of treatment can be popularized. I think as I said before though I am in complete sympathy with those who spoke on this resolution, I do not think that any advantage would be gained by pressing this resolution."

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR:—"Your Excellency, I have heard the answer given by the Hon'ble the Surgeon-General and I quite agree with him in certain points. As he promised it will do a great deal of help to put a stop to the epidemic, by opening several small dispensaries in big centres or towns, in district municipalities and to meet the extra expense, may I request Your Excellency's Government to issue a Government Order intimating the intention of the Government to supply extra medicines required for such dispensaries opened in the districts by the municipalities or the taluk boards or the district boards and also to meet the extra expense by employing extra men, sub-assistant surgeons over and above what they have at present? If this is done, I think it will do something to put a stop to this ruinous disease."

RESOLUTION RE A COMMITTEE TO INVESTIGATE THE NATURE, ETC., IN REGARD TO THE INFLUENZA EPIDEMIC.

19TH NOVEMBER 1918.] (Mr. A. S. Krishna Rao; Mr. M. Ramachandra Rao.)

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, the resolution of the Hon'ble Mr. Siva Rao consists of two parts which may be dealt with separately. The first part suggests that this Council recommends to His Excellency the Governor in Council that a committee of experts may be appointed to inquire into the nature and causes of the present influenza epidemic and to suggest suitable remedies therefor. The second part suggests 'that urgent steps may be taken to combat the disease and to afford medical and other relief to the people suffering in the various parts of the Presidency'."

"So far as the first portion of this resolution is concerned, the Hon'ble the Surgeon-General has pointed out the difficulty of the problem and he suggested that, with the staff which is now depleted of its full strength, there are no experts available for the purpose. So far as that is concerned, I do not think that the Government have, at any time, grudged giving such advice in the matter of combating the disease as they have at their disposal. If it is possible to obtain the advice of experts and if it is possible to suggest definite means of combating the disease I have no doubt that the earliest opportunity will be taken by the Government to spread that knowledge in the rural areas."

"So far as the second part of the resolution is concerned, I am one of those who have all along been advancing the cause of Local Boards being entrusted with the duty of administering medical aid. I would not for one moment suggest a course which will take away that responsibility from the local bodies. I am at one with the Hon'ble the Surgeon-General in thinking that, so long as local bodies are in charge of medical institutions, whether they be district boards or municipalities, they should take the initiative in that respect, do all that lies in their power to combat the disease, get whatever staff is available, improve the staff to the utmost of their capacity and satisfactorily deal with this problem. I think it would have been more satisfactory if the Hon'ble the Surgeon-General had stated—he has indicated it, but I think the position can be made clearer—that in view of the peculiar nature of the disease and in view of the special expenditure to which local bodies must have been put in meeting this epidemic, Government would be prepared to render additional financial assistance. That is one important question which I wish to place before the Government at this stage. These local bodies may be encouraged to do all that lies in their power to the utmost of their capacity without stinting any expenditure, but meeting it boldly, with the assurance that to meet a deficit Government would be prepared to render assistance. I believe if that at least were definitely assured, much can be done in the way of combating this disease. I know that in several places, remedial steps were taken at considerable expenditure. For instance, so far as the Nellore municipality is concerned, it is a poor municipality; and it had to undertake considerable expense in combating this disease. I hope God will forbid any relapse of the disease but within a short time, we saw it subside. We had to spend medicines as freely as possible, and we distributed them throughout the town with the help of several honorary workers. The result was that several hospitals had been depleted of their medicines and indents had to be sent up to renew their stock. I take advantage of this opportunity to impress upon the Government that they should not only supply all available men, not only encourage certified private medical practitioners to take up such work but be prepared to allot funds as liberally as possible, to enable local bodies to take up this work and to discharge their duty satisfactorily as they are sure to do."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, I agree with the Hon'ble the Surgeon-General in thinking that no useful purpose will be served by the appointment of a committee of experts in regard to influenza. As he has pointed out, the disease has spread throughout the world and many persons are examining and taking steps to investigate the disease and formulate remedies that may be necessary in this matter. But My Lord, the point which arises for immediate practical solution is how local bodies and municipalities in the mufassal might discharge their responsibility in regard to medical relief in the mufassal. The Hon'ble the Surgeon-General said that it was not his fault if local bodies did not take the necessary steps in the matter. But I rather think that they have taken some steps. I, as chairman of a municipality, received a telegram from the Government to report to them what steps have been taken in the municipality for which I am responsible in regard to the fighting against this disease and I take it that the telegram went round all over the Presidency and it is quite clear that the Hon'ble Sir Alexander Cardew would probably enlighten the Hon'ble the Surgeon-General that municipalities and district boards have taken such steps as are necessary for fighting against this disease. Therefore, there was no default so far as local bodies are concerned, to do what they can to meet the situation. But we quite recognize that the great difficulty in regard to the present situation is in regard to the shortage of medical men in this Presidency. There are none available in the Presidency towns and those who are available in Presidency towns and district areas are not enough to meet the current needs of the municipalities and the local boards."

"Just before this meeting was announced, I sent a resolution in a much more definite form than the one of which notice has been given. I definitely suggested to the Hon'ble Sir Alexander Cardew that a sum of one lakh of rupees should be immediately distributed to the local boards and municipalities as subsidies for taking suitable measures against influenza. The Hon'ble Sir Alexander Cardew wrote to me acknowledging my letter and he explained to me that nothing particular could be done; but I do not know whether he is prepared to help the municipalities and local boards in regard to this additional expenditure. So far as I can see, the thing that can be immediately done is to afford such relief as we can by distributing more

372 RESOLUTION RE A COMMITTEE TO INVESTIGATE THE NATURE,
ETC., IN REGARD TO THE INFLUENZA EPIDEMIC.

(Mr. M. Ramachandra Rao; Mr. Siva Rao.) [19TH NOVEMBER 1918.]

medicines, distributing to the poorer classes some kind of nourishment during the time that they are in bed and strengthening the establishments such as compounders and engaging such private medical practitioners as are available in towns and so on. All this means more money and for this purpose I suggest for the consideration of the Government that some more funds should be allotted and distributed immediately. That is the only practicable solution at present and this additional money would be very helpful in relieving the situation. On the general question as to what steps might be taken from a professional point of view, we must accept the verdict of the Hon'ble the Surgeon-General as to what is known of the disease at present that nothing more can be done, that what is known is already known and nothing more can be done for the purpose of elucidating the causes of the disease, or the spread of the disease. Whatever may be done from a professional point of view, I would suggest that some funds should be allotted for the objects that I have already mentioned including the purchase of medicine, the distribution of medicine and the distribution of nourishment, and the strengthening of the staff of compounders. It is only in this way that some help can be done. We thoroughly recognize that the shortage of medical men is only for a short time and we do not blame the Hon'ble the Surgeon-General or the Medical department for not doing more. I trust that what I have suggested—that that at least—should be done and I am sure it would be very thankfully received by the local bodies. The position is much more acute in the local board areas than in municipalities. There is some kind of medical relief in towns, but in the villages the situation is very deplorable and the district boards should have two or three itinerating men to distribute the medicines and instruct the patients as to what should be done. There is no doubt that there has been considerable mortality though in the last few days the epidemic has abated a little. I do think it has subsided in my part of the district and I do think it may cease very soon."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I quite appreciate the difficulties mentioned by the Hon'ble the Surgeon-General. He has said that there are 24 departments working and."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"District boards."

The Hon'ble Mr. P. SIVA RAO:—"He has said that there are 24 district boards working and that he has little or no control. I understood hitherto that the ultimate control of the Medical department is vested in the Hon'ble the Surgeon-General and it is the Hon'ble the Surgeon-General that helps us with the staff of assistant surgeons and sub-assistant surgeons and it is the Government Medical Stores that supplies medicines and I thought the ultimate control lay with him. However I leave it there, and I do not want to pursue the matter."

"He said that if the local bodies did not do anything it is none of our fault. I was careful enough to say that in the municipal towns something had been done. The Government have made inquiries by telegrams as to the steps that were being taken to combat the evil in the municipalities, but in the case of district boards and local boards, I wish to know whether the Government have elicited any such replies as to what they have been doing in the rural parts. I had a telegram and I described what all had been done, but in the case of rural areas, where men are dying in numbers, local boards and district boards have not moved. It is their fault, the Hon'ble the Surgeon-General says, but it is none of their fault, because they have not got the means of carrying it out. They have not got medical men. The dearth of medical men is due to the war, but is it impossible to raise some sort of medical men, some pensioners, or some sanitary inspectors with a rudimentary knowledge of the state of the disease? The Hon'ble the Surgeon-General said that the people were so ignorant of the nature and conditions of the disease that they refused to submit to treatment. I know that as a matter of fact, a man by his very breath or a single act of cough ejects millions and millions of germs of this type and as some medical practitioner has stated he felt inclined to blow the brains of a man who did such a thing, the social pest who spread this. Some of the elementary facts regarding the disease must be brought home to the people in general and some rudimentary knowledge of remedial measures should also be explained to them. I do not think this requires pakka medical men, with qualifications of assistant and sub-assistant surgeons. Sanitary inspectors and plague inspectors, if they are only trained for a week or so as to what they should do, will be quite enough for the purpose. The Hon'ble the Surgeon-General has been finding fault with me that I have not come out with any constructive proposals. I do not know what he meant. My proposals are, first, that local bodies should be helped by Government; this disease is so widespread in its character that the poor resources of local boards should not be saddled with this expenditure; they must be helped to enlist the services of a number of sanitary inspectors and plague inspectors who may be instructed as to what they should do; in the case of rural areas, means should be devised to distribute kanji and proper instructions should be given to enlighten the patients as to the nature of the disease and medicines should be dispensed to them. This is the time when we look back to the indigenous systems of medicine, but it is no use doing it as the Government have taken a very decisive attitude against them. If they had been fostered, they would have been a great relief. If Government had taken Ayurvedic men, a good deal could have been done. In reply to a question of mine put at the last meeting, it was stated that the Hon'ble the Surgeon-General was asked to send up a report in connexion with this disease and it was also stated that a special officer was deputed by him to go to Bombay to watch what has been done. I am yet to hear whether he has gone and what he has reported or whether he has returned with."

RESOLUTION RE A COMMITTEE TO INVESTIGATE THE NATURE, ETC., 373
IN REGARD TO THE INFLUENZA EPIDEMIC.

19TH NOVEMBER 1918.] (The President; Maj.-Genl. Giffard;
Mr. M. Ramachandra Rao; Sir Alexander Cardew,
Mr. Narasimha Ayyar.)

any lessons from Bombay. I have never suggested that the Government have not done much or that the local bodies have not done anything but I said that much more can be done in the matter. As regards experts, it is just possible to get experts from outside; if that is not possible, can we not make a request as Bombay has done to the Government of India to arrange for experts and to have a research made and to promise to bear a fair share of the expenditure? With these words, I press this resolution for the acceptance of the Council."

His Excellency the PRESIDENT:—"Does the Honourable Gentleman wish to divide the Council?"

The Hon'ble Major-General G. G. GIFFARD:—"Your Excellency . . ."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"Before the Hon'ble the Surgeon-General replies, may I ask the Hon'ble Sir Alexander Cardew to consider my request for money?"

The Hon'ble Sir ALEXANDER CARDEW:—"I will mention it."

The Hon'ble Major-General G. G. GIFFARD:—"After hearing the discussion we come back to the same point where we began. Suggestions that have been made are that private practitioners should be employed, that sanitary inspectors and plague inspectors should be employed, that organized relief should be taken to the villages by medical or semi-medical people and lastly that Ayurvedic practitioners should be asked to help. I have not had specific reports from other parts of the Presidency but it is not possible to create medical practitioners, either Government ones or private ones. Every Government one has been working at full blast and every private one has been employed in private work and if you had advertised for a private one, you could have got none unless you pay fabulous sums. There are very few private practitioners in this Presidency unfortunately, and if you scan the list of our private practitioners you will find hardly any of them live in towns of less than 6,000 inhabitants. Most of them live in towns of over 20,000 and most of them crowd into great towns. This question is no new one to me. I was not blaming any one but I was only quoting the Hon'ble Mr. Siva Rao's own words when he said that local bodies were not doing anything. I was not making that statement, but it was the Hon'ble Mr. Siva Rao who made that statement. I understand that he now says that he did not intend that it should be taken in that way. If local bodies had asked me for specific advice, I should have been delighted to give it. What we did was to depute Major Elwes to go to Bombay to ascertain whether it was really influenza or a more formidable and unknown disease. When he was on his way in the train to Bombay, Doctor Gibson and Colonel Donovan were able simultaneously to ascertain from a number of patients that it was plain influenza. But as I have already stated, why this influenza happened to be so virulent and so fatal is a matter not yet settled and may not be settled for many years to come. Major Elwes arrived in Bombay and he consulted the doctors there and he came back in a couple of days. The bacteriologists there were quite satisfied that it was pure influenza and so there was no need for him to stay any longer."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Is it plain influenza or plague influenza?"

The Hon'ble Major-General G. G. GIFFARD:—"It is plain influenza. I mean to say, it was not complicated by any other micro-organism. It was thought at first that it might be a world-wide septicemia, a disease which is produced in cases of bad wounds—blood-poisoning."

"At the back of people's minds, there was an idea that it might have been due to the terrific world-struggle, but, as a matter of fact, in every case we have been able to examine so far critically and carefully only influenza has been found. It takes a very considerable time to be quite sure that you are dealing with the influenza bacillus. In every case we found it was plain, unadulterated, uncomplicated influenza. It has been suggested to me since this debate began that I might have sent out to every one a résumé of the position and actual advice as to treatment. I admit that I might have done it. I thought that so much had been written about it in all the public papers and the District Medical and Sanitary Officers and other medical officers knew very much or as much as I knew about it. When Major Elwes came from Bombay, we actually asked the Publicity Board to send out, to every one in the Presidency who can read, a description of what not to do and how to avoid getting it. I believe it went out in millions of copies and I am quite willing and I propose now at once to do what has been suggested to me and get my officers to help me to write a résumé and send it to the public press and to the Publicity Board. The question whether money can be obtained from Government is a matter for the Finance Minister to answer. If further suggestions are wanted from me as to what district board president or taluk board president or municipal chairman might do, even now, to combat the disease, I shall be delighted to give my advice to any one who asks it. But nobody has yet asked for it officially and it is not the custom for the Surgeon-General to send out gratuitous advice on these matters to presidents of district boards. If you wish as much publicity as can be obtained by speaking in this House, I may say that there is no specific treatment. There is no actual drug which will cure the disease. The patient can be made more comfortable and he may be nursed through, while in pneumonia in the same way as he can be nursed through in pneumonia from any other cause. If people would avoid infection, the mortality would decrease enormously and the way to avoid infection is to keep away from sick people and to put patients in the verandah or under a tree in the open air and to avoid the habit of crowding in a sick

374 RESOLUTION RE A COMMITTEE TO INVESTIGATE THE NATURE, ETC.,
IN REGARD TO THE INFLUENZA EPIDEMIC.

(Maj.-Genl. Giffard; Sir Alexander Cardew;
Mr. Siva Rao; the President; Mr. Krishna Rao;
Mr. Ranga Achariyar; Mr. Venkatapati Raju;
Mr. Narasimha Ayyar.) [19TH NOVEMBER 1918.]

room and prevent the patients covering themselves up with blankets and shawls. I do not think I need pursue the subject any further. If any local body desires to have advice, I shall be only too glad to give it to them. If advice means spending money, there are only two ways; one is to tax themselves and the other is to ask Government.

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, I did not hear the Hon'ble Mr. Siva Rao in his original remarks say that local bodies took no action. I suppose he did say that."

The Hon'ble Mr. P. SIVA RAO:—"I said local boards."

The Hon'ble Sir ALEXANDER CARDEW:—"My impression is that all the local bodies in the country have done as much as lay in their power. Returns were obtained from municipal councils and the district boards and they have replied that they used all the materials they had to the best of their ability. I do not believe myself that there is any reason to suppose that they have not done their best. The truth is as the Diwan of Mysore said in a speech which I saw this morning this epidemic has caught us napping; we have not got sufficient staff of medical men in the country as the Hon'ble the Surgeon-General pointed out: in ordinary times we have not got enough number of medical officers and when we have parted with hundreds of them for war, we are much worse than before. I am afraid there is no immediate remedy to be applied. In many districts, the revenue staff which might be used for dissemination of information were down with influenza. In Bellary only one or two clerks were working in many taluk offices and it is the same with other establishments. I do not for a moment conceal from myself or from the Council the seriousness of the devastation which the epidemic has caused. I wish that we had more power to deal with it. It has spread with remarkable rapidity and it went through the Presidency and it reached its maximum virulence in quite a few days, so that it was peculiarly difficult to combat it. As to the practical request made to me by the Hon'ble Mr. Ramachandra Rao as regards funds, the question is a local one. There is no use distributing funds in those areas where the epidemic is disappearing, but if there are any local bodies which are short of money for useful purposes, and if they will apply for money, we will consider their applications in as sympathetic a manner as possible. The Hon'ble the Surgeon-General will, by sending out the circular which he has promised, put them in the way of knowing the lines on which they should take action. I regret we cannot do more under present conditions. I can only assure the Council that it is beyond the power of any Government to do more than what is being done."

The resolution was then put and lost.

His Excellency the PRESIDENT:—"We will ascertain the business on hand. It will be to the convenience of the Council because we have a short day on Thursday owing to the University Convocation. If any Honourable Gentleman will give information about any resolution on the agenda, it will be of interest to the other members of the Council. We shall take Resolutions V, VI and VII."

The Hon'ble Mr. P. SIVA RAO:—"I do not propose to move Resolution V or Resolution VIII or Resolution IX."

His Excellency the PRESIDENT:—"Then we shall take X, XI and XII."

The Hon'ble Mr. A. S. KRISHNA RAO:—"XI goes along with VII."

His Excellency the PRESIDENT:—"XIII we have already discussed and XIV is covered by VII, XV will be moved, XVI."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I have been asked to move XVI."

His Excellency the PRESIDENT:—"XVII and XVIII will be moved."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I will not move XXIII, but I will move the others."

His Excellency the PRESIDENT:—"XXI is covered by the previous resolution; VII, XXIV, XXV, XXVI, XXVII and XXVIII will be moved."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I shall not move XXIX."

His Excellency the PRESIDENT:—"XXX, XXXI."

The Hon'ble Mr. P. SIVA RAO:—"The Hon'ble Mr. Annamalai Chettiyar has written to me to move XXX and XXXI if I think necessary. I shall submit them to-morrow."

His Excellency the PRESIDENT:—"XXXII is covered by a previous resolution; XXXIII, XXXIV and XXXV will be moved."

That is the state of the whole agenda.

The Council then rose for the day.

H. G. STOKES,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort
St. George assembled for the purpose of making Laws and Regulations
under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on
Wednesday, the 20th day of November 1918.

P R E S E N T :

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.S.I.,
Governor of Madras—Presiding.

The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E.,
I.S.O.

The Hon'ble Mr. L. E. BUCKLEY, C.S.I.

The Hon'ble Mr. M. E. COUCHMAN.

The Hon'ble Mr. H. S. DUNCAN.

The Hon'ble Major-General G. G. GIFFARD, C.S.I., I.M.S.

The Hon'ble Mr. R. A. GRAHAM.

The Hon'ble Mr. W. J. J. HOWLEY.

The Hon'ble Mr. A. R. KNAPP.

The Hon'ble Mr. S. B. MURRAY.

The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.

The Hon'ble Mr. S. SRINIVASA AYYANGAR (Advocate-General).

The Hon'ble Mr. C. G. TODHUNTER.

The Hon'ble Mr. M. YOUNG.

The Hon'ble Mr. T. RANGA ACHARIYAR.

The Hon'ble the Rev. G. PITTENDRIGH.

The Hon'ble Mr. A. SURENARAYANA RAO PANTULU.

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU Garu.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.

The Hon'ble Mr. P. SIVA RAO.

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.

The Hon'ble Mr. B. V. NARASIMHA AYYAR.

The Hon'ble Mr. K. SADASIVA BHAT

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.

The Hon'ble Mr. B. VENKATAPATI RAJU.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.

The Hon'ble Mr. K. KUMARAN RAMAN KAVALAPPARA MUPPIL NAYAR.

The Hon'ble Yaqub Hasan Sahib Bahadur.

The Hon'ble Khar Bahadur A. T. G. M. AHMAD TAMBHI MARAKKAYAR SAHIB
Bahadur.

The Hon'ble Sir GORDON FRASER, Kt.

The Hon'ble Mr. J. H. THONGER.

The Hon'ble Sir FAIRLESS BARBER, Kt.

The Hon'ble Sir GHULAM MUHAMMAD ALI SAHIB Bahadur, Khan Bahadur, G.C.I.E.,
Amir-i-Arcot or Prince of Arcot.

The Hon'ble the Most Rev. JOHN ARLEN, D.D.

The Hon'ble Mr. T. RICHMOND.

The Hon'ble Sir FRANCIS SPRING, K.C.I.E.

The Hon'ble Diwan Bahadur K. B. SURENARAYANAMURTI NAYUDU Garu.

The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO
Bahadur of Bobbili.

(The President; the Prince of Arcot; [20TH NOVEMBER 1918.
the Raja of Bobbili.)

The Council re-assembled on Wednesday at 11 a.m.

TERMINATION OF THE WAR.

HIS EXCELLENCY THE PRESIDENT:—"It will probably be the desire of the Council to proceed with the formal resolution of which notice was given yesterday. You will allow me to say that I have received from non-official members some slight suggestion as to the wording of the resolution. It does not in any way affect the sense of the resolution but I would just read that. There are very slight verbal changes and they do not really affect the substance of the resolution. I am very glad to give effect to them as it is the desire of non-official members. I will now read the wording as it is proposed: 'This Council desires to place on record the deep satisfaction and joy with which it has received the news of the Armistice between the Allied forces and Germany and its grateful admiration of the courage, endurance and heroic sacrifices of His Majesty's forces whose magnificent achievements have so powerfully contributed to the complete overthrow of his enemies and the final triumph of the Allied cause. This Council would respectfully offer to His Imperial Majesty its loyal and heart-felt congratulations on the victorious issue of this great struggle throughout which His Majesty's personal example and devotion to duty have been an inspiration to the subjects of the United Empire.' And here is the slight addition—'This Council would further convey to His Majesty an expression of its gratitude for India having been permitted to take her humble part in carrying the war to a victorious and righteous end and for the inclusion of an Indian representative in the approaching Peace Conference, as also of its renewed assurance of its profound and unflinching devotion to His Throne and Person.'"

The Hon'ble the PRINCE OF ARCOT:—"My Lord, it is my most pleasing task to move a resolution which is sure to evoke the hearty commendation of the whole Council. I consider it a privilege to be associated with it. The resolution reads thus—

'That this Council desires to place on record the deep satisfaction and joy with which it has received the news of the Armistice between the Allied forces and Germany and its grateful admiration of the courage, endurance and heroic sacrifices of His Majesty's forces, whose magnificent achievements have so powerfully contributed to the complete overthrow of his enemies and the final triumph of the Allied cause. This Council would respectfully offer to His Imperial Majesty its loyal and heart-felt congratulations on the victorious issue of this great struggle, throughout which His Majesty's personal example and devotion to duty have been an inspiration to the subjects of the United Empire. This Council would further convey to His Majesty an expression of its gratitude that India has been permitted to do her share in carrying the war to a victorious and righteous end and that representatives of India are to take part in the approaching Peace Conference; and would assure the King-Emperor of its profound and unflinching devotion to His Throne and Person.'

"It will be seen that the resolution is very modestly worded. The triumph of the Allies in general, and the glorious achievements of the British Arms in particular, to which the victory has been chiefly due, call for a resolution in more glowing terms, but as we all know the British are a generous and modest race and unlike other nations are averse to magnifying or parading their deeds before the world. There can be no doubt that the cessation of hostilities has given the greatest satisfaction to the whole world which had been either directly or indirectly drawn into the struggle by the impudence and aggression of Prussian militarism. Every nation, every community, in fact, every individual had been deeply deploring the waste of human life in the various theatres of the war. It is highly satisfactory that this world-war has been brought to a close in a manner most acceptable to the Allies and their people and that the cause of civilization, liberty and righteousness, for which they were fighting, has triumphed at last. The Allies cannot be too thankful to Great Britain for her immense sacrifices in their behalf and for her persistent devotion to their cause, but for which the termination of the war might not have been so sudden and successful. It is a matter of extreme gratification that India took a magnificent part in this struggle and that its valiant children, including the loyal Mussalman community, have acquitted themselves most gloriously at all fronts. We all pray that under the wise, benign and sympathetic guidance of His Imperial Majesty the King-Emperor, the British Empire will emerge from the war doubly strong and give the world a lasting and prosperous peace. With these few words I seek Your Excellency's permission to move the resolution formally."

The Hon'ble the RAJA OF BOBBILI:—"Your Excellency, it is with greatest pleasure I second this resolution. None who has realized what was at stake in this great struggle could help rejoicing at its successful termination. The victory of Great Britain and her Allies is the victory of civilization over militarism and barbarism. The unprecedented sacrifices made by the Empire in response to the call of duty, have averted a catastrophe which threatened to engulf the cause of freedom and the liberty of the world. Ever since the declaration of the war, and in spite of all the ups and downs that attended its course, no sane person in this country

20TH NOVEMBER 1918.] (The Raja of Bobbili; Mr. M. Ramachandra Rao.)

doubted its ultimate result. It is taught in our sacred books that wherever there is Justice, there is Victory. This great principle was vindicated five thousand years ago on the battlefield of Kurukshetra. It is over and over again vindicated in our day on the battlefields of Europe and Asia. All honour to those who have fallen in the sacred cause of Justice and Righteousness. May their glorious example be a source of inspiration to us all and to those who come after us.

"To Indians, the proudest feature of this war is that Indian troops have taken a most conspicuous part, and emerged themselves with glory wherever they fought. There is no stronger tie than that of comradeship in arms, when men stand shoulder to shoulder and die clasping their hands in such an Imperial and common cause. I earnestly hope that the bond of brotherhood thus forged, in the furnace of Empire's trials, may endure for ever and usher in a new era of Hope and Progress for India."

"The war has further proved that Indian loyalty is not a mere sentiment, but an active and abiding force. When the call went forth that the sons of the Empire should be up and doing, the Indian Princes and peoples have thrown in their lot in favour of the Empire and placed all their wealth and resources at her disposal in her greatest struggle thereby showing their deep and heart-felt loyalty and devotion to the Throne. It is a matter for pride that His Majesty the King-Emperor has been pleased to refer in the following glowing words to India's humble services to the common cause in His gracious message to His Excellency the Viceroy on the 12th instant:—

'She has fulfilled my faith in her single-minded devotion to my person and Empire and she has vindicated my confidence in her loyalty.'

'Long live the King-Emperor. May the British rule over this ancient land continue for ever and ever, full of the blessings of peace and prosperity.'

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, in rising to associate myself with some of my Honourable Friends, in this Council, I may say it is with feelings of profound thankfulness that we have received the news of the cessation of hostilities between the Allies and Germany and the powers who are associated with her in this great and titanic struggle. My Lord, my Honourable Friend the Raja of Bobbili has referred to the abiding sentiments of Indian loyalty to the Throne of His Imperial Majesty. Ever since His Majesty's visit to India in 1911, the personal devotion of all classes of His Majesty's subjects, Princes and peasants, rich and low, high and poor is well-known and I believe that the approaching visit of His Royal Highness the Prince of Wales will give another occasion to us for the expression of those sentiments of personal devotion to the Throne of His Imperial Majesty.

"My Lord, this titanic struggle which has just come to an end, has shaken the foundations of many Empires and in achieving the victories which have just been attained, many brave men have fallen in this cause and have shown unflinching courage and devotion. To all those who have fought for us, my Lord, we are deeply grateful and on an occasion like this, we cannot but remember that there are many and many to whom provision has to be made and I trust that all classes of His Majesty's subjects would join in making due provision for those by whose efforts and lives this great victory has been achieved. The great nations of the world who are associated with each other in breaking up this armed Imperialism of Germany have completely succeeded and the principles of liberty and freedom have been established and we trust that these principles of freedom and liberty will bring untold good to many parts of the world, to many countries, to many communities and to many peoples. The Prime Minister has stated that as a result these victories will be utilized as an impetus to a great movement of reform political, economic and social, and we, in India, are looking forward with great eagerness to the efforts of His Imperial Majesty and his Ministers in England in the promotion of those great schemes of reconstruction in which we in India hope to join.

"My Lord, the war has brought together in bonds of union all communities in India, European and Indian, Muhammadan and Hindu and Parsi and all classes of people; and not only this, it has brought together all people in all parts of the Empire and I trust that this bond of union and sympathy would promote mutual regard and esteem for India in the Colonies and elsewhere.

"My Lord, I have only to say that we are very grateful to the Premier, who recently addressed a message to the people in the letter addressed to His Excellency the Viceroy to which I may perhaps draw attention. He stated:

'I take this opportunity at the close of our deliberations in the War Conference of this year to convey through you to the Princes and people of India the cordial appreciation of Great Britain and the Overseas Dominions of India's contribution to the war and of her prompt response to the appeal I made last April when the situation on the Western Front was one of grave menace and serious complications were threatened in Asia. The weight of that period of anxiety is now happily lifted and we are within a measurable distance of the achievement of those ideals and principles in vindication of which Britain drew her sword against the force of calumny and organized militarism. In this titanic struggle India has borne a great and noble part and her soldiers with those of Britain and the Dominions have freely shed their blood in the battlefield of three continents. But though the tension is relieved, we must bear in mind that we have to fight a strong, determined and resourceful enemy with years of preparation behind him and the hour to put off the armour is not yet come. We must make greater efforts and heavier sacrifices to hasten that hour and I have every hope that these efforts and

(Mr. M. Ramachandra Rao ; Mr. Yaqub Hasan ; [20TH NOVEMBER 1918.
Sir Fairless Barber ; Mr. Ranga Achariyar.]

sacrifices India will readily and cheerfully make. India has held a fitting place in our councils of war to which she has added her weight through her accredited representatives and when the time comes she will have no less worthy a place in our deliberations of peace and reconstruction. She may rest assured that the declaration of August 20th will be carried into practical effect. The scheme of reform prepared by the Secretary of State and yourself is under consideration.

"My Lord, no greater and more handsome acknowledgment could have been made of the efforts made by India in the present struggle. We are deeply grateful to the Premier for this acknowledgment and we trust that in the coming schemes of Imperial reconstruction, India will have her share. It is with a feeling of profound thankfulness that the whole country has received the news of the cessation of hostilities and we trust that the normal course of events will be resumed very soon."

The Hon'ble Yaqub Hasan Sahib Bahadur :—"To Your Excellency, the representative of His Imperial Majesty in this Presidency, we offer our warmest congratulations on the glorious victory that it has pleased Almighty God to bestow to the arms of the British Empire, the Allies and the Americans. Mussalmans heartily rejoice with all the subjects of His Majesty the King-Emperor over the cessation of hostilities, which has practically terminated the great world-wide war. Those noble aims for which the British Empire fought and for the attainment of which the United States of America joined their forces with us have triumphed and the world will be all the more free, and its atmosphere all the more sweet, for the great and unprecedented sacrifices that have been made by almost half of humanity. We, Indians, are proud that our share in bringing about this triumphant issue was by no means small and it has profoundly touched our hearts that our beloved Sovereign has appreciated it in generous terms, worthy of him and the great people of his race. Your Excellency is aware that the sympathies of the Mussalmans of India extend beyond the confines of this country. As Asiatics we hailed with delight the symptoms of awakening in China and Persia. We went into raptures when Japan came to be recognised as one of the great Powers of the world. Equally deeply our sympathies were stirred when the foundations of democracy were laid in Turkey. In this war our hearts were lacerated to find that destiny had driven the Turks to be reckoned among the enemies of our beloved King. There appeared to be a conflict between our allegiance to the King and that to our Khalifa. Your Excellency will bear witness to the fact that we have not allowed the latter to cloud our vision and unbalance our mind, and the Mussalmans were not only firm and steadfast in their loyalty but they did not also remain behind any of their fellow subjects throughout the Empire in advancing the cause of the Allies, which was the cause of the whole humanity. I will fail in my duty if I do not mention that the British Government out of regard for the feelings of the Mussalman subjects of His Majesty, have throughout the period of the war exercised an extraordinary amount of consideration, discretion and tact in dealing with the Government of the countries which we Mussalmans hold as sacred. They form vital parts of the Turkish Empire. We, as Asiatics and as Mussalmans, cannot naturally look forward with equanimity to any terms of peace that might dismember the largest Asiatic and the largest Muslim power in the world. The idea of imposing a European Protectorate on any Asiatic country is also very galling to us. India does not want to extend her fortunes beyond her coasts, and her Government surely does not claim to rule over the countries which her army has been mainly instrumental in subjugating for the time being. Placing as we do entire confidence in the integrity, statesmanship and political sagacity of the representatives of the British Empire and of the Allies and America, our rejoicings on this occasion are untinged with any anxiety for the fate of the countries in which we Muslims of India are interested."

The Hon'ble Sir Fairless Barber :—"Your Excellency, the happy drafting of the resolution proposed by the Hon'ble the Prince of Arcot makes it unnecessary that many words should be said in support. Speaking on behalf of the non-official Europeans of Southern India, I support the resolution with all my heart. The anxiety for the last four years has been intense, but never for one moment did we falter in our belief that the final end will be a victory. Sacrifices have been heavy and there are few who have not cause to mourn. Sorrows have touched every family. Your Excellency, I think it is very fitting that an assembly like ours should recognise that it has so saved the Empire and that we should tender humble thanks and gratitude to those who have fought for us."

The Hon'ble Mr. T. Ranga Achariyar :—"Your Excellency, I heartily support this resolution. On an occasion like this, it would not do merely to give a silent vote. From the first, Indians, educated Indians, whatever their shade of politics, threw their heart and soul into the cause and made up their minds to support the cause of the Allies and of our King-Emperor. The reasons which induced us from the very first to throw ourselves heart and soul into this cause, were first and foremost, our loyalty to the King-Emperor. The King-Emperor is the personal Sovereign of every one who dwells within the boundaries of the whole Empire. As General Smuts reminding the British audience told them 'he is not merely your King, he is the King of all of us.' That was the feeling with which we all took that humble part, whatever it was, in supporting this cause. Speaking to the Indian troops in France in 1914, His Majesty conveyed this gracious message :—"I look to all my Indian soldiers to uphold the *Isat* of the British Raj against an aggressive and relentless enemy. I know with what readiness my brave, loyal Indian soldiers are prepared to fulfil this sacred trust, shoulder to shoulder with their

20TH NOVEMBER 1918.] (Mr. Ranga Achariyar ; Mr. Richmond.)

comrades from all parts of the Empire. I bid you go forward and add fresh lustre to the glorious achievements and noble traditions of courage and chivalry of my Indian army, whose honour and fame is in your hands."

"Again, in the gracious message which He was pleased to send to India on September 14th, 1914, which His Excellency Lord Hardinge read in the Imperial Legislative Council, His Imperial Majesty said :—"I rejoice that every part of the Empire is with me in this decision. Paramount regard for treaty, faith and pledged word of rulers and peoples is the common heritage of England and India. Amongst the many incidents that have marked the unanimous uprising of the populations of my Empire in defence of its unity and integrity, nothing has moved me more than the passionate devotion to my Throne expressed both by my Indian and English subjects and by the Feudatory Princes and Ruling Chiefs of India, and their prodigious offers of their lives and their resources in the cause of the realm. Their one-voiced demand to be foremost in conflict has touched my heart and has inspired to the highest issues the love and devotion which, as I well know, have ever linked my Indian subjects and myself. I recall to mind India's gracious message to the British nation of good-will and fellowship which greeted my return in February 1912, after the solemn ceremony of my Coronation Darbar in Delhi ; and I find in this hour of trial a full harvest and a notable fulfilment of the assurance given by you that the destinies of Great Britain and India are indissolubly linked."

"Again, in the message which His Majesty was pleased to send on the 27th April 1918, this year, His Majesty was pleased to say :—"I learn with deep satisfaction that in response to the invitation of my Viceroy, the Ruling Princes and Chiefs, representatives of the Provincial Governments, and leaders of all ranks and sections of the community, European and Indian, are meeting in Conference at Delhi to reaffirm the abiding loyalty of the Indian people and their resolute will to prosecute to their utmost ability and to the full limit of their resources, in association with other members of the Empire, the war which our enemies have wantonly provoked and which they are ruthlessly waging against the freedom of the world. Great as has been India's contribution to the cause of the Allies, it is by no means the full measure of her resources and her strength. I rejoice to know that their development and the fuller utilization of her man-power will be the first care of the Conference."

"To a sovereign who can speak with that feeling and with that fullness of heart, what else can it be but devoted attachment to the people over whom he rules that prompted him ? There are other reasons also which induced us to take that interest though they are not so lofty, still of great weight. First and foremost is the feeling that India forms a part of the British Empire. It is no ordinary Empire. It does not seek to standardize the nations composing it ; but it seeks to develop them into great nationhood. They are to develop according to the principles of self-government, liberty and freedom. Those are the ideals which this Empire has set forth, which have won the admiration even of people who fought against it so recently, as the Boers of South Africa. If the Boers who fought against the Empire can have that confidence in the British Empire and its ideals and join hands with the rest of the Empire in fighting the enemy, what abiding faith should not India have in her Sovereign and in the ideals which that Sovereign has in view ? We feel safe and secure that under the British flag our nation will also grow into full nationhood like the rest of the Empire. The principles of self-government, freedom and liberty for which this Empire stands, we hope to reap the full fruits thereof."

"The next fact which also induced us to take this step is that we felt that, if India can advance as a nation, it could do so only under the British flag, and this depended on the defeat of Germany and her ideals."

"The third factor which counted with us was that India's economic advance depended on the defeat of Germany. Who does not know of the way in which Germany's industrial progress has been to the detriment and destruction of industries of other countries ? We neglected them in the past and the war has awakened our eyes to it. If India is to advance economically, it can only do so under the British flag and British ideals. It was essential that Germany's ideals in industrial matters should meet with an end. Therefore, it was not only by loyalty but also by our common interests that we were all actuated in supporting this noble and common cause. In the events of the last few months which have brought this war to a victorious termination, it is with a proud feeling that we call to our minds the progress of the Indian Army in Palestine and in Mesopotamia. These feats in the last six or seven weeks played no little part in bringing the war to a victorious end. After all, thank God that Germany has bowed to the inevitable. She has saved herself a worse fate by an early surrender. Now that we all rejoice that there is peace in the world and in the Empire, let us also hope for peace at home and in our Presidency also. There was one remark in Mr. Davidson's speech yesterday which appealed to me very greatly and that was that any public inquiry as regards the Madura incident would disturb the peace of Madura which is already disturbed. May I appeal to Your Excellency's Government to see your way to remove irritating causes, causes which may irritate the people, and apply the soothing medicine in order also to procure peace in this Presidency of ours ? May peace reign everywhere. May peace and plenty flourish in our land."

The Hon'ble Mr. T. Richmond :—"Your Excellency, on behalf of the domiciled community, I just desire to say a word in support of this resolution. I entirely associate myself with the noble expressions of loyalty which have fallen from His Highness the Honourable Mover and from the Honourable the Raja of Bobbili who has seconded the resolution. So far as the members of the domiciled community are concerned, they have taken their share in the war

(Mr. Richmond; Mr. Ahmad Tambi Marakkayar; [20TH NOVEMBER 1918.]
Mr. Kavalappara Muppil Nayar; the President.)

from the beginning and there is scarcely a family who has not a relative in Mesopotamia, Palestine or France and to them the cessation of hostilities has been a message of glad tidings. I have no doubt that peace which is now in sight will be the opening of a new era in the world's history and the opening of a bright chapter in the history of India. I trust that the people of India will realize their true position in the political advancement to which they are justly entitled."

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBİ MARAKKAYAR :—" Your Excellency, on behalf of the Muhammadan community whom I represent in this Council, I beg to convey their heartfelt congratulations on the great victory that our benign Government and their Allies attained in the war. It is needless for me to say how Muhammadans in India have proved their loyalty in helping the Empire in the war by means of men and money and I can assure you, my Lord, that they will continue their loyalty throughout. I sincerely pray for the long and continued prosperity of the British Empire."

The Hon'ble Mr. K. K. R. KAVALAPPARA MUPPIL NAYAR :—" Your Excellency, on behalf of the Jenmis of Malabar, I wish to associate myself with what has been stated by the Honourable Mover and the Honourable the Raja of Bobbili."

His Excellency the PRESIDENT :—" Gentlemen, before I put this resolution to the Council, you will perhaps allow me to say that it is a great satisfaction to me as to all members of this Council that such an early opportunity has been afforded to it of recording its profound gratitude for the victory which has at last been secured, its admiration for the gallant men who have fought and died and prevailed on many a stricken field and its homage to our gracious Sovereign the King-Emperor. It is in no conventional sense that we have so frequently sung 'God save the King' during the celebrations of the past week, but in genuine devotion and honour for a ruler who throughout the long strain of the war has identified himself with our efforts, our anxieties, our sorrows and our hopes. It is with full heart that in this hour of triumph we desire to express our loyalty to the Throne. In doing so, this Council speaks for the whole Presidency. From town and village and hamlet, from Raja and Zamindar, from merchant and ryot throughout the Presidency telegrams and messages of congratulation and rejoicing have poured in, and in church and temple and mosque thanksgiving services have been held and the prayers of his subjects have gone up to God that as in the days of adversity so in the day of triumph and in the years to come their King and Emperor may be sustained and preserved."

"We desire further at this time to associate ourselves with the rest of India and of the Empire and despite all our shortcomings and deficiencies which we know only too well I hold that here in Madras we have made good the right to do so."

"In this Presidency we cannot claim to have the full and vivid understanding of the havoc and misery caused by the wanton aggression of the Central Powers possessed by those who have seen the ruined homesteads, the blasted corn lands, the penniless and half-broken fugitives, and all the abomination of desolation to which Belgium and Serbia and Poland and some of the fairest provinces of France have been subjected; but we can claim that in all classes of society there has been an honest desire to help according to their means and aptitudes, to make the efforts and the sacrifices required and that as the demand for yet further efforts came, so too the measure of our response expanded in more than one direction."

"I do not propose now to give a detailed account of all that has been accomplished but the following brief summary may not be out of place. As you are aware, before the outbreak of the war recruiting in this Presidency was confined to a few select corps, some of which however such as the Pioneers and the Sappers and Miners had a high reputation for loyalty and efficiency to which their gallantry and devotion has added fresh laurels during this war. At the outbreak of the war the Madras units represented at full strength 8,928 men. On the 1st January 1917, the number enrolled in the combatant branches of the Indian Army from this Presidency had risen to 12,930. As the call for men became more insistent, the area of recruitment was enlarged and in July 1917 the Provincial Recruiting Board began its operations. In 1917, 11,136 recruits were obtained; in 1918, 26,082 have been obtained of whom no less than 19,110 have been enrolled during the last five months. For the non-combatant branches 3,200 recruits were obtained in 1917 and in the ten months of 1918, ending the 31st October, no less than 26,179 were obtained of whom 17,119 were enrolled during the last five months. As a result nine new battalions of Madras regiments have been constituted and in the number of recruits the Madras Presidency stands next to the Punjab and the United Provinces. And here I would take this opportunity of expressing our deep appreciation of the work of those who have made this result possible; to our recruiting officers, military and civil, to the members of the Recruiting Board, to Colonel Graham, the Divisional Recruiting Officer, to whose co-operation, experience and advice we owe so much; to Mr. Knapp whose energy and capacity have proved invaluable; and to Mr. Gillman, the Chairman of the Board, who has discharged a heavy burden of additional responsibility and work in a manner which has been beyond praise; I am sure that every member of this Council will join me in wishing him a speedy and complete restoration to health. We have also made a substantial contribution to the Indian Army Reserve of Officers and this has been largely due to the patriotic manner in which the mercantile and planting communities have laboured to make available every man who could possibly be spared. And it is only right to acknowledge the very important contribution in personnel made by the Madras Medical Department and the alumni of the Madras Medical College. A word is also due to the Indian Defence Force, the members of which have uncomplainingly fulfilled their obligations and rendered valuable assistance to the military authorities by helping to garrison the Presidency."

20TH NOVEMBER 1918.]

(The President.)

We are also indebted to those who have undertaken similar obligations in the Indian section of the Defence Force and devoted their holidays and leisure to fitting themselves for their duties."

"After men, comes money. And you will remember that this Presidency, not a wealthy and not an industrially organized province, has acquitted itself most creditably in investing Rs. 298 lakhs in the first Indian war loan and Rs. 325 lakhs to the second loan that of this year."

"The part which this Presidency has played in providing munitions of war also has been considerable. Of late years there has been a great awakening to our industrial potentialities, and much has been done to stimulate that interest and to examine the possibilities of development; but at the outbreak of the war we could make no claim to be industrially organized and with the exception of some old-established industries it might well have been anticipated that contributions from this Presidency would have been mainly in the shape of raw material. But thanks to the dexterity and adaptability of our artisans, to the capacity and versatility of our merchants and manufacturers, both European and Indian, and to the ability and energy of the local representatives of the Indian Munitions Board and to the services of those non-official gentlemen who have willingly and disinterestedly co-operated with them on the local Munitions Committee, the work accomplished in this Presidency has exceeded all expectations; and a gratifying feature is the manner in which small local manufacturers and business concerns all over the Presidency have contributed to this result. Among raw produce Madras tea, coffee, castor oil, castor-seed, coconut oil and groundnut oil have as might be expected been largely utilized by the Food Controller and perhaps I may make special mention of one interesting item, viz., the supply of 700 tons of coconut shell charcoal to the Ministry of Munitions for use in the manufacture of anti-gas respirators. Turning to prepared articles it was stated recently that the armies of the Empire have marched upon Madras leather! How true that epigrammatic statement is may be gathered from the fact that since August 1916 the Indian Munitions Board has purchased in Madras 144,779 bales of hides valued at Rs. 10,84,08,960; and since special measures were taken in respect of tanning stuffs in March last *awaram* and other tan stuffs to the value of Rs. 14 lakhs have been collected and bought by the Board. Large quantities of manufactured leather articles have also been provided: leather waistcoats for airmen, gloves for motor-drivers, saddlery and equipment of all kinds, munda shoes and numerous other articles have been turned out. Under textiles the record is equally satisfactory. To give one example the Buckingham and Carnatic Mills have turned out monthly approximately 1½ million yards of khaki drill, 250,000 yards of khaki pagri cloth, 40,000 yards of canvas duck, 75,000 yards of khaki tape and webbing and 90,000 yards of doosootie for tents. Other factories and mills have also been working at high pressure. A tent factory has been started and the making of from 125,000 to 150,000 garments for the army has exercised the well-known skill and industry of the Madras 'darzi'. The coconut and its products have, as might be expected, figured largely; over a million yards of coir screening for camouflage purposes, 40,000 yards coir matting, 200,000 fathoms coir rope, 250 tons coir string and 30,000 gallons of coconut oil. These figures will give some idea of the demand which has been made upon our plantations. The supply of 50,000 gallons of fish oil and of nine lakhs of tiles evidences the part played by two other important industries in this Presidency. Our railways, public workshops and numerous private engineering firms and metal workers have supplied large quantities of metal articles of all kinds, buckles, shackles, belts, water bottles, cooking utensils, metal fittings and other requirements of the Ordnance Department, and the impossibility of importing many articles has stimulated the ingenuity and inventiveness of local manufacturers in a way which is full of promise for the future. Our railways have also met the large demands for permanent-way material and for engines and rolling-stock without which the success of the operations in Mesopotamia would have been jeopardized. It may be said that all this activity has been for value received, but that does not discount the unceasing efforts which have been made and the willingness of those concerned to subordinate all other considerations to the requirements of the forces in the field."

"Further we have not forgotten the claims of patriotism, of charity and of humanity. Up to the 31st October 1918, a sum of Rs. 73,14,512 was subscribed in support of the Hospital ship, *Madras*, the Ladies Depot, and other patriotic and charitable undertakings which have been financed by the Madras War Fund. An additional sum of Rs. 39,221 has been specially raised in aid of the Ladies Depot and its affiliated centres and when I say that no less than six million Red Cross articles have been despatched from the Ladies Depot you will realize the immensity of the work which the ladies of this Presidency undertook and have supported and the practical manner in which irrespective of caste, creed or community they have shown their sympathy with and admiration for our gallant troops. A sum of Rs. 6,10,089 was collected in this Presidency on 'Our Day' and has been placed at the disposal of the Central Red Cross Committee at Simla. A sum of Rs. 17,70,868 has been contributed from this Presidency to the Imperial Indian Relief Fund. Among other relief funds I would mention the South Indian Planters' War Fund to which the planting community has contributed Rs. 84,310; the Belgian Relief Fund Rs. 1,13,602; the Serbian Relief Fund Rs. 22,062; the St. Dunstan's Blinded Soldier's Fund Rs. 13,079, and the Rupee Fund. Through the Madras War Fund also several of our leading zamindars have presented for His Majesty's acceptance loyal and generous gifts for the purchase of aeroplanes or motor ambulances. The total sum thus subscribed amounts to well over Rs. 100 lakhs."

"It is not in any spirit of boastfulness or even of satisfaction that we refer to these results. All our efforts and petty sacrifices are as nothing compared with the debt of gratitude which we

(The President: Mr. Siva Rao.) [20TH NOVEMBER 1918.]

owe. We would merely urge them as some evidence that this Presidency has throughout been at one with other parts of the Empire in its loyalty, in its desire to help, in its sympathy with the wounded and the afflicted and in its gratitude for the protection and the immunity from the horrors of the war which it has been privileged to enjoy. Gentlemen, I do not wish to detain you, and the feelings with which we have met here to-day have been admirably and eloquently expressed by those who have spoken to the resolution. But there is one point to which I may be allowed to refer. After the strain and stress of the past four years it might seem as if a period of rest and quietude alone could give relief to overwrought humanity. But inexorable time forbids, and after a brief rejoicing the Empire and its people will have to undertake the consideration and solution of that legacy of problems which the war and the convulsions attending it have inevitably left behind. Can we look forward with confidence to the task of reconstructing civilization, of restoring that shattered nexus of mutual interests, of trade, of manufacture, of development, of invention, of subtle interchange of thought and idea compared with which the mightiest civilizations of ancient times, even that of Rome itself, seem simple and easily understood, or will it prove beyond the power of statesmanship to devise a new mould or framework of states and principalities within which the political and social life of the future may find organic shape? Let us not ignore the facts. Throughout nearly two-thirds of Europe and over vast areas in Asia the old bonds of human society have been dissolved. In Germany and Austria there is but a welter of conflicting interests; elsewhere are the mutterings of revolution, and if there the forces that make for disorder should triumph over those that make for order who can prophesy that modern civilization burdened by its complexities will in any form survive this further attack upon its fabric? For my part grave as the situation is I cannot believe that the lessons of the war will be so speedily lost. Among all sober and thoughtful men the feeling that in these great issues there are no short cuts is more and more finding articulate expression. Germany has tried the short cut to power and failed; Russia for whose misfortunes our sympathies deeply are engaged seems to have tried the short cut to the millennium and failed. I have referred to the lessons of the war: they are plain to read for us as for others. The achievements of this Presidency during the war which I have ventured to summarize establish, beyond doubt to my mind that this Presidency has great material resources both actual and potential, has in the innate dexterity and practical capacity of its people the means whereby to utilize them, and is not lacking in men who are capable of developing those resources and organizing that capacity. The war has also shown us how this task must be accomplished. That we have been able to share in the efforts and achievements of the past four years is chiefly because throughout the Presidency and in all classes of the community there has been a desire to co-operate—a subordination of other considerations to a common purpose. There has been good-will and sympathy among men European and Indian alike who have worked together on committees and boards official and non-official and in many other spheres, and have striven to secure common aims, who have recognized that though men may differ even materially as to details of policy and even as to policy itself their ultimate aims do not necessarily diverge, and that there are still large fields in which joint endeavour and co-operation are open to them. The aim has been to emphasize points of agreement, rather than points of difference and to seek always the common good. The sense of our responsibilities and opportunities has been quickened by the experiences of the last four years. And so, when we express by this resolution our solemn sense of the debt which we owe and our pride that we have been privileged in some measure to serve our King-Emperor and to defend his cause, in a special sense during these last four years, let us pledge ourselves that so far as in us lies, for the years to come and in the labours for the public good which these years will bring, that good-will and sympathy and comradeship shall continue and multiply among us."

His Excellency the PRESIDENT:—"I trust that this resolution will be carried. Now Honourable Members will please stand up."

The resolution was then declared unanimously carried, all the Honourable Members standing.

His Excellency the PRESIDENT:—"We will continue the business before this Council. I think resolution V should be taken."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I said I would not move V."

RESOLUTION RE SALARIES OF TEACHERS IN ELEMENTARY AND SECONDARY SCHOOLS.

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, the resolution I have the honour to move relates to the salaries of teachers of elementary and secondary schools and is in the following terms:—

'VI. This Council recommends to His Excellency the Governor in Council that early steps may be taken to raise the salaries of the teachers in the elementary and the secondary schools.'

* V. This Council recommends to His Excellency the Governor in Council that the recommendations contained in the recent resolution on local self-government issued in the month of May last by the Government of India may be adopted and carried into effect.

RESOLUTION RE SALARIES OF TEACHERS IN ELEMENTARY AND SECONDARY SCHOOLS.

20TH NOVEMBER 1918.] (Mr. Siva Rao.)

"Your Excellency, the low pay of the teachers in the elementary and secondary schools has been a long felt grievance. The grievance has attracted the notice of the Government of India and also of the Secretary of State. I may just quote a few extracts from the speech which the Viceroy delivered at the Conference of Directors held in January 1917. The Viceroy was pleased to say: 'But schools depend for their efficiency on the quality of their teachers and inefficient schools represent so much good money thrown away. I would press upon you, then, in the first place, concentration on the teaching problem. We want, as I said lately in Calcutta, to raise the status of the teaching profession, to make it a calling with prizes which will induce men to enter it as a life profession. For this we must raise the pay of the teachers. Much has no doubt been done in recent years to raise the pay of teachers, but I would ask you to consider whether the pay given now, and more especially the minimum pay, is adequate.' In the Indian Educational Policy issued in 1913, the Government of India state about primary school teachers: 'Trained teachers should receive not less than Rs. 12 per month (special rates being given in certain areas); they should be placed in a graded service; and they should either be eligible for a pension or admitted to a provident fund.' And speaking of teachers in secondary English schools they say in the same resolution that the policy of the Government of India is 'introducing a graded service for teachers of English with a minimum salary of Rs. 40 per month and a maximum salary of Rs. 400 per month.'

"Coming to the joint Report on Indian Constitutional Reforms, it is said: 'Educational wastage is everywhere excessive and analysis shows that it is largely due to underpayment and want of proper training in the case of teachers. The actual recruits for normal schools are too often ill-prepared and the teaching career which in India used formerly to command respect does not now offer adequate inducements to men of ability and force of character. The first need therefore, is the improvement of teaching.'

"Then turning to the latest Quinquennial Report issued by the Director of Public Instruction, relating to 1916-17, it is stated at page 33: 'Another desirable reform, so far as schools under board and municipal managements are concerned, would be to place the teachers in such schools in some kind of service so that promotion would not be confined to the school in which a teacher happened to be serving at the time but would be open to him by transfer as vacancies occurred elsewhere. His provident fund deposits also should be transferable on such transfer. At present in schools under public management conditions, though ameliorated by subsidies given to improve the pay and prospects of teachers, are not satisfactory. Provident funds are rare, the scale of salaries is often inadequate, promotion is limited, and the management is not always satisfactory.' So my Lord, it is universally recognized that the pay of the teachers both in the elementary and in the secondary schools is grossly inadequate and does not attract men of real ability.

"Before I proceed further I may just refer to the scales that are now in force in the various schools in the Presidency and these scales have been summed up in the memorial which has been recently submitted to the Director of Public Instruction by the Members of the Council of Association of Headmasters. I am quoting from that memorial. It states: 'From statistics collected by the South India Teachers' Union, we have information as to the salaries of 298 L.T.'s employed in various classes of schools scattered in different parts of the Presidency. Sixty of these are headmasters of complete secondary schools in receipt of salaries of Rs. 100 a month and above. Three of the 60 headmasters are on Rs. 100 a month, 16 receive between Rs. 100 and 125, 19 between Rs. 125 and Rs. 150, 3 between Rs. 175 and Rs. 200 and 2 Rs. 200. Of the remaining 238 L.T.'s only 55 get Rs. 100 or above, the others remaining on lower salaries than Rs. 100.'

"This is the present state of things and I must specifically draw the attention of the Council to the special difficulty which is felt in procuring teachers of ability in some of the districts in the Presidency. That difficulty is noted in paragraph 61 of the Quinquennial Report. 'A trained graduate assistant in Madras City or Tanjore will start now on about Rs. 70 per mensem rising probably to Rs. 100: the initial salary in Bellary or Anantapur will have to be at least Rs. 80 per mensem. An untrained graduate can command from Rs. 50 to Rs. 60 per mensem.' It is also noted that some parts of the Presidency can secure teachers more easily than others. It is well-known that these scales of pay of teachers in the various schools in the Presidency, in the public schools under the management of local bodies, and the Government schools and in the case of aided schools, vary very largely; but it is commonly felt that the pay is very inadequate. I must say something especially with reference to the scale of salary that prevails in the Municipal High School of Bellary, the net cost of which is borne by Government. Four assistants are employed on a scale of Rs. 65 to 85. In the same memorial, the scale of salary that they propose is given. They propose for a Headmaster Rs. 150 to 300, other L.T.'s Rs. 90 to 140, for pandits, Rs. 35 to 55, and so forth. It may be asked whether this resolution would apply to aided schools also, in other words, to private schools under private management which receive grants-in-aid from the Government. This resolution applies as well to private schools which have been given grants-in-aid and in that case it may be stated that they get one-half of the net cost and if the manager is willing to raise the salary in any particular case, he is at perfect liberty to do so. The difficulty is for the managers to propose a higher scale, because their funds do not permit them to bear even one-half of the cost. I would propose, as it is the case in Bombay, that if the ordinary grant is not sufficient, a supplementary grant may be made not exceeding one-third (and in the case of the poor but

384 RESOLUTION RE SALARIES OF TEACHERS IN ELEMENTARY AND SECONDARY SCHOOLS.

(Mr. Siva Rao; Mr. Venkatapati Raju; [20TH NOVEMBER 1918-
Mr. Duncan.]

deserving schools one-half) of the ordinary grant mainly for the improvement of the salaries of the teachers. I am aware, your Excellency, that something is being done by the Government of India and also by this Government in this direction. I am aware also that the Government of India have been making a liberal recurring grant of four lakhs per annum devoted to the improvement of the pay and the training of teachers. I know also how that recurring grant has been utilized and I may say that the teachers in the secondary schools have not been very much benefited by it. There have been two Government Orders issued in the matter—G.O. No. 361, dated 18th March 1918, distributing a sum of one lakh and odd rupees to local bodies towards the enhancement of the minimum pay of teachers in elementary schools. The minimum pay used to be Rs. 8 plus Rs. 2 allowance, it used to be Rs. 10; and now it has been raised by Re. 1, it is now Rs. 11; and in 1913 it was proposed by the Government of India that the minimum pay of teachers should be at least Rs. 12 and in the case of lady teachers in girls' schools, it must be something more. It has been raised to Rs. 12. But I submit it should be raised at least to Rs. 15 so that we might attract a better class of female teachers to be employed in girls' schools.

"Then in the case of secondary schools there is a G.O. No. 994, dated 30th July 1918, which was issued sanctioning the distribution of about two lakhs to local bodies. I see here that about one lakh and odd has been distributed for the improvement of the scale of salaries of teachers in the secondary schools. But as I already stated, this grant has not gone very much towards improving the salaries of teachers in the said schools.

"The Government also recognize that the scale which was probably framed and devised some years ago before these new economic conditions arose would be hardly adequate under present conditions. I may refer the Council to the scale of salaries which the Government have sanctioned when new secondary schools under the management of local bodies were started in June 1918. The headmaster gets Rs. 125 and the assistants start on a uniform pay of Rs. 80 rising to Rs. 100. This scale is somewhat more liberal than the old scale which prevails in many other schools. This, I recognize, is somewhat an improved scale. It is certainly an improvement on the old state of things. So your Excellency, this is a very necessary reform. The want is recognized and so the only question is one of finance and so far as funds permit, I submit that something may be done to raise the pay of the teachers both in the elementary and in the secondary schools. I propose that in the case of teachers in elementary schools, the minimum pay should be raised to at least Rs. 12. The Government of India have already announced the grant of Rs. 5½ lakhs towards the development of primary education, a portion of which may be spent towards the improvement of the pay of elementary teachers by increasing it by Re. 1 and in the case of teachers of girls' schools, elementary schools, they ought to get at least Rs. 15 per mensem. In the case of secondary schools, a liberal scale may be adopted, and I leave it to your Excellency's Government whether the scale proposed by the Headmasters' association which is now pending before the Director of Public Instruction may not be given effect to. If that is a very high scale, some more modest scale at least may be adopted to suit the requirements of the times. With these words, I commend the resolution for the acceptance of the Council."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, I do not think any words are needed to support this resolution, because it is a non-controversial resolution. The Right Hon'ble the Secretary of State and His Excellency the Viceroy have also stated that the pay should be increased. Therefore I heartily second this resolution and expect that it would be accepted by Government."

The Hon'ble Mr. H. S. DUNCAN:—"Your Excellency, I quite sympathise with the resolution which has been moved by the Hon'ble Mr. Siva Rao. From what he has said, it will be gathered that this Government also sympathise with the resolution. He has admitted towards the end of his speech that it is a matter of finance. I can go no further than that and say that in sympathising with him I cannot see my way to go the length he proposes in raising the salaries of teachers. I quite understand that it is desirable to increase the salaries of teachers; as far as funds permit, I think it ought to be done. But I would like to invite attention to the fact that there are several schemes involving large expenditure on education and these schemes have to be financed and the department has to be careful as to how it is going to distribute the funds at its disposal among the various schemes. There is a scheme here in this resolution which bears upon the betterment of the pay of teachers in elementary and secondary schools. As the Honourable Member has stated, Government have already done something in this direction and the something that they have done has entailed a certain amount of money. No doubt the terms of this resolution which has been moved by the Honourable Member, will be borne in mind, and I do not think that Government will turn a deaf ear to what is contained in it. I will say no more than that funds do not allow at present the enhancement of salaries as proposed by the Honourable Member; but I am quite prepared to give every consideration to the question of enhancement as far as it lies in my power to do so."

The Hon'ble Mr. P. SIVA RAO:—"In view of the sympathetic attitude of the Hon'ble the Director of Public Instruction, I withdraw my resolution."

With the permission of His Excellency the President, the resolution was then withdrawn.

RESOLUTION RE MEASURES TO BE ADOPTED TO ALLEVIATE THE SITUATION DUE TO HIGH PRICES. 385

20TH NOVEMBER 1918.] (The President; Mr. Siva Rao;
Mr. M. Ramachandra Rao; Sir Alexander Cardew.)

RESOLUTION RE MEASURES TO BE ADOPTED TO ALLEVIATE THE SITUATION DUE TO HIGH PRICES.

His Excellency the PRESIDENT:—"I may just mention to the Council that with this resolution, resolutions Nos. XI*, XIV†, XXI‡ and XXXII§ will go together."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, the resolution I wish to move reads thus—

'VII. This Council recommends to His Excellency the Governor in Council that suitable steps may be immediately taken for checking the abnormal prices of food-stuffs and other necessities of life: and also that relief measures may be started in the worst-affected parts to palliate the distress caused thereby and also by the failure of the last monsoon.'

"Your Excellency, I wish to omit the last words 'and also by the failure of the last monsoon', because I understand that there are several other resolutions specifically bearing on the point and they ask for relief on the ground of the failure of the last monsoon. I shall confine myself to the distress caused by the rise in prices. There are other resolutions to deal with that."

His Excellency the PRESIDENT:—"Which resolutions?"

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"Resolution No. XXXII§, my Lord."

His Excellency the PRESIDENT:—"Where do you stop?"

The Hon'ble Mr. P. SIVA RAO:—"I shall stop with the word 'caused thereby' in the last line of the resolution."

The Hon'ble Sir ALEXANDER CARDEW:—"In that case, the distinction is in the proposal that relief measures be started in the worst-affected parts. That corresponds to No. XXXII§. It is rather difficult to draw the line of distinction between high prices relief measures and relief measures for other causes, if you want to draw the line."

The Hon'ble Mr. P. SIVA RAO:—"The failure of the last monsoon is only one of the causes why relief measures should be taken. In fact, the rise in prices is another cause why relief measures should be adopted."

His Excellency the PRESIDENT:—"What I mean to say is take resolution No. XXXII§. That means that there is to be an inquiry and there should be a report as to how best the failure of the monsoon may be met. It is really identical."

The Hon'ble Mr. P. SIVA RAO:—"If it does not interfere with the other resolutions, I shall move it as it is."

His Excellency the PRESIDENT:—"There is no intention to limit discussion; if necessary, we may take division on the other points, without discussion. Let the resolution be moved as it is."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, the subject of high prices has been engaging the attention of Government since last April. In the month of April, I moved a resolution in the Legislative Council that an immediate inquiry should be made into the abnormal rise in prices and that suitable steps should be taken to regulate the prices. And the Hon'ble Member Sir Alexander Cardew gave a very sympathetic reply and at the end he proposed that in that state of things there was no reason for alarm and that no drastic steps need be taken under those conditions. But the Honourable Member promised that he would be active and vigilant and careful and that when the times required it, he would make proper

* The Hon'ble Mr. A. S. KRISHNA RAO:—

XI. This Council recommends to the Governor in Council to take immediate steps to control the maximum prices of food-grains in the Presidency.

† The Hon'ble Mr. K. RAMA AYYANGAR:—

XIV. This Council recommends to the Governor in Council that the press communiqué dated 28th September 1918 (Revenue) relating to the disturbances in various parts of the Presidency be reconsidered, that steps be taken as far as possible to prohibit transport of foodstuffs from one district to another and to procure the necessary foodstuffs to the areas from places where they are available and that instructions be issued to the several local bodies to take the question of the supply of essential foodstuffs to the poorest classes of people on hand on an assurance of a grant from the Government to a moiety of the loss incurred provided the said local bodies accept the conditions, if any, laid down by the Government to transact business as per instructions given.

‡ The Hon'ble Mr. B. VENKATAPATI RAJU:—

XXI. This Council recommends to the Governor in Council that the Government be pleased to make preliminary arrangements for the organisation of the system of village inspection and appointment of gratuitous relief staff, and to undertake sanctioned works of utility in villages such as village communications and irrigation works in localities where there is failure of rains and rise of prices and generally where distress is prevalent.

§ The Hon'ble Mr. K. CHIDAMBARANATHA MUDAIYAR:—

XXXII. This Council recommends to His Excellency the Governor in Council the appointment of a committee consisting of an experienced Revenue Officer with two non-official gentlemen to make a full inquiry into the present situation in areas seriously affected by the failure during the year of both the monsoons in this Presidency and make an early report on how best it may be met by the Government and the people.

(Mr. Siva Rao.)

[20TH NOVEMBER 1918.]

arrangements for the regulation of prices. This is what the Honourable Member stated on that occasion in April of this year:—'The case as regards food-grains, salt and probably fuel is somewhat different. As regards these articles, it is absolutely necessary that prices should not rise beyond certain levels or there will be danger of actual famine and the Government may therefore be forced to interfere in certain eventualities. We hope there will be no necessity for it, and we rely upon railway traffic. There is no doubt that a point will be reached when something might be necessary. We have accordingly asked the Government of India to enable us under the Defence of India Act to empower our district officers to obtain exact information regarding the stocks of all articles of common use.' Then he wound up by saying: 'I hope this statement will satisfy the honourable movers of the resolution.' So it was withdrawn and we have been waiting to see what would be done by Government in this matter. I must say that matters have gone on now very much worse than in April 1918. The first Government Order that was passed was in the month of May 1918. It is G.O. No. 2078, dated 29th May 1918, and this resolution is referred to in the Government Order, and the remedies proposed are all set forth in paragraph 2 of the Government Order: 'Where high prices are due to local scarcity, the only remedies are economy by the consumers and importation from localities where the supply is more abundant. In regard to the former, direct interference by Government is impossible. It must be left to persons of influence, non-official and official, to impress on the people of the locality the need for economy in the consumption of the articles in which the shortage is felt.' The first remedy is that people should be advised to practise economy in consumption. Then it says: 'The second remedy lies to some extent in official hands as the Director of Civil Supplies is empowered, on application made, to grant certificates of priority which will enable commodities which are urgently needed to be carried over the railways in preference to other traffic.' That is the second remedy. There is a third remedy also proposed and that is: 'Where however there is reason to believe that shortage in the market is due to the holding up of stocks or that the high prices represent profiteering on the part of local merchants it may be necessary for the Collector to invoke the powers conferred upon him by the law' and they empower the Collectors under the Defence of India Act 'to call for information for returns of stocks in hand, or expected together with information as to the prices at which the owner of the stocks has purchased or expects to purchase them'. Then they say: 'they would not give the Collectors the power of fixing prices but if, on inquiry, the Government were satisfied that resort to this further step is necessary they would most unhesitatingly resort to it.' Then I believe circulars were issued to all Collectors of the Presidency to call for stocks and then power was also taken to take possession of such stocks on payment of compensation to the owner and where the need was, Government said that they would be ready to exercise that power. This was all that was done. I know controllers were appointed in pursuance of some Government Order and then certain other Government Orders were also issued restricting and prohibiting the export of food-grains from this Presidency to Hyderabad, Mysore and other provinces like Bombay. I know that has been since recalled, I hear, on the representation of the Government of India and so people are now free to export articles of foodstuffs from this Presidency anywhere they like. The next order that was passed in the same connexion was the grant of some special concessions in the case of those who wanted to cultivate unoccupied assessed lands; that is G.O. No. 2735, dated 20th July 1918, and it stated: 'any cultivator raising dry grains upon unoccupied assessed land, in the districts of Kurnool, Anantapur and Bellary will be exempted from assessment during the current fasli.' And permission will also be given to the cultivators to cultivate railway poramboke lands and Collectors were also urged to advise the ryots to grow foodstuffs on dry lands in preference to any other crop. The Director of Civil Supplies was appointed to help the easy transport, the easy movement of grains from outside this Presidency into this Presidency and from one district to another in this Presidency. This is all that was done. No attempt was made to fix prices or to regulate them. Then there were Emergency Committees also appointed whose principal duty was defined to be 'to bring home to the people of the district in all possible ways the urgent need for economy, for avoiding unnecessary demands on the railways and for substituting as far as possible the use of home products for that of imported supplies.' And on the 27th of July 1918 there was a more elaborate Government Order passed in respect of the same matter specially with reference to dry grains in the Ceded Districts, Bellary, Kurnool, Anantapur and Onddappah. One step that was taken in that matter was the prohibition of exports, as I have already referred to, from the Ceded Districts to Hyderabad territory. They took this measure which went far to prevent hardship there. Then it was also said 'the only possible manner in which the resulting shortage in dry grains can be made good is by extending their cultivation.' Accordingly in the districts of Kurnool, Anantapur and Bellary where the shortage is most marked, Government, have, as a special case, sanctioned the cultivation of all unoccupied assessed lands in the districts free of assessment. In the matter of kerosene oil, they have taken the power to fix the rates and there is no difficulty and in the matter of salt also, there is no difficulty. These are the steps that have been so far taken by the Government and we shall see with what results. Those measures taken by the Government,— have they succeeded in bringing down the prices as was expected by the Government? The last week's gazette dated November 12th, discloses that the situation is far worse now than before. For instance, I need not go into the details, cholam which in Bellary forms the staple food is selling at 5·8 seers per rupee; a seer weighing 80 tolas; rice is selling at 4·5 seers per rupee. That forms the staple food of the well-to-do in those districts. Ragi is selling at 7·1 seers last week and 6·9 this week and so the prices are—I think I need not refer to other parts of the Presidency—very nearly the same in the other parts also except probably in

20TH NOVEMBER 1918.] (Mr. Siva Rao; the President.)

Nellore where rice is selling at 9 seers a rupee where it was selling at 11 seers a rupee. In answer to a question put by my Honourable Friend Mr. Venkatapati Raju it has been elicited that scarcity rates prevail in most of the districts in the Presidency; scarcity rates given according to the latest return made by the Board of Revenue in pursuance of the instructions given by the Government. In answer to another question that has been put at the very same meeting, it has been elicited that lootings took place in several districts in the Presidency and it is given in appendix III of the Agenda paper. This is the present state of things and it behoves the Government to consider seriously what can be done and the measures that have been taken so far have been inadequate for the purpose. It does not require many words on my part to convince Honourable Members of this Council that the measures taken so far have been thoroughly inadequate.

"There has been a wide demand on the part of the people for some Government action in the matter of the regulation of prices. I may refer in the same connexion to the latest Government Order dated 28th September 1918. What took place before this Government Order was this: there was a serious looting in the city of Madras and the Emergency Committee of Madras communicated a resolution to the Government strongly urging the Government to obtain from the Government of India power to fix and control the prices of foodstuffs as the situation had become in their opinion very serious and was likely to become worse. It was in that state of things and it was on that representation made that the two Honourable Members of Government came to Madras and made special inquiries and consulted the local self-government committee which was then sitting in Madras and the result was this Press Communiqué, which was issued. Before I refer to it in detail I may say that the Honourable Members consulted the members of the local self-government committee including many Collectors from districts and they were all unanimous in proposing that some Government action or interference was necessary. I only refer to that opinion, because I was a party to that meeting and was personally present when the Honourable Member consulted some of the members of that committee. This is the position in which the Government Order laying the policy of the Government in the matter of these prices was issued. In paragraph 2 it is stated: 'The first matter which His Excellency in Council has had to consider in this connexion is the question to what extent there exists in this Presidency such severe economic distress as calls for the intervention of the State in the manner laid down in the Famine Code.' It is stated that prices are undoubtedly high but it is said that wages have also risen. I do not know about this state of things. I can confidently say that wages have not risen in the villages. In towns, and in the districts, wages have risen; but in villages, they remain where they were. It is also stated that there have not been many deaths on account of the distress, and that conditions had not reached a stage demanding relief measures under the Famine Code. It is also stated in paragraph 3 of that report which is a peculiar one in which they give a diagnosis of the serious looting that took place in Madras and probably also other lootings in various parts of the Presidency—'The occurrence of such disturbances in a generally orderly population is doubtless to be primarily ascribed to the weakening of respect for authority which has been brought about by the unbridled agitation of the past few years. Systematic attempts have been made with the deliberate object of destroying the belief of the people in the capacity and efficiency of the Government, their conduct, credit, and good faith have been perpetually attacked; and this agitation has produced its natural effect in the minds of the poor and the ignorant, viz., a contempt for authority and a disposition to take the law into their own hands.'

"What has been the action of a mob infuriated by hunger has been attributed to the unbridled agitation that has been going on in this Presidency for some time past. I humbly submit, your Excellency, that this diagnosis of the situation is not at all a correct one. The right cause lies elsewhere. The reason is that they were pressed by the enormous famine prices and they could not get anything to eat and it was that that drove them to acts of lawlessness and not any political agitation in the country. The Government Order also says that law and order should be maintained at any cost. Nobody disputes that position but before law and order should be maintained, it behoves the Government to relieve the tension or the distress that is now prevailing in the country. I may say, your Excellency, that I take this opportunity of saying that the Government have taken a totally wrong view of the matter in regard to these lootings that took place in several parts of the country. They are due simply to hunger and to the sufferings consequent on it. They had not the least idea of promoting any agitation. In this matter I must say that the situation has not been read correctly by Government. Then they go on to say 'His Excellency the Governor in Council has carefully considered the proposal of the Emergency Committee that the Government should take power to fix retail prices and has decided that it is wholly inexpedient. Such an attempt would soon result in the State being forced to take over the stocks of dealers and to undertake the entire conduct of the trade in grain and other provisions.' That may be, but that has to be undertaken when the situation demands it. It does not mean that the Government should turn themselves into a huge grain-shop. It means only that they have to check and control the whole business; and that co-operative societies and municipal bodies have to be helped in the matter by loans and grants and they must be financed to make these purchases and if necessary and if this state of distress continues, for a long time, I do not think Government can escape that situation and avoid the alternative of purchasing whole stocks. It may be it may cost them a lot. But it should not deter them from doing their duty if the situation requires it."

His Excellency the President:—"Will the Honourable Gentleman address the chair? His remarks would be better heard by the Council."

(Mr. Siva Rao.)

[20TH NOVEMBER 1918.]

The Hon'ble Mr. P. SIVA RAO:—"I was stating that if the situation demands it, Government will have to purchase the whole stock and fix prices and they will have to distribute it to licensed dealers who should be enjoined to sell it at definite rates. It is also stated in the same Government Order that 'As regards the transfer of grain from district to district within the Presidency, His Excellency the Governor in Council has come to the conclusion that it should as far as possible be confined to transport by road.' I do not see much facility in prohibiting the movement of grain from district to district. There may be a district where there is a deficit and they have to make up this deficit from a district where there is a surplus. This export and import should be regulated and controlled and licensed; exports should be prohibited from any district unless it is certified that there is a surplus; but wholesale prohibition, I think, is undesirable. Then it is stated: 'The difficulties of the poorer classes due to the high prices of grain and other foodstuffs have been aggravated by the great rise in the price of cotton cloth, a result of the reduced imports from Europe and the high price of cotton throughout the world.' It is fortunate that the price of cloth has fallen recently and I do not think it need exercise any specific attention on the part of the Government.

"Before I close, your Excellency, I may refer to the latest resolution of the Government of India dated 11th October. What they contemplate is the appointment of a food commissioner for the whole of India and they say: 'The Government of India have after consultation with the various Provincial Governments, decided what quantities of foodstuffs are available for transfer from time to time from a surplus to a deficit province and the maximum prices at which such foodstuffs should be purchased; the foodstuffs commissioner will arrange through the agency of selected commercial firms for the purchase of the foodstuffs in question and their despatch to the destinations and consignees indicated by the Directors of Civil Supplies in the deficit provinces.' In other words, the Government of India have taken upon themselves to ascertain the stocks in each province and wherever there is a surplus they have decided to direct the foodstuffs commissioner to make purchases at stated prices and also to distribute them among the various provinces. That exactly is the policy laid down by the Government of India resolution and that may be followed by this Government when they have to deal with inter-district arrangements. The Government of India resolution also says: 'The operations of the foodstuffs commissioner will be directed to the question of supplies of wheat and rice', etc., and they say under the scheme, it will be a primary condition of supplies to dealers in deficit provinces, that they should be licensed by the Director of Civil Supplies or other local authority and that the grant and continuance of such licences shall be conditional on the holder selling within such prices as the Local Government may fix, with due regard to the prices previously fixed for purchases by the foodstuffs commissioner.' In other words, the order contemplates that these purchases should be made and distributed to the various provinces according to their needs; and they would be given for sale only to licensed dealers with instructions to sell them at fixed rates. That is the policy laid down by the Government of India and I earnestly urge on this Government to follow the lines laid down in that resolution. It is for the Provincial Government to distribute it, according to this resolution, to certain licensed dealers, who will sell it at a small profit and at stated prices. It is also stated in this resolution: 'It will also be within the discretion of local Governments, if they think this necessary, to arrange for the opening of Government and municipal depots or shops for the sale of foodstuffs at fixed prices.'

"When they get supply, according to the needs, the Government of India's policy is that they will have to sell it or give it over to some licensed dealers or to some co-operative societies or to some municipal or local bodies with instructions that they should sell it at stated prices. There is no reason why that policy should not be followed here.

"I was reading the other day as to what has been done in the same matter in the sister State of Mysore. The Diwan said in his recent speech: 'The situation requires very close watching and as it will probably be changing rapidly, we must be prepared to revise our forecasts and plans and go on adjusting efforts to obstacles almost from week to week.' And then the action taken by the Government is stated: He says: 'Ever since August this year, the situation has been giving room for anxiety. Taking advantage of the powers conferred on them by the Defence of India Regulation, Government brought under control paddy, rice, ragi and ohlam, as early as the 6th August. In September they took the further step of fixing maximum prices for certain foodstuffs in Mysore, Bangalore and Tumkur districts.' They have also issued a general circular as to what the Mysore Government have done: 'At present maximum prices have been fixed for ragi, rice, paddy and ohlam in certain specified areas. Steps are being taken to fix prices similarly throughout the State and orders in this matter will issue in another day or two.' Then it is a matter of detail and I need not detain the Council. Then it says: 'When stocks are taken over the officer in power to take delivery will prepare a mahazar showing the quantity taken over; that is again a matter of detail; it says again that 'the stock taken over will be placed in the safe custody of a responsible person and despatched to the destination indicated, or used to meet the demands of poor people requiring grain, sales being effected to them in small quantities at a fixed price.' Then it is said that co-operative societies are willing to undertake the business, respectable merchants may be licensed for the purpose or that committees may be formed for the purpose and the Government state that every care will be taken to avoid abuses and they have placed an advance of Rs. 10,000 at the disposal of each Deputy Commissioner for commandeering stocks. There is no reason why these steps should not be taken in our province as well. I might also say that the Bombay Government

20TH NOVEMBER 1918.]

(Mr. Siva Rao; Mr. A. S. Krishna Rao.)

have decided to grant loans to local bodies to help them towards the purchasing of stocks and they have granted loans without interest to purchase stocks. I may also say that liberal relief measures have been also started in Mysore with reference to rise in prices. For instance, it is stated 'Each local area has a responsibility to provide for its own poor as far as possible. To this end, relief funds should be started and a complete organization brought into existence, aided if necessary by municipal and Government funds.' It is also stated: 'Lastly there is the question of finding employment for the labouring classes and the poorer cultivators. Large public works are in progress in several parts of the State, and there is no lack of employment. On the contrary it is difficult to get labour in many places at present. Village works will be started and relief works begun at a later stage, as soon as the necessity is felt.' These are the lines on which I suggest that action should be taken by the Government. I am emphatically of opinion that some Government action should be taken in the matter. If I am allowed to recapitulate I might perhaps be exceeding my time. I might do so in one minute. Prices have to be regulated, and, if necessary, Government have to make large purchases of stocks and power should be given to Collectors to call for returns of stocks and power should also be given to Collectors under exceptional circumstances to fix the rates. As regards Provincial supply, the Government of India have undertaken to do it. As regards inter-district arrangement, the Director of Civil Supplies will have to certify that there is a surplus in one and a deficit in another; and he must make proper arrangements for movement of grain from one part to another. Municipal bodies and co-operative societies and other local bodies should be encouraged to open shops and loans should be advanced by Government without interest to purchase stocks. These are large matters and I had to take some time over them. This has been exercising the mind of the Government for a long time as it is not capable of easy solution; and I had to indicate the lines on which Government may usefully proceed and therefore I had to take some time."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I second this resolution. The resolution moved by the Hon'ble Mr. Siva Rao suggests that steps be taken immediately for checking the abnormal price of foodstuffs and other necessities of life. I have, in the resolution of which I have given notice, thought it fit to bring prominently to the notice of the Government that at least in the case of food-grains, the time has come to fix maximum prices. I believe I need not detain the Council long to convince it of the abnormal prices of food-grains and other foodstuffs. That is a fact which is admitted. It is a difficult problem as to what remedies can be suggested to check this evil and to solve this problem. I quite admit that this problem is full of difficulties and complications and that it has to be met in a bold spirit and solved as speedily as possible. It might be urged that there are several difficulties in interfering with private trade and controlling the price of food-grains or other articles. It might also be urged, as was urged on other occasions, that merchants and landowners are entitled to make as much profit as possible and there ought not to be ordinarily any interference with their profits. My Lord, before I proceed further, I might draw the attention of this Council to the statement made by the Hon'ble Sir Alexander Cardew in reply to a resolution then moved by the Honourable mover of this resolution. He stated: 'The case as regards food-grains, salt and probably fuel is somewhat different. As regards these articles, it is absolutely necessary that prices should not rise beyond certain levels or there will be danger of actual famine and the Government may therefore be forced to interfere in certain eventualities. We hope there will be no necessity for it, and we rely upon railway traffic. There is no doubt that a point will be reached when something might be necessary.'

"It is, therefore, clear that on the 3rd April 1918, the Hon'ble Sir Alexander Cardew recognized and realized that it was absolutely necessary that the prices of food-grains should not rise beyond certain levels and that otherwise there would be danger of famine and other necessary evils. The question which I now ask is whether the time has not arisen in view of the events which have taken place during these seven months for some measures, heroic as he then called them, being taken to check this evil. As to what has happened during this interval, everyone in this Council is aware of the various unfortunate incidents which have occurred in the various parts of the Presidency, the lootings, with consequent loss of property and with loss of lives in some cases. The answer given in reply to my question No. 37 printed at page 35 of the printed answers, will show in what places looting took place since the 1st of May 1918 and how much of loss or damage was caused thereby. It would be apparent from a careful analysis of that information that looting has taken place in about 96 places scattered in 18 districts of the Presidency. It will also be apparent that the looting which is scattered in 96 places between the 13th of May and the 20th of September—mostly it was in September—was mostly of paddy, so far as it could be ascertained, of paddy or rice and then cloths. After these facts were brought to the notice of the Government, an inquiry—an informal inquiry which they undertook on the receipt of a telegram from the Emergency Committee of the Corporation—was held on the 24th of September by the Hon'ble Sir Alexander Cardew and the Hon'ble Mr. P. Rajagopala Achariyar. Those of us in the mufassal who had the privilege to work in the emergency committees constituted in the mufassal did not then realize that the inquiry would be confined only to the metropolis and that we would have no opportunity of bringing to the notice of the authorities the circumstances prevailing in those places. Deputations, I find, were received from the Madras Corporation and another public meeting and the South Indian Chamber of Commerce and your Excellency's colleagues in the Executive Council, the Hon'ble Sir Alexander Cardew and the Hon'ble Mr. P. Rajagopala Achariyar discussed with them various aspects of the question.

(Mr. A. S. Krishna Rao.)

[20TH NOVEMBER 1918.]

I would submit my Lord, that it would have been possible to come to more correct conclusions if opportunity was then taken to consult the various Collectors of the districts and also to consult the emergency committees which were appointed to advise the Collectors regarding the problems connected with this question. I would draw the attention of this Council to questions Nos. 39 and 40 put by me at this meeting of the Council and the answers given thereto. They are—

'39 Q.—(a) Will the Government be pleased to state whether they called for and obtained reports from the Collectors of districts before issuing the press communique, dated 28th September 1918, as to the control of prices of foodstuffs?

'(b). Will the Government be pleased to lay those reports on the table?

'39 A.—The collection of information regarding the stocks of food-grains in the districts, the prices of food-grains and the control of transport of food-grains has been entrusted to the Director of Civil Supplies who is in constant communication with Collectors and it was therefore unnecessary to call for direct reports from Collectors before the issue of the communique in question.

"I venture to suggest that if only the Government sent a reference to the Collectors of districts at about the time of the inquiry, especially seeing that looting took place in the second and the third week of September in various places, it would have been possible for them to consult the emergency committees and place specific information at the disposal of the Government. I believe that it would have been more satisfactory if that information had been placed before Your Excellency's Government. The next question which I find was answered in somewhat too technical a manner which technicality might have been left to a Court of Justice, to a Court of Law, is as follows:—

'40 Q.—(a) Will the Government be pleased to state in what districts emergency committees of officials and non-officials were constituted to advise Collectors in matters affecting prices of foodstuffs?

'(b) Will the Government be pleased to state whether, before issuing the press communique referred to in the preceding question, they (1) called for or (2) obtained the opinions of such emergency committees regarding the necessity to control the prices of foodstuffs?

'(c) Will the Government be pleased to lay those opinions on the table?

"This is the answer—

"The Honourable Member's attention is drawn to G.O. No. 2258, Revenue, dated the 13th June 1918, in which the formation of emergency committees was decided upon. It was there stated that the principal duty of these committees would be to bring home to the people of the district the need for economy, for avoidance of unnecessary demands on the railways and for use of home products instead of imported supplies. It was added that the local experience of the members would enable them to advise the Collector and through him the Director of Civil Supplies as to the state of supplies and the need for priority certificates, but it was no part of the duties of the committees to advise regarding the necessity to control the prices of foodstuffs, and no reference was made to them on that question."

"Even starting with that answer, which I submit is somewhat too technical and which I submit could have been a little more sympathetic so as to give opportunities to these committees—it is clear that the local experience of the members of the emergency committees would have enabled them to advise the Collector and through him the Director of Civil Supplies as to the state of supplies and the need of priority certificates. If they are in a position to advise the Collector as to the state of supplies, it would follow as a matter of course that they would be in a position to place the necessary information as to whether it is or is not desirable to control the price of foodstuffs. No doubt, that word is not in that Government Order, but if they could advise the Government on one question, they could advise them on another. However it is viewed from a technical point of view, whether that construction is correct or not; when once the emergency committees are formed in the various districts consisting mainly of merchants and landholders, would it not be possible for the Government to obtain first-hand information from the various districts regarding the circumstances therein? I am sorry to find that advantage was not taken of such an opportunity to find the real state of things in this Presidency so far as the various districts are concerned. I speak with some knowledge of this question, because I was myself on one of the emergency committees constituted there. At one of the earlier meetings of the emergency committee, shortly after the looting commenced in one or two places, and shortly before it took a virulent form in September, there was a discussion as to whether the price of foodstuffs should be fixed and controlled or not. In the emergency committee, care was taken to have some landholders who produce large quantities of paddy and who come under the head of 'Producers'. We had on that committee three merchants who trade mostly in rice, who are in the course of one week and without obvious reasons, they pushed up the price of paddy. The price of paddy was Rs. 60 and in two or three days the landowners were not prepared to sell it for less than about 90. There was an informal inquiry in the emergency committee; and neither the landholders nor the merchants were able to give any satisfactory explanation for that increase in prices. The one information we had was that there were some merchants from Dharwar who went to Nellore and who were trying to and willing to purchase at exorbitant prices, and that persons were naturally anxious to push up the prices very suddenly. We tried whether it was desirable to suggest that traffic should be controlled and export put a stop to temporarily; and the deliberate conclusion that they arrived at was that for a short period,

20TH NOVEMBER 1918.] (Mr. A. S. Krishna Rao; Sir Alexander Cardew.)

export might be stopped. There was information before us that persons from other parts of the Presidency were taking paddy and that something must be done. I am not in a position to state what transpired subsequently between the Collector and the Director of Civil Supplies; but the Collector found it difficult to stop exports with the result that nothing was done. When we found that looting was going on in several places, the merchants that stored large quantities of paddy thought that the only way in which undue profiteering could be controlled was by prohibiting export at least temporarily. I remember that on the second occasion the emergency committee again met and came to the unanimous conclusion that to keep the price at a proper level there should be no export allowed though for a short period. I believe that effect was not given to that resolution with the result that even in places where formerly there was no complaint of shortage of food-grains, no complaints of depletion of stocks, prices have gone up by leaps and bounds. I am mentioning these facts to suggest that though the problem is a difficult one, still in the interests not merely of the poorer classes, but in the interests of the middle classes as well, steps should be taken to control the maximum price of these foodstuffs.

"There is another aspect of this question which I wish to place before this Council, as it affects the conclusions arrived at by Your Excellency's Government in that press communique. It is very unfortunate that owing to whatever reasons, owing to whatever information at their disposal, the cause of these looting has been attributed to unbridled political agitation. I think I must take this opportunity of entering my most emphatic protest against that assumption. Those who have been in a position to go from place to place will testify to the fact that the grievance was a real one. You will find that in the long list of places where looting was committed, Nellore was omitted; though it was threatened at Nellore, in the case of the poorer classes some temporary relief was given, some temporary measures were taken and though rice was ordinarily selling at 6 seers, they were supplied at 8 seers though in small quantities. There was a practical stoppage of this threat of looting; and the panic subsided in a short time. I mention this to show that it was not a correct conclusion that was drawn by Your Excellency's Government that looting was due to agitation. There was a real grievance; and they really wanted that something should be done. They found it hard to purchase rice at 4 or 5 seers a rupee and eke out their livelihood; and they were satisfied as soon as relief measures were taken.

"Therefore I would submit, my Lord, that the time has come when some special measures, heroic measures though they may be, should be taken to check the increasing price of foodstuffs. If we only consider the prices given in the *Fort St. George Gazette* it will be found that, in some places it was 7 seers; but the average for November is published as also for the last 15 years. It will be seen therefrom that the price is abnormally high in every district of the Presidency.

"The only argument that will be advanced, will be that if we begin to prohibit export or check the price of these foodstuffs, some districts might find it difficult to have food supplies. I believe that even in the case of a district like Nellore, before export is allowed, it is necessary that there should be an accurate stock taken of the foodstuffs. Even to places outside the Presidency, foodstuffs have been exported with the result that it is difficult to find adequate supplies even within the Presidency. It is not only necessary to take stock of supplies; it is not only necessary to have only necessary to have special relief measures wherever possible; it is not only necessary to have grain shops opened wherever possible; it is not only necessary that co-operative societies and local bodies in this Presidency should be helped; but it is also necessary to fix the maximum prices of food-grains, so that it might be possible for persons, be they of the middle classes, or of the poorer classes, to eke out their livelihood and get on in this world. So far as persons of the lower classes are concerned, it has been possible to adopt some relief measures though for a short time. It is my experience and I believe the experience of several others in this Council, that it is not possible to carry on relief measures for a long time. We were able to do so only for a temporary period; but again the persons of the lower classes began to complain very soon 'you have been selling rice at 8 seers, but now the merchants have begun to sell it at the usual rates.' The merchants say, 'we have no other alternative as prices have gone up.' With these remarks, I second the resolution. I hope that relief measures, drastic measures if necessary, will be taken to check these abnormal prices."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, I think I detected in the remarks of the two Honourable Members a certain accusatory tone. I feel sure that the Council will agree that this problem before us should not be regarded as a controversial one in which Government are on one side and Honourable non-official members on the other, but we should endeavour as far as possible, as far as we can, to look at the problem as a whole and take account of the difficulties that surround it and consider what is for the true interests of the Presidency, not in any partisan spirit or biased spirit. Government are, of course, keenly alive and have been for many months, to the serious position which has arisen in this Presidency through the high prices of food-grains. When the subject was before this Council in the month of April last, the difficulty was then largely one of distribution, and the question then was mainly due to want of resources, to reduction of railway rolling stock, and to difficulties in obtaining steamers. But since then a very great additional factor has come into operation and that has been the widespread failure of the south-west rains and the late and partial rain of the north-east monsoon. My Hon'ble friend Mr. Siva Rao, when he told us that matters had become steadily worse since April, of course stated a fact, but he did not tell the Council, he did not himself realize, that the Government had no control over the cause which has made matters worse. The cause which has made matters worse has been the bad season, which necessarily deprived the Presidency of large stocks which otherwise would have been raised and naturally and properly a strong stimulus has thus been created to hold grains from the market.

(Sir Alexander Cardew.)

[20TH NOVEMBER 1918.]

"Soon after that meeting of April, we appointed the Director of Civil Supplies and his duties have been stated in answer to one of the questions yesterday. His duties were 'to consider stocks of foodstuffs and other necessities, to receive and examine applications from merchants and others for the movement of traffic, to scrutinize demands and reports sent by District officers, to consult with the railway authorities as to the movement of traffic and to issue certificates for traffic.' That function has been performed, I believe, not only with great care and devotion but also with considerable success, I believe, if you look back at the famine reports, when there was famine in 1887 and 1897, you will find that the absence of a Director of Civil Supplies to control the movement of grain was one of the causes which aggravated the conditions in those years; and the presence of the Director in the last six months has been the means of preventing acute symptoms which otherwise would have arisen.

"The first question we had to consider was whether India had to be treated as a whole and whether there should be free trade inside India or whether the circumstances of each Presidency must be taken into consideration. Naturally wealthy presidencies which had been making large profits by cotton and jute would have liked to treat India as a whole because the resources of their people being higher and the wages also higher, they could afford prices which would have ruined Madras; they could have drawn away all our stock and drained us of our supplies while our people were starving and suffering. The Madras Government have consistently held to the view that each Presidency must be considered to some extent as a separate unit, and that free export cannot be permitted, and to some extent that view has been accepted by the Government of India although its views on this matter have varied a good deal, but practically we have at last succeeded in limiting exports from the Presidency almost entirely and we had with much regret to turn our shoulder on our friends in Ceylon and prevent them from getting our supplies. They too are in difficulties. Then the second question which arose was; was the Presidency within itself to have free trade in grains or was control to be exercised on free movement from one district to another? Here too we were influenced by the same arguments that influenced us with regard to the other Presidencies. A wealthy district could afford a higher scale of prices than a poor district. There was the further reason that if we allowed the free movement of grain from place to place, it might mean that each dealer, if he saw chances of a profit 100 miles away, would move the grain thither, and if there was a profit being secured in another place, he would move the grain there. The railways would be occupied with unnecessary traffic by allowing free trade between districts and therefore with hesitation I think on the whole with sound judgment we have decided that free trade between the districts was to be stopped as far as, at any rate, the movement of grain by rail was concerned. We knew at once that this must result in some suffering in some of the districts by prices being pushed up. We realized that when that occurred, we should then have to relax the prohibition of the transport of grain from district to district and we should have to provide for the transport of grain to those deficit districts. I will come to that later on. Then came the third question on which Honourable Members are most interested whether we should endeavour to fix the maximum prices in the districts or in the Presidency or whether we should try by indirect means by controlling distribution and increasing supplies to control the prices without fixing them. This is the crucial point on which I would very much wish to be able to convince Honourable Members and not merely to put before them formal arguments. I would like them to consider what would follow supposing we were to fix prices. Suppose in the city of Madras we fix the price at four measures a rupee, I would like Honourable Members to consider what would follow. The immediate result would be that no grain would be imported from Burma because at the prices ruling in Burma it cannot be delivered here at four measures a rupee and therefore the main source to which we look to supplement our local supplies would be immediately cut off. No doubt it is true that if we were to take possession of all stocks and hold them, for a time everything would go on very smoothly; but our stocks would be thereby more rapidly denuded and in the absence of imports from Burma catastrophe would necessarily follow unless the Heavens were kind and gave us the rains which they have not done or local sources were able to supply all wants which they are not. Therefore it is a difficult question to fix the prices locally, which I find my Honourable friends are advocating in this resolution. When I came to Madras in September last and had a meeting with the South Indian Chamber of Commerce, we had a most instructive discussion and a gentleman there whose name I forget, who was a dealer in chillies—chillies were in a critical position—we asked this man, 'can you fix the price in Madras this moment?' The price at the time, I forget, say Rs. 1-12-0. He said it was utterly impossible to fix the price because in Guntur, where the chillies come from, we could not get enough, and we could not get any chilli from Guntur if we fixed the price of chilli in Madras. I have never seen that gentleman before, but his evidence was most convincing that we cannot fix the price except at the source of supply. We should go to Guntur and take possession of the crops from the fields, and then fix the price, but to fix here in Madras the price of the chilli would be to immediately stop the introduction of supplies and would produce famine results as soon as the small existing stocks were exhausted. That is an illustration of what would happen if the same principle were applied to rice; if we fix the price of rice at a figure which is below that at the centre from which we draw our supplies, we must immediately be cutting off our supplies by import. We have yet to see in the light of that fact how anything can be done to fix prices. The question is whether prices cannot be controlled at the source. The source for our present purposes is Burma and therefore the real question is whether or not something cannot be done to control prices in Burma. It appears hitherto they are not controlled. There are one or two other aspects of the matter as regards the fixing of prices which I may just notice in

[20TH NOVEMBER 1918.]

(Sir Alexander Cardew.)

passing. One is, so far as I know, that in the worst famine of 1877-78 when millions of people died of starvation, prices were never fixed, the Government never attempted to do so. That is one argument and I suppose we must admit that experience would be of some value. Another point is that it will involve enormous expenditure. Our annual consumption of paddy is about nine millions of tons—that is a rough figure but I believe is approximately correct, our import at the present time—what we want, not what we can get—is about 32,000 tons per mensem or 192,000 tons for six months and in order to sell that small proportion of the total supplies at a cheaper rate, by reducing it by one measure a rupee while we purchase it at three measures a rupee, it would cost over one crore of rupees. Just imagine what will happen if we are unfortunate enough to have a further failure of the monsoon in June or July. We might have to set to work to sell our grain cheaper than the market rate. That is what we are asked to do. We might have expended a crore of rupees in six months in doing so, and on the top of that, we might have a further failure which would leave us in a more disastrous position than we are in now and a great part of our provincial balances already spent. Is it likely that if we did fix the price at four measures a rupee on the small quantity of the grain imported, is it likely that that would force down general prices? That is only 4 per cent of the consumption. If we import 192,000 tons and Government sold it, I doubt whether it will force down the price, because I find it is a matter of common knowledge that the public of this Presidency are so wedded to the food they are used to that they will not use the Burma rice which is cheaper than Madras rice. These are points which should be considered in this connexion. At any rate, for the reasons I have given, I am convinced that it is impossible to fix the prices except at the source, Burma, and therefore we must set to work to deal with the problem as far as possible by indirect methods and by indirect control. I am entirely in favour of Government doing all that is possible by indirect control to reduce the prices. That really brings us as to how we are to produce a decrease of prices by this means. The first of those measures no doubt is the regulation of railway traffic from other provinces. This has been done to some extent by the Director of Civil Supplies and large imports have been brought in from Bihar and Orissa and Bengal; in Ceylon their own stocks were running down and yet the transport to Ceylon has been prohibited. The second means of controlling prices is by the introduction of rice by sea. Here we are in the hands of the Deputy Controller of Shipping in Bombay. This gentleman has been appointed by the Government of India to control all steamers in eastern waters and he has got complete control which is worked with great care and I believe with great efficiency. In this matter, it is a question of hours or days. A steamer which is to-day in Calcutta will go to Rangoon and will be allowed three days or four days for being loaded and at the end of that period, so many days will be allowed for the voyage and for unloading and so many days and it will then be again ready for another place. All the steamers in Indian waters are being controlled by this officer, and he is responsible for giving us sufficient tonnage. I have nothing whatever to complain of regarding his treatment of this Presidency. He has given us steamers to a very considerable extent, but our main difficulty has not arisen from lack of tonnage but from the difficulty of getting the steamers filled. For instance, he offered us a steamer for Negapatnam and if we could have got it filled, we could have about 15,000 bags conveyed into Tanjore district. Unfortunately no merchants in Tanjore or Negapatnam would come forward to fill that steamer. Their position is quite intelligible. Rangoon prices are high and the moment we begin to buy in Rangoon, up goes the price. A further complication exists in the fact that there is a possibility at any moment of the Government stepping in to control the price in Rangoon. Suppose some one purchases grain and in 24 hours the Government fix the prices there; then this rice will have to be sold at a loss. That brings us back again to the necessity of control of prices in Rangoon. Until that is done, it is extremely difficult to see what remedy there is for the present position. Many representations have been made to the Government of India on these points and the Government of India have taken various action. It has prohibited, practically at any rate, what was going on in the export of rice from Burma to countries outside India, Japan and Java. That was going on till two months ago to a considerable extent and that necessarily affected the prices in Rangoon; but steps have been taken to withdraw some of the licences which were granted and the grant of further licences has been suspended and I understand that something definite has been achieved. I understand also that the Government of India has prevented the export of rice from Rangoon to Bengal, which is not a deficit province. But the final step which they have taken was taken so long ago as the 11th October and that is to appoint a Foodstuffs Commissioner for the whole of India with full power to take possession of supplies in Rangoon and distribute them to every Province according to its needs and to direct the whole course of trade. That is the most important step which we urged upon the Government of India and the Bombay Government also urged upon them and I am glad to say it has been taken. I am not in a position at present to tell the Council how exactly we are going to operate in this matter. Mr. Gubbay has been appointed Foodstuffs Commissioner. He has a great reputation for ability and we have every hope that under his control matters will be sensibly improved in future. We understand that Mr. Gubbay reached Rangoon two days ago and he is now there examining this question and seeing how he is going to exercise control of grain supplies in Rangoon. Until he has elaborated his machinery and decided what steps he is to take, the Madras Government are quite helpless in the matter. We can only wait for his decision. If he succeeds in taking over large stocks of Rangoon rice and bringing down prices, there must be a collapse in prices as has occurred in the case of cotton piece-goods. Until he does that,

(Sir Alexander Cardew; Mr. Ahmad Tambi Marakkayar.) [20TH NOVEMBER 1918.]

I can see no remedy. I do not believe that the benefit of the high prices in Rangoon is going into the pockets of the ryots. From the information we have, it does not look like it. It goes no doubt into the pockets of the middleman who holds up the stocks and whenever there is an attempt to buy, pushes up the price. The Ceylon Government are finding exactly the same difficulty, the same attempt to exploit them for the benefit of the middleman and it is for Mr. Gubbay to deal with the problem as fast as possible. I think if the matter is looked at from that point, if Honourable Members realize that fixing prices in Madras without reference to our supplies coming from Burma would be disastrous and would stop the influx of supplies, it will be realized that the true remedy is to fix prices in Rangoon. I am sure you will agree that no detached action in this Presidency would produce the results which we all have at heart. I do not know really, after that statement of the Government's position, whether I need detain the Council very much longer. As regards the question of rioting, of course, we all know and everybody agrees that the immediate cause of the riots was a real grievance which the people felt, not at the high prices but at seeing stocks being exported out of the district and large stocks being at hand and this was natural. But the fact is that prices are higher now than then and yet rioting has ceased. The rioting therefore must have been due to an epidemic which went all over the Presidency beginning from Vizagapatam and coming down to Madras. It was evidently due to the general disordered condition of the public mind. They said 'it is a shame that we should pay high prices; there is a lot of grain here and Government have not got power to step in' and they actually believed that in many cases Government officials sympathized with looting and were not going to attempt to stop them. I suppose that was—I do not think any one can doubt—that was the cause which contributed to the sudden outbreak. The evidence was not in favour of the rioting having been done by starving people but the evidence was in favour of the rioting having been mainly by rowdies. It is almost proved that it was so by the character of the people who were convicted. In Salem, for instance, some people who were convicted were found to have taken away the doors of shops they looted and they were traced to railway coolies. The high prices no doubt were the cause immediate but the general feeling of unrest, the feeling that Government could be treated with a fair amount of contempt encouraged them to do things which they have never done before and which since the measures taken to stop it, they have not done again although conditions are worse now than they were.

"The Hon'ble Mr. A. S. Krishna Rao referred to my speech in April and asked whether the time had not come when something should be done to relieve distress. That brings me really to the second question touched upon in the second part of the resolution, to which the speeches have been hardly directed. In some parts of the Presidency, the time has come when action will have to be taken. In this matter of relief, the experience of the last 30 or 40 years is crystallized in the rules of the Famine Code and by the rules of that Code Government propose to guide themselves because they represent the teaching of experience of the past famines of 1877 and 1897, in fact, all the famines which have occurred during the past 40 years. If you read the history of the famine of 1877, you will see how they were groping in the dark in the absence of a Code. The Famine Code lays down the main principle that the necessity for relief is to be tested by the willingness to work at a wage sufficient to keep a person alive. That is the principle which the Government will follow now. I had an interview with the Collector of Bellary two days ago and he told me that he thought that the time had come when we must begin, if there is a necessity for it, relief works in some portions of the district. The taluks of Bellary are now at a stage that even if rain fell, little good will be done. As soon as arrangements can be made to open works in those portions of the district we hope to do so. No other Collector has as yet reported, and I trust that in no other district it will be necessary that relief works should be opened. I hope that no other district will reach that position. I understand the agency taluks in Gōdāvari also are in a bad condition. We will have to take action towards relief of distress. These are the two parts at present where danger is actually felt and some action to deal with it is necessary. That is the position; but as Honourable Members well know, conditions have been changing in the last month from day to day. The rainfall in the Ceded districts in the last fortnight has been good and the whole difficulty may have been greatly reduced if not removed. In Gōdāvari if only the rains had extended inland, the crops would have been saved and there would have been no trouble at all. Something depends upon the course of the season. I can only assure the Council that a most careful watch is kept. The Board has called for reports from all Collectors as to the position in each district and wherever the necessity exists we shall at once apply the Famine Code and open test works; and if people come to them and apply for relief, relief will be given for the population. I hope the Council will think that that is a right course. Personally I cannot think that we can give away rice free except to the sick, the maimed and the disabled. We must apply the rules found most effective by our predecessors, which will prevent any very serious calamity. Government can only say again that they are determined to meet the necessities of the case in accordance with the principles which I have attempted to lay down and they believe that by applying these principles, though we may have to go through a period of distress and difficulty we shall be able to save the people from any serious catastrophe."

The Council then adjourned for a short interval and re-assembled at 3 p.m. when the discussion on the resolution about high prices was resumed.

The Hon'ble Mr. A. T. G. M. AHMAD TAMBI MARAKKAYAR:—Your Excellency, I fully sympathise with the Honourable mover and the Honourable seconder of this resolution. It is high time that Government should take such steps as will alleviate the present difficulty. I do

[20TH NOVEMBER 1918.] (Mr. Ahmad Tambi Marakkayar.)

not call this a famine, but we are expecting a bigger famine next year, as the condition of the present crops is so bad that we could hardly expect 25 per cent crops. I do not know if the controlling of prices in the districts will work all right. It is not mirasdars and merchants that make money. It is the mill-owners that are making huge profits. They purchase all or almost all the paddy and stock the same with them. They mill the paddy as they wish and sell the paddy as they like. The price of local chamba rice was Rs. 13 a month ago. Now it is Rs. 19. If at all there should be any restriction or control, it should be on the mill-owners. As a merchant myself who has interest in shipping rice to Ceylon and Straits Settlements, sacrificing my own interest for the sake of the public, I suggested to the Director of Civil Supplies through the Collector in the capacity of an Emergency Committee member, to prohibit shipment to Ceylon and Straits Settlements for some time, until such time as the supply of food-stuffs is sufficiently safeguarded. I think, my Lord, this is one of the best remedies that Your Excellency's Government should adopt. I know, as a matter of fact, this order has been passed. What I mean is that this order should be continued for some time. I do not think that we could prohibit export from one district to another within the Presidency. There are some districts which are badly suffering from famine; such districts must be provided with sufficient food-stuffs from other districts of the Presidency and if necessary even from other Provinces. By putting a stop to exports of rice, to Ceylon and Straits Settlements, I am sure the people will grumble but we can tell them to go to Burma. Burma could supply any amount of grain. We can easily tell Ceylon and other Colonies, 'charity begins at home.' Now, my Lord, the next point is to remedy the evil. As the war is now over, I am sure almost all the steamers will be released and prices will, in the natural course of things, go down when merchants will be able to import a large amount of cargo from Burma.

"With regard to the price at Burma I should say that the mill-owners of Burma are merely gambling with them. There is a business called 'chattai' in Hindustani; they contract in rice from one month to another and thereby they are making any amount of profit. It is these people who spoil the market and increase the prices. They are always on the alert to see how far the market in India goes up and accordingly they raise the price. They have a regular set of brokers under them, they are paid by them indirectly to raise prices to their own interests. All such things as suggested by the Hon'ble Sir Alexander Cardew will be put a stop to if the Government of India will appoint a Controller for Rangoon. When the merchants are able to consign large quantity from Rangoon and compete with the local merchants, if Your Excellency's Government really think that the merchants of this place are purposely raising the price, we can easily put a stop to it. If such arrangement is made after the steamers are freely allowed to sail, freely from one port to another and the price at Rangoon, the price that is already unduly increased on purpose, is controlled, famine in India or rather in the Madras Presidency will be easily averted.

"The next point I wish to say is the difficulty of merchants in importing large quantities of rice into Madras and Negapatam which is on account of the high prices that are in existence at Rangoon. (As suggested by the Hon'ble Mr. Knapp), I sent a telegram to my firm at Rangoon to quote the price of paddy. I got a reply—paddy 170 for 100 baskets each bag containing 3½ baskets and measuring 2½ small kalams which works out to Rs. 4 a kalam and Rs. 11 per bag. This is a very high rate. I do not think we can import any grain at this price and sell them locally to help the poor. As a matter of fact, I thought of getting a steamer through the help of the Government and asked my firm to ship about 1,000 or 1,500 tons and land the rice at Madras and selling it for a small profit. Of course as a merchant, nobody would expect me to sell it at a loss but what I could do is to reduce the profit to a slender margin to cover risks and loss. As I mentioned to the Hon'ble Sir Alexander Cardew, it is possible to reasonably combine philanthropy and business. I see from the present state of affairs that I am not at present able to undertake this important and big business. So I have wired to my firm in Rangoon to be on the alert and immediately the price goes down to 115 to let me know and then I will be able to assist the Government and the people in getting a steamer loaded with cargo and sell rice at a nominal profit. I have also wired to Akyab where I was told the price is cheap. If that price is suitable, I shall undertake to import a large quantity from there. One other reason why the price in Rangoon is high in addition to the reasons stated before, is that the crop seasons are over; and by the end of December or the beginning of January they will get a new crop when the price will go down considerably and when we will be able to compete with local merchants who wilfully raise the price and profiteer, causing a good deal of hardship and inconvenience to the poorer classes of people. As suggested by the Hon'ble Sir Alexander Cardew, if such things as the addressing of the Government of India to undertake the question of supplying steamers at a cheaper freight, with the Controller of Steamers in Bombay, are carried out, I am sure that will help us a great deal, as also the appointment of the Controller at Rangoon. With regard to the question of prohibition of export of rice to Ceylon and Straits Settlements: I strongly recommend that the order should be continued for some time. Otherwise, I am afraid merchants at the ports will considerably increase the price and compete with local merchants and mill-owners who are now demanding Rs. 19 and who might demand even Rs. 25. So I strongly recommend that the order issued by the Director of Civil Supplies prohibiting rice supply to Ceylon and the Straits should be continued for some time longer till the grave situation we are faced with, is relieved and prices touch a figure within the reach of those most affected and show a tendency to remain firm. With these few remarks I support the resolution."

(Sir Gordon Fraser.)

[20TH NOVEMBER 1918.]

The Hon'ble Sir GORDON FRASER :—“ Your Excellency, I agree in the main with the remarks made by the Hon'ble Sir Alexander Cardew with reference to this resolution. The resolution, in the first place, asks for the control of prices of food-stuffs and in the second place for relief measures in the worst affected areas. As regards the second part of the resolution, I think as necessity arises, we can leave this very well in the hands of our Local Government. The main question before us is the control of prices and there is no doubt, as the Hon'ble Sir Alexander Cardew has explained to us, that the problem bristles with difficulties. I think all Members of this Council, European non-officials as well as Indian non-officials and officials also are very much in sympathy with the object aimed at in this resolution. The only question is: Is it practicable, can we bring any scheme into force that will enable us to attain the end aimed at? I am afraid unless the Government of India come to the assistance of the local Government, very little can be done to keep prices down to a reasonable level. The wording of the resolution is that ‘steps may be immediately taken for checking the abnormal prices of food-stuffs.’ The natural way to check the abnormal price, is to get further supplies and not to control prices in the consuming markets when the goods are imported from a foreign market where there is no control. To do this would simply mean the cutting out of our supplies as the Hon'ble Sir Alexander Cardew has explained to us. That this would result was shown by the events which succeeded the recent looting in Madras. Immediately after the looting, prices were reduced by the dealers probably in fear of further trouble but this had the immediate effect of the dealers of Madras stopping the import of rice from Rangoon. My firm does not deal in rice, it is a commodity which we have never touched, it is mostly in the hands of other dealers in the town; but the immediate result of these regular dealers stopping imports was that we had offers from Rangoon. We had telegrams saying that so many tons of space were available on the Rangoon steamers—they made us offers of the rice—and we accepted. It seems to me it is almost criminal, under the present conditions, to allow steamers to leave Rangoon for Madras with hundreds of tons space available. It commended itself to my firm and the total quantity we bought was about 2,000 tons which is at present on its way to Madras. This is bought at a very high price at Rangoon. We cannot help it, the price in Rangoon was high; but even then, even with those high prices, it seemed to me that it was a better policy to take advantage of the opportunity to have that high priced rice in Madras than to leave it in Rangoon. I do not want to condemn the regular dealers; but I think it shows rather a lack of public spirit to drop out like that, although from a business point of view it was perfectly sound. The price in Rangoon was high and there was practically no hope of making any profit. I propose to continue buying even though the price is high. It is evident that food supplies in our Presidency are short of our requirements and we are dependent for our balance upon Bengal and Burma and especially on Burma. In Burma, supplies at present are fairly large and ample and there is a very large crop, a record crop coming on very shortly. It is evident then that we must look to Burma to make up this deficiency and bring our supplies up to our demands. It is Burma that we must look to and I consider that this is only possible provided the Government of India will come in and help us. We want the Government of India to take steps to ensure that our Presidency receives a sufficient supply of rice from Rangoon to make up the deficiency that now exists in our own Presidency. If this is done, I am quite sure we can look with the greatest confidence to the local Government to take steps to distribute that rice and to see that the rice reaches the consumer without any unnecessary profits—without any profiteering on the part of the middleman. The control of the Government of India must be at the source of supply. I do not think it is justifiable on the part of the Government of India at present, allowing export of rice to foreign countries while we, in India and in this Presidency, are suffering from shortage. There is no doubt that other countries have been offering high prices, prices which resulted in large profits to Rangoon merchants; but like my Honourable friend I also think that ‘charity begins at home’, and until we are ensured against scarcity in India and in our own Presidency some restrictions should be placed on the free trade that is now going on from Rangoon to foreign countries. Unless prices are reduced and has been explained by my Honourable friend, merchants to buy in Burma at the rate of three measures per rupee which is approximately the price ruling there and retail it to consumers in Madras at 3½ measures or 4 measures a rupee. That cannot be done. I understand that steps have been taken to prohibit transport of food-stuffs from one district to another in the Presidency and also that steps are being taken that in districts where there are excessive supplies, these excessive supplies should be moved to districts where they are necessary. This of India from Burma should, I think, considerably relieve the present scarcity in Madras. In regard to the question of controlling, if districts are divided into water-tight compartments in the districts are in excess of the demand or equal to the requirements, but in any district where the supply is not equal to the requirements of that particular district I cannot see how any control could be effected. Because, you would have to rely upon the imported rice, whether imported from overseas or from the adjacent districts. The prices ruling overseas or in the adjacent districts will be the prices that you will have to pay. This is what is happening in this Presidency between us and Burma. I think the Honourable mover of the resolution referred to this question of controlling at the source of supply; or rather he referred to the control that

20TH NOVEMBER 1918.]

(Sir Gordon Fraser; Mr. Ranga Achariyar.)

has been brought into force in the case of kerosene oil. That is another case where control at the source of supply has been effective. The action taken by the Madras Government is to control the distribution, but in addition to that, we have had control at the source of supply from the commencement of the war, because oil companies from the commencement of the war fought hard against any profiteering and they kept their prices down with a view to letting the consumer have his oil at a reasonable figure. Control at the source of supply has been in existence all along, but oil companies not being official, they found they were quite helpless to put a stop to profiteering and they had to go to Government and represent their case and eventually a scheme was devised for this control and since then the Government and the oil companies have been working jointly to ensure that the oil reaches the consumer at a reasonable figure. I think the Honourable seconder of the resolution referred to possible objection being raised on account of the interference with private trade. But I think that is quite unnecessary. I cannot imagine that any objections from traders will be brought forward that action by Government in cases such as the present will be in any way interfering with private trade. The necessity for acting for the benefit of the general public and the country justifies in a case such as the present action by the Government, to try and alleviate any distress that is existing. The first thing, then in my opinion, is the control of prices at the source of supply. Secondly, I think the Government might well take some steps to try and prevent profiteering; in other words, see that the rice that is brought into this country is retailed and distributed with what we might call a reasonable margin of profit. I think there will be very little difficulty in doing this. If we grant for a moment that the appointment of Mr. Gubbay is going to result in further supplies, it would not then be difficult to devise a scheme whereby all the rice imported into this Presidency should come to certain licensed dealers who would be on the list previously compiled by the Director of Civil Supplies and all these dealers who receive the rice should be under a promise to retail it at a fixed margin of profit per bag. I think there will be very little difficulty in arranging this. There is one point that may be advanced and that is a sound one, if one wants to go into the position carefully. I am not putting it forward as an argument against control. In Rangoon we find a rise in prices and we find buyers of this rice from foreign countries at the higher prices. We now say: ‘control those prices, so that buyers may get it cheaply.’ That is, you are going to give foreign countries rice at lower prices and to do that, you are going to mulct the Rangoon ryot or the Rangoon merchant. Take the case of cotton. Cotton stands at Rs. 500 a candy, it has fallen since; suppose we had cotton mills here and Rangoon came along and said, ‘we cannot pay more than Rs. 300’ and then control came into existence to keep the prices down to Rs. 300, you would then benefit the foreigner also who wants to buy cotton, at the expense of the men of the country. That may happen in the case of rice. The only way to get over it is, it seems to me, to leave the Rangoon market absolutely free for trade to foreign countries, for the Government of Madras to go in and buy their rice at current prices, bring it over here and sell it at lower prices and stump up the loss, or in other words, to make it a bounty. That is the danger I put forward as against control in Rangoon. There is the danger that you give foreign countries the benefit at the expense of the Burmese ryot, or dealer. It is a very difficult question and it is very difficult to know how to vote on this subject. We are all in sympathy with the resolution and, instead of having a division on it, I would suggest that the matter might receive further consideration at the hands of the Government to see whether some scheme might not be devised, on the lines I have suggested. If you could get the rice, there is no difficulty at all in getting licensed dealers, in Madras and if that could be done, I shall be in favour of it. I hope the Government will take some action in that direction.”

The Hon'ble Mr. T. RANGA ACHARIYAR :—“ We all recognize the importance and the seriousness of the situation; and if I refer to what may be done and do not refer to what has already been done by the Government, it is not because I do not appreciate what has been done, but it is because I wish to make some suggestions as to what may further be done in order to relieve the situation. There are two causes, namely, the inadequacy of supply or production and the unsatisfactory nature of the distribution. As regards the first, that is the inadequacy of supply or production, Government should arm themselves with full and complete information as to the quantity now available and as to the quantity which is likely to be available in the next year. This information has become absolutely necessary in view of the failure of the south-west monsoon and also in view of the failure of the north-east monsoon. Too much expectation should not be raised by the fall of rains in the coast towns, the rain has been too abundant in these coast stations and where it went, it has been coming too profusely to be of any use to the crops on the land. On the other hand, if you get 35½ inches in the course of two or three weeks, no crop can survive such an attack; and therefore I do not think we can expect much from the recent rainfall that we have been blessed with. I wish it had been distributed over several months, but it came all too sudden and all too much. Therefore it is that I rather regret that the information called for and suggested in questions Nos. 17, 50, 53, 54, 104, 105 and 106 on the agenda has not been obtained. Government say they have not got the information or that they do not consider it necessary to get the information in certain cases. As has been pointed out by the Hon'ble Sir Gordon Fraser just now, we will have to ask for information as regards the districts and we must have full information and we will have to make water-tight compartments of districts themselves. And therefore the information called for as regards cultivation of dry and wet grains in the various firkas of the districts will be necessary. I also notice that Government say that they did not get information as to the price of cloths. I think in these

(Mr. Ranga Achariyar ; Mr. Thonger.) [20TH NOVEMBER 1918.]

abnormal times Government should not be content with getting merely formal returns. They should open more columns in the return and get more information. They must arm themselves with information as to the quantity now available and likely to be available.

"As regards the other question about control of prices, it is a very difficult question indeed. But we have complete faith and confidence in the statesmanship of the Government to tide over the difficulties. Too much emphasis should not be laid on the difficulties. If we always think too much of the difficulties even in our private affairs, we shall be dissuaded from taking the steps which we ought to take. Difficulties should not be exaggerated. Government have controlled and have succeeded. I will instance wheat; I will instance hides; I will instance cotton-goods and also kerosene-oil. Where the Government have taken steps to control prices, they have succeeded in keeping down the prices and therefore I do expect Government to take steps in the matter; it is easy for them to take measures to control prices. I am afraid too much stress is laid on the rice question. We have got ragi, cumbu and cholam, and other local products which are all completely under the control of the Madras Government. The source of production of these crops is mostly in the Presidency and probably in the neighbouring province of Bombay. As regards chillies, the source is a neighbouring district and these stuffs are, I submit, under the control of the Local Government. I mean the source of production is under the control of the Local Government and I think that Government can take steps to control the prices at the places of production. Even as regards rice, one is often struck with the quotation of prices. The price in the suburban towns is Rs. 15 per bag, whereas in the interior of the district it is sold for Rs. 25 or Rs. 30. That shows that there is a great deal of profiteering. Control of prices is one thing and probably annexed to it is the control of profits. The Hon'ble Sir Gordon Fraser has hinted what Government may do in that direction, of controlling the profits of the merchant. Suppose a man buys at Rs. 100; let him not sell it at more than Rs. 105 or Rs. 110. That is a matter which the Government can safely take on hand. I do think that profits go up from place to place. In answer to an interpellation to-day Government say they have no information. That will hardly do. You must have information not only from municipal areas, but from outside as regards the prevalent prices. I do think in the interior parts, especially in ignorant places, prices go up and people are not able to buy the necessary foodstuffs for their sustenance. For instance, kar paddy sells at Rs. 3 per kalam and samba paddy at Rs. 3-14-0 and Rs. 3-12-0 in the Tanjore district. That is an unheard of thing. Even in the great famine of 1877 when people suffered very much, our best paddy was sold at only Rs. 3 per kalam. This shows that famine conditions have been reached so far as rice is concerned and even more than famine condition. I do not think at this time when ravages are committed by influenza and people are affected to a very high degree both by the high prices and by the prevalence of this disease, Government should swear only by the Famine Code. The Famine Code is made for certain conditions of agricultural distress produced by failure of rains. Government at a time like this must extend their operations beyond even the strict limitations of the Famine Code. Again there is such a thing as controlling freights. Much difficulty is caused by the recent rise in the railway and steamer freights. I do think that the Railway Companies have made huge profits. They made the war an excuse for putting up the freight and I do think that this Government or the Government of India at the instance of this Government should control freights. Certainly the time has come when freights should be reduced to their normal conditions. The Government, I am sorry to note, are laying too much burden on local bodies. The other day Mr. Wood speaking in the Corporation said that Government expected local bodies to take up this matter. In fact, the Corporation of Madras are trying to do their best to go outside the law. They are not entitled—in fact they are breaking the law—to spend money on the purchase of goods and supply it to the poor. They are breaking the law indeed. I think many a local body, if you throw this burden on them, will break down and you cannot expect them to bear the burden; it is too much to expect them to bear the burden. As the Hon'ble Sir Alexander Cardew pointed out, it is the magnitude of the expenditure which stands in the way of the Government doing much. If the all-powerful Government are afraid of expenditure, how much can these poor local bodies do if you are going to entrust them with this work? I do not think it is proper or wise to trust them or even to private charity to do much in a matter like this.

"Again, I would point out that steps can be taken by the Local Government and I do trust they will put pressure upon the Government of India in the matter of controlling the price of rice in Burma. Public opinion all over the country will support the Government and I do ask the Government to put on more steam. We cannot be waiting long. From April last we have been urging on the Government to take steps; the people have been hoping for Government action and they cannot continue to starve. I think we must put more pressure upon the Government of India to help the Local Government to take a generous step to protect the people from this situation."

The Hon'ble Mr. J. H. THONGER:—"Your Excellency, every right-minded man must be in sympathy with a resolution of this kind. I have nothing whatever to do with the rice trade, and I do not know how it is conducted; but I, like every one else in this Presidency, cannot help seeing that prices have risen to such a point that the unfortunate low-paid Indian can hardly live. I am in full sympathy with the resolution, but I cannot say that I am in sympathy with all the arguments which the Honourable member may have brought forward. I could not hear a single word, but so far as his arguments are sound I should naturally support him. The Council should render a hearty vote of thanks to the Hon'ble Sir Alexander Cardew

20TH NOVEMBER 1918.] (Mr. Thonger ; Mr. Venkatapati Raju ;
Sir Alexander Cardew.)

for the elaborate way in which he has explained the steps that the Government are taking to meet the situation. I have no doubt the Government are fully aware of the dangers of interfering with trade. It gets into regular channels and it has characteristics which must be observed; otherwise, there is the danger that the object which the Government have in view will defeat itself. I am in practical agreement with the Government in saying that the right thing to do is to control prices at the source. Even then there is a danger which must not be overlooked. How are you going to control the prices? If you are going to fix them on a definite basis, how are you going to arrive at that basis? Care must be taken to see that it is a that control of prices had been successful in the case of oil. It may have been, but oil is a different product to rice. An oil well produces nothing but oil. Government may fix a price at which it must be sold, and whether it is an altogether satisfactory price or not the oil is still there. If, on the other hand, the Government say that rice must be sold at a certain price, and that price does not pay the producer, then rice will not be grown and other crops will take their place. The Hon'ble Sir Alexander Cardew said that the source of control must be Rangoon. To a certain extent I agree. I believe he also said that the amount of rice that came from Rangoon is infinitesimal as compared with the consumption in the Presidency which is some millions of tons. What is the good, gentlemen, of controlling supplies which amount to something like 198,000 tons in six months, when you want millions of tons which are not controlled? Is it not possible for Government to have some kind of organization to control the growing of rice and the collection of rice at various centres in this Presidency, as is being done by Mr. Gubbay in Rangoon? If Rangoon is a smaller source of supply than this Presidency, it seems to me very essential that the supply in the Presidency should be controlled to a greater extent than the source of the smaller supply. It has also been suggested that if we cannot control the retail trade, we might at any rate control retail profits. The same danger lies here. If you once get the rice trade away from the usual channels, what channels are you going to put it into? You must consequently consider very carefully what is a reasonable profit. You must know what a merchant's working expenses are, for if the profit is not such as to cover all his expenses, that man will turn to some other trade.

"There is also another point which I should like to mention. I think stricter control should be exercised as to where the rice goes to from inside the Presidency to outside the Presidency. I know very well that we have a Director of Supplies who is supposed to know where every ton of rice goes to. There is however a feeling, and I believe it is justified, that rice is still going outside which ought not to do. If the Hon'ble Sir Alexander Cardew wants to get farther information on the point, I have no doubt he can get it.

"Another point he raised, which I think is a very important one, is about the Famine Code. He said that if it becomes necessary to establish relief works, they will be established on well defined lines which have been proved to be sound as the result of many years' experience. Might I suggest that the Famine Code will not produce rice? The present complaint is not a complaint of want of work. There is plenty of work and the ordinary coolie can still earn his daily wage. What he wants is rice, and if he cannot buy the rice with the pay that he is earning how is he going to buy it with the money which he is going to earn from famine works? At the present time the Famine Code does not meet the requirements of the situation. Famine works are all very well in their way when there is rice to be got, and when the man on the spot has not got money wherewith to buy it.

"The question of expense has also been raised, that it might cost one crore to save these famine-stricken people. Let us make up our minds to spend the money if it is necessary. We cannot restore dead men—we can make more ropes. I support the Government most heartily in all the measures that they have taken and it is evident from what has been said that they have a wide grasp of the subject, but may I ask whether they have gone down sufficiently deep in details?"

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I understand that along with this resolution we are discussing resolutions Nos. XXI* and XXII*."

The Hon'ble Sir ALEXANDER CARDEW:—"I wish to mention that resolution No. XXII is not covered, but only XXI."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I take it therefore that resolutions XXI*, VII* and XXII* are now covered."

* The Hon'ble Mr. B. VENKATAPATI RAJU:—"The Hon'ble Mr. B. Venkatapati Raju in Council that the Government be pleased to make preliminary arrangements for the organization of the system of village inspection and appointment of gratuitous relief staff, and to undertake sanctioned works of utility in villages such as village communications and irrigation works in localities where there is failure of rains and rise of prices and generally where distress is prevalent."

† XXII. This Council recommends to the Governor in Council that the Government be pleased to provide necessary funds to the Agricultural department for purchase of seeds in large quantities and to supply the same to the agriculturalists at cost price in localities where there is dearth of seed-grains owing to the failure of crop.

‡ The Hon'ble Mr. A. B. KANNARA RAU:—"The Hon'ble Mr. A. B. Kannara Rau in Council to take immediate steps to control the maximum prices of food-grains in the Presidency."

§ The Hon'ble Mr. P. SWA RAU:—"The Hon'ble Mr. P. Swa Rau in Council that suitable steps may be immediately taken for checking the abnormal prices of food-grains and other necessities of life, and also that relief measures may be adopted in the worst-affected parts of the Presidency caused thereby and also by the failure of the last season."

400 RESOLUTION RE MEASURES TO BE ADOPTED TO ALLEVIATE
THE SITUATION DUE TO HIGH PRICES.

(Mr. Venkatapati Raju; Sir Fairless Barber.) [20TH NOVEMBER 1918.]

"Your Excellency, after the speech of the Hon'ble Sir Alexander Cardew, much of the opposition was disarmed by the conciliatory tone adopted by him in not provoking unnecessary discussion about political matters and importing them into this discussion. There was a serious trouble which was admitted and the Hon'ble Sir Alexander Cardew admitted that it was the duty of the Government and Honourable Members to co-operate with the people and to devise some measures to relieve them. Therefore, taking that view of the matter, we need not introduce any heat into the discussion, but we shall calmly consider whether the Government have done what they ought to do and what are the necessary measures to be adopted in this connexion. The Hon'ble Sir Alexander Cardew stated that we are bound to go by the rules of the Famine Code. Therefore, if scarcity rates are not reached, we need not bother ourselves. In the Famine Code they have not stated that the Government ought not to do any such thing. These are only instructions given under certain circumstances. The Collectors ask the Board of Revenue whether they should do any particular thing, but Government are perfectly entitled to take the necessary action whenever they find that there is distress prevailing in the country. I may at once state that the figures as they are published from time to time in the *Fort St. George Gazette* are not quite accurate. Our own personal experience shows with reference to the towns in which we live that, when it was shown as 6 or 7 seers, the actual price is far less; most Honourable Members who have got actual experience of this matter can vouch for that fact. Most of these figures are prepared in some katchoheri as a matter of routine and are passed on to Government. If special steps were taken by the Collector to find out the real price actually paid by an ordinary man and if special attention is paid to finding out the prices, then we will know the exact prices and then we will form an exact idea of the situation. After knowing the exact price, we can then adopt certain steps. There is one defect which cannot be ignored or which cannot be omitted. That fact is, knowing as we do, that we are in a scientific age, have the Government at any time during the last five months when famine rates were prevalent taken steps to ascertain what was the exact quantity of foodstuffs available in the Presidency, village by village, what was necessary for normal consumption and from what source the produce has to be brought in. We have got in that *Fort St. George Gazette* general information; for instance, in Vizagapatam, it is said that grain stocks are not available in the greater part of the district. So also in Kurnool and in another district and two taluks. In this scientific age, we must know accurately what was available actually and what was actually wanted. The information given in the gazette is not a detailed or an accurate information. Government have allowed looting at 96 places, I do not mean to say that Government are directly responsible for it, but they are indirectly responsible in this way that if they had taken necessary steps, there would have been no lootings. The Hon'ble Sir Alexander Cardew stated that on account of the steps taken by the Government, there were no lootings subsequently. If they had paid some attention in May or June, there would have been no lootings in July and after. The difficulty also is with reference to the food control between districts. In the interests of the people, Government want to introduce restrictions, but instead of helping the people, as a matter of fact, it is adding cost to the consumer, for instance, grain was prohibited from Gōdāvari into Vizagapatam district. There is only one river Tuni interceding. The Hon'ble Sir Alexander Cardew said that we generally prevent any transfer by rail, and that by carts even, grain will not be allowed to be removed. Then what is done is when the consumer has grain at a place within a furlong from the other place, he has to pay illegal gratification to the man who stops at the gate. He pays him one rupee or more in order to get his rice. Instead of paying it to the person to whom it should go he has to pay others, in order to get it not by legal means but by illegal means. This is known to officers also but they cannot prevent such a thing. If grain is available within a mile from the place in which you are living and if you have money where grain is not available, you will find some means or other to get the grain. Instead of doing that, wherever there is available stock in one district, there should be no prohibition to get it into other districts. That is practically done in districts where Collectors take some interest. The Collector of Vizagapatam and the Collector of Ganjam met at Chicacole and arranged that from one or two places they would allow the import of grain to Vizagapatam; there are no prohibitions against Collectors arranging transport. But in order to find out whether any such thing has to be done, we must first of all have a clear idea of the stock available. We have a belated issue of a Government Order wherein the Government propose to ascertain the available stock. If that is done, and if the exact stock is known, that will be a sure way to find out how best to meet the situation. We will have to get from Rangoon or from some other place where it is possible to get it. With reference to these matters, neither the Famine Code nor any other Code prevents us from giving advances to agriculturists to purchase available material, stocks for agricultural purposes under the Agriculturists Loans Act; and in these hard days steps might also be taken in the way of delaying the collection of assessment. All these things might be done instead of leaving things alone. The only thing wanted is energy. If some energy is put into the matter and some interest is taken, many minor things can be done which do not require the authority of any Code, but which requires ordinary understanding of how the people who are actually suffering can be helped. Under these circumstances, I expect, from the sympathetic way in which the Hon'ble Sir Alexander Cardew wants to treat the subject, he would be taking the necessary action not only in the Bellary district, but in all the districts where the Collectors report that there is distress prevailing irrespective of the fact whether scarcity rates prevail or not. If there is distress, some steps should be taken by the Government."

The Hon'ble Sir FAIRLESS BARBER:—"Your Excellency, this matter is of much importance to my community and I have listened to the debate with interest. It may not be generally

RESOLUTION RE MEASURES TO BE ADOPTED TO ALLEVIATE 401
THE SITUATION DUE TO HIGH PRICES.

20TH NOVEMBER 1918.] (Sir Fairless Barber; Mr. Chidambaranatha Mudaliyar;
Mr. M. Ramachandra Rao.)

known, but, as a rule when prices rose high, the loss is borne by the estates and the coolies get their food at very much lower rate than the current market price. It is for this reason that we feel that we should not have to put up with the situation. The expenditure is serious as it is. Our manager is getting six measures for a rupee and if he sells at 8 measures to our coolies, we can easily see that his expenses will mount up. It is for this reason that I wish to emphasise what the Hon'ble Sir Gordon Fraser said with regard to profiteering. There should be some control over local markets and also over the Burma market up country and some steps taken to see that the price bears a ratio to that in the nearest centre. Just before lunch, I gave the Hon'ble Mr. Ranga Achariyar figures which he has used. First-class rice is selling at Rs. 15 and it is selling at Rs. 22 in Pollachi. That was last Saturday. A little while ago, Mysore rice was being sold at Cocanada in retail at a price varying between Rs. 27 and Rs. 33. I should like to ask the Hon'ble Sir Alexander Cardew while agreeing that it would be profitable to control the price at the source, whether nothing can be done to control the price at intermediate places and whether power could not be given to Divisional Officers if any complaint is sent to them to deal with it forthwith. In the case of price at Manantoddy, I wrote to the Collector and he said that he was unable to do anything in the matter. There is one point which the Hon'ble Mr. Thonger has said and I agree with him. I think it would be quite necessary to control the local grain crop. If control over the surplus is exercised in Burma, it will automatically control the prices in local products. I thank the Government for the interest that they are taking in this matter, and that interest has been shown and a great deal of assistance has been already given to the planters in getting grain through and I should like particularly to thank the Divisional officers who have helped us."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"Your Excellency, I do not propose to say much, for the subject has been already sufficiently discussed. I only wish to lay before this Council the information that I have in reply to a letter that I addressed to the President of the local Emergency Committee, the Director of Civil Supplies, who told me that he was issuing his certificates 'fairly freely'. Those are the words. I then took objection to that aspect in which he was dealing with the matter, but inasmuch as he told me that if there was local scarcity, I had better address the Collector of the district. I then addressed the Collector and there the matter stands at present. Therefore, I wish to place for the earnest consideration of the Hon'ble Sir Alexander Cardew and the Government this fact that it is as much necessary to prohibit an inordinate rise of prices, not only in other places like Burma and others, but it is equally necessary to prohibit the rise of prices in areas which produce rice, because as has been often said there is a great deal of profiteering unprohibited and uncured, profiteering which ought to be condemned in the true interests of the public at large. With regard to the other matters, I think sufficient has been said to place before the Government which already realize to the fullest extent, the importance of the scheme and I earnestly trust that the Government will do their utmost in the matter. I may say I generally agree in the main with the attitude taken by the Hon'ble Sir Alexander Cardew with regard to this question."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"My Lord, the Hon'ble Sir Alexander Cardew began by saying that the speeches of the Hon'ble Mr. P. Siva Rao and the Hon'ble Mr. A. S. Krishna Rao began with some controversial matter. I may assure him on my own behalf and on behalf of my Honourable Friends that we do not want to introduce any controversy in a matter of grave importance to the general public of this Presidency. Unfortunately, a paragraph which was found in the Government Order gave rise to the general impression that the Government came to the conclusion that some of the riots were due to some unbridled political agitation for the last four years. I do not at all wish to go into the matter, because it seems to me it might be diverting the real issue before the Council. I may say Your Excellency referred to this question of political agitation at the last Budget meeting and Your Excellency was so pleased as to say that 'the unusually keen and protracted political controversy which happened last year, Government gladly recognize that for the most part it has been conducted with that regard for order and aversion to violence of language and conduct which are congenial to the good temper and commonsense of the people of this Presidency.' My Lord, that is a most handsome acknowledgment of the good sense and commonsense of the people of this Presidency and I hope that they have not taken leave of their commonsense during the last six months after that speech was delivered."

"I only wish to point out that as regards the particular causes of the riot, Honourable Members will look at the dates on which those riots happened. It may be stated generally that the riots in the northern districts happened in the months of May and June and in the southern districts in the months of August and September. May and June are the months in which there is plenty of un-employment and added to bad prices, un-employment produced that situation which had to be faced and so it was in the southern districts. On the other hand there was a suggestion in one of the Madras dailies which I am glad to say, was withdrawn later on, that the riots were due to political causes. I trust that so far as the present situation is concerned, judging from what the Hon'ble Sir Alexander Cardew has stated to-day, Government are not still under that impression and we may therefore proceed to consider the whole question eliminating this side issue which does not really arise for consideration."

"We want to assure Your Excellency's Government that in whatever steps we may take in this matter, we will have every district in the mufassal at the back of the Government, either in the matter of control or any other arrangement which will go to reduce prices and which

(Mr. M. Ramachandra Rao.) [20TH NOVEMBER 1918.]

will conduce to the well-being of the people at large. My Lord, I may also inform before I proceed to deal with two or three matters, that since these riots have taken place, many charitable organizations have come into existence and they have been incurring expenditure by way of losses in selling grain and paddy at a lower rate than is justified by the quotations in the market. I may say that in districts in the north, the merchants and the general public have subscribed large sums and they have been selling rice at 7 or 7½ seers, purchasing it at a higher rate, thereby incurring the loss themselves. That was done as a help to the poorer classes who have been hard hit by present state of things. There were also many organizations for supplying kanji, and in these and other ways, Your Excellency will be pleased to see that after the riots took place, public mind had been attracted to the solution of this problem and they brought into existence organizations to temporarily check prices. I would not say check prices, but to supply grain to those that are most in need of it at a comparatively cheap rate. The fact that there were no subsequent demonstrations is certainly not evidence of the fact that there is no acute distress. It was only the day before yesterday that my Honourable Friend Mr. Suryanarayanamurti Nayudu informed me that 10,000 people assembled in Cocanada on the day he left the place and made a huge demonstration because ten wagons had been allowed to come to Madras or some other place. The effect of that was that immediately prices had been raised by Rs. 2 per bag and the poorer classes were considerably agitated; they gathered in large numbers and made representations to the local authorities on the matter. The situation is one fraught with the greatest amount of anxiety and I think the real questions are the ones that have been raised by the Hon'ble Mr. Thonger. He raised two or three crucial questions for which I think some solution has to be found. As he has pointed out, the imports of rice from Burma are comparatively little and if any control at the source of production is to be taken, it is to be taken in the districts which produce paddy in the Presidency and that is one way in which Your Excellency's Government may proceed to check the growing tendency of profiteering. That by itself I do not think would do. Among the numerous questions that appeared in the agenda of this meeting, there is one which asked for information about the decrease of the area under paddy. I saw a statement to that effect in the *Madras Mail* based upon the statistics of the Board of Revenue for the month of September. I put down a question on that matter and Government say that they have no information. I do not know how it happens that they have no information as to the extent of the area under paddy in this year. Whatever it is, it is quite clear that there is a contraction of the area under paddy and we are faced with the situation that there are difficulties of getting rice from Burma. On the whole, the situation is one which is fraught with the gravest anxiety and I believe steps will be taken in rice, cumbu and ragi producing districts for the purpose of preventing profiteering and keeping down the prices. I believe, my Lord, that in conjunction with it there should be an organization for eliminating the profits of retail dealers in each place. In regard to this matter I consider that a great deal might be done at the present time through the local bodies and through numerous charity organizations which are already doing work. I believe there will be absolutely no difficulty whatever in arranging for retail distribution without any unnecessary addition to the price. Therefore, my Lord, on the main question, as regards the controlling of prices at the source of production, it seems to me, judging from what the Hon'ble Sir Alexander Cardew said, that the source of production so far as this Presidency is concerned, is this Presidency itself. We were an exporting Presidency till last year and I believe considerable quantities of rice have always left for Bombay and Hyderabad, at any rate, from the northern portion of the Presidency. Therefore, it seems to me that the line of argument, that the source of production, Burma, should be controlled, is one which requires reconsideration and it seems to me that steps may usefully be taken in this Presidency in districts which produce large quantities of paddy and other food-grains to limit prices and also to arrange subsidiary organizations for dealing with them in retail to the consumer.

"There is only one remark that I should like to make and that is with reference to famine. I entirely agree with the Hon'ble Mr. Thonger when he said that it is no consolation to mention the Famine Code. Taking our district, there is no famine at all. We produce large quantities of paddy and export much, but it is the price which is now the hardship to the poorer classes and I do not think that under any conceivable state of circumstances, it can be said that there is famine. Famine may be due to want of food commodities, but it is really a famine which is created by high prices. Therefore, my Lord, I think to proceed entirely under circumstances mentioned in the Famine Code does not seem to me to meet the present exigencies. We have to consider other means, other than those which the Famine Code was intended to provide. I do not think the situation is such as to warrant the Government to wait till Mr. Gubbay makes up his mind in Burma.

"My Lord, we have absolutely no information as to when Mr. Gubbay is going to take any stocks as to what is available in Burma and what would be made available for Madras. These are all matters of great complexity and while I fully sympathise with the difficulties of the Government, we have also to say on behalf of the general public that there are grave difficulties even at present and even at a cost of some public funds, it would be necessary to consider the whole situation. There are several businessmen in this Presidency and I trust if the matter is approached with a view to solution and with a view to practical solution of this problem, I am certain that a way can be found, by which both the object of introducing some kind of control in this Presidency and also developing subsidiary organizations, might be attained, and suggestions would be made towards that end and I am sure that the whole position can be cleared up.

20TH NOVEMBER 1918.] (Mr. M. Ramachandra Rao ; Mr. Narasimha Ayyar.)

"My Lord, there is only one other remark I should like to make and that is with reference to the coming crop. Whatever may be our prospects, of getting some rice from Burma, it seems to me absolutely clear that we cannot under existing circumstances, afford facilities for other provinces or other States to take away what is grown in this Presidency. The people of this Presidency have the first claim. I am making this special appeal for this reason: in May last, Your Excellency's Government in consequence of the riot in the Kistna district took steps to prohibit export of grain to Hyderabad and Bombay; but that prohibition was subsequently withdrawn at the instance of the Government of Bombay and I believe it is now agreed that no food-grains would be exported from this Presidency. I trust there would be no change in that decision, at any rate for the next six months. It is a matter of the utmost importance that Your Excellency's Government should take the most stringent steps to see that the crops in December in the various parts of the Presidency do not go out, especially in view of the uncertainty of our getting something from Burma. Therefore, my Lord, I lay special stress on this circumstance and I trust that Your Excellency's Government would not yield to any pressure from any quarter in removing the present prohibition on the export of grain from this Presidency. I may say, my Lord, that in Hyderabad the price was Rs. 36 per bag; and in Bezwada it is Rs. 18. I could give numerous instances of frauds, evasions of rules, getting away large quantities across the frontiers, but the most important thing is railway transport. I trust Your Excellency's Government will not relax the existing prohibition in this matter. With these remarks, I commend this resolution to the sympathetic consideration of the Government."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, at this late hour of the day, I do not propose to take up much time. This is a very complex matter and the resolution is in two parts. The Hon'ble Sir Alexander Cardew was misunderstood by the Hon'ble Mr. Thonger and the Hon'ble Mr. Ramachandra Rao when the latter said that the opening of famine-relief works would be the principal solution. There are two propositions, one relates to the control of prices of foodstuffs and other grains and the second relates to the necessity for opening relief works in view of the distress caused by the failure of rains. The Hon'ble Sir Alexander Cardew said that in respect of the second portion wherever there was a necessity, relief works would be opened, but he never meant to say that by the operation of the second portion he will find more grain.

"With reference to the latter portion, which has been singularly free from any discussion, I do not wish to detain the Council further. But I would like to make one remark that amongst the districts mentioned, the district of Salem has not been brought to the notice of Government. I am not anxious that Salem should have distress but I have travelled through several taluks, Dharmapuri, Uttangarai and other taluks and I have noticed vast extents parched up where I used to find crops and I noticed also the volume of beggary increasing very largely—beggary of a sort which threatens the public peace. I am afraid that there may be an increase in robbery later on, that Salem might perhaps require aid in this respect.

"Passing on to the next and most important thing, I think the discussion of resolutions in this hall serves two purposes. One is to bring out the grievances and the second is to suggest remedies. After carefully watching the present discussion, I must confess we have been more successful in bringing out grievances than in suggesting remedies. We are just where the Hon'ble Sir Alexander Cardew left us. As a number of suggestions have been made, I propose to take up a few points for suggestion.

"In the first place, as a preliminary, I may point out that doubts have been expressed by more than one member as to the feasibility of the control of prices, because usually the law of political economy is the law of supply and demand. Under the present circumstances, we are rather controlling everything except rain perhaps and therefore we have to control the supply and to some extent even the demand. We find in this connexion control has been exercised in various places, but we recognize that the control where exercised is purely temporary and that it operates for a few days or a few weeks or a few months. Afterwards, it is bound to be a failure by reason of the laws of political economy. Our object is not to control prices for all time, but to tide over the dangerous seasons. Notwithstanding the objection raised by some Honourable Members that control of price is impossible, I think it will be given effect to and that objections would fall to the ground. I may mention that at present we have really been going on the footing that it is possible to control prices. We have a Controller of Civil Supplies who has been controlling supplies. I have known also that in certain places prices have been fixed; for instance, the Collector of Salem did fix prices at Shevapett and so far as I have understood, that exactly describes what the Government should do. It is not possible for you to fix prices for any long period of time. The price of any article has to vary from time to time as the Diwan of Mysore stated. At present there seems to be no urgent necessity for fixing prices all over the Presidency for even rice. The question of rice was the only one discussed largely by the Hon'ble Sir Alexander Cardew and the question of the other grains was not discussed for obvious reasons, because the supply of them is a big conundrum. I therefore want to point out that the present situation seems to be finding its own remedy. The possibility of fixing prices for long periods seems to be very doubtful and I think there is one contingency in which prices have to be fixed and that is the contingency in which the Collector of Salem acted; and that is, the danger of rioting. By reason of the danger of rioting, he at once proceeded to exercise the powers under section 144. His action seems to be covered by that section. He

404 RESOLUTION RE MEASURES TO BE ADOPTED TO ALLEVIATE
THE SITUATION DUE TO HIGH PRICES.

(Mr. Narasimha Ayyar ; Mr. Kavalappara Muppil Nayar ; 20TH NOVEMBER 1918.
the President.)

acted under the provisions of the Criminal Procedure Code and asked people to sell only at a particular price. It was observed for a few days and beyond that, it failed in its effect. That is the extent to which Government might authorize or issue instructions for the control of prices locally. At present, we are drifting in this particular matter without any set of instructions issued by Government to local officers. I hope it will be possible for Government to issue, before long, definite instructions to local officers as to what they are to do; under these instructions I would add that District Magistrates may issue orders either under the Defence of India Act or under the powers given to them by section 144 of the Criminal Procedure Code, fixing the prices where the public peace demands it for a short period. Then as for further control, that must be by control of supplies. In regard to that, there is the harder question as the Hon'ble Mr. Thonger pointed out. You cannot control supplies largely, because if you control supplies to-day and ask for the articles, people may not manufacture the articles and the articles will not be coming in. Control of supplies will be affected only for a short period. As we are thinking of short periods alone I think it might be done. It might be that a ship may be arriving in a short time or it may be that some other supply may be available or that other advantages may be available to us. As we are contemplating control of supplies only for a short period, I think it will be possible to control supplies for short periods by orders issued by the Director of Civil Supplies. In that way we might go on pursuing the policy of restriction in preventing inter-district exports of food-grains. I notice that this Government have not got a free hand. The Government of India may come down with a heavy hand if we prohibit exports to sister Presidencies. But to the extent that this Government have the powers, I think we are pursuing a correct policy though I understand according to the orders issued by the Director of Civil Supplies, there are persons who are discontented and some people also think that as things are going on there are the usual defects of departmental management. It is the view of some that if there are a set of non-official gentlemen of position and standing to help Mr. Wood, his work would be better done. I throw it out as a suggestion whether the work which Mr. Wood is in charge of could not be better done by associating with him certain non-official gentlemen representing the various areas in the Presidency.

"Referring to the question of supplies, the suggestion I want to make is this: after all, as the Hon'ble Mr. Thonger pointed out, Rangoon may not produce all the quantity that we want at the price that the Government of India may fix, and rice lands may be used for producing other crops, though usually rice lands are rice lands, and continue to be rice lands. That is the suggestion; I think I may throw out one important suggestion—that we may take a leaf out of the Central Powers of Europe. One of the clauses of the Armistice between Austria and the Allied Powers is that the Central Empire may be permitted to have food-grains from India. I think it is high time for the Government of India and for the Government of Madras to press the authorities at home to ask for aid from Australia, to provide for the import of food-grains from Australia or America or Japan or some place outside British India to the extent that may be possible. That is a suggestion which I wish to throw out and also incidentally there may be more benefit if we press in this direction, because more freight will be placed at their disposal by reason of this motion being made by the Government of Madras. It may be that Mesopotamia may be able to send us back some more railway wagons or steamers, and more tonnage will be made available. To a very large extent, as pointed out by the Hon'ble Sir Alexander Cardew, we are forced to await Mr. Gubbay's arrival and we have to discuss with him and try and induce him to take the situation in Madras into consideration and help us in one of these ways to increase our supplies. We might also watch the Mysore experiment. The Mysore experiment reminds us of the patriarchal decision when Joseph commandeered the whole of the Egyptian crops, to provide for supplies in lean years out of the supplies of fat years.

"That is an interesting experiment to watch. I think that with these suggestions, we may safely leave the matter in the hands of the Government. We have not put forward any large number of suggestions for the Government to help us in this matter, but I hope, with the few suggestions that we have put forward, the matter may be carefully looked into."

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

His Excellency the President:—"I hope the Honourable Gentlemen will consider that this subject has been thoroughly discussed. I do not wish to cut out anybody but I think the subject has been thoroughly discussed."

The Hon'ble Mr. K. K. R. Kavalappara Muppil Nayar:—"Your Excellency, on the general aspect of the question, enough has been said and I do not wish to add anything; but there is one point which I wish to bring to the notice of the Government and that is that there is a considerable amount of rice trade going on between Cochin and Malabar. I believe the Cochin State has disallowed any rice being taken out of the State. Now there is one particular point connected with this trade. I may just point out that there are a set of brokers who come and buy up all the paddy from my part of the district, take it to Trichur and when the stock here is not enough, they bring it all the way from Trichur. By this new arrangement, I do not think it will be possible to bring back any rice from Trichur when rice is wanted in these parts. So unless some arrangement is made by the State, we will be at a considerable difficulty in my part of the district. I just wanted to bring this to the notice of the Government."

RESOLUTIONS RE OPENING OF MODEL GARDENS OF INDIGENOUS MEDICINAL PLANTS; TRAVELLING ALLOWANCE TO ALL VILLAGE OFFICERS; AND SCHOOLS FOR TEACHING NAVIGATION. 409

20TH NOVEMBER 1918.]

(Mr. Chidambaranatha Mudaliyar ; the President ;
Mr. Ahmad Tambi Marakkayar.)

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"XXXII" is not covered, Your Excellency."

His Excellency the President:—"I thought the words covered it."

The following resolutions standing in the name of the Hon'ble Mr. P. Siva Rao were not moved:—

RESOLUTION RE OPENING OF MODEL GARDENS OF INDIGENOUS MEDICINAL PLANTS.

"VIII. This Council recommends to His Excellency the Governor in Council that the Government may open one or more drug model gardens of indigenous medicinal plants at suitable centres in the Presidency."

RESOLUTION RE TRAVELLING ALLOWANCE TO ALL VILLAGE OFFICERS.

"IX. This Council recommends to His Excellency the Governor in Council that travelling allowance and batta may be paid to the village officers whenever they are required to leave their villages on official duty."

RESOLUTION RE SCHOOLS FOR TEACHING NAVIGATION.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR:—"Your Excellency: 'The resolution that stands in my name runs as follows:

"X. This Council recommends to His Excellency the Governor in Council the desirability of opening schools in important centres to teach navigation."

"This is a question of very great importance and one greatly agitated after the war. Your Excellency is well aware that the construction of sailing ships has been on the increase as will be seen from the statistics I have obtained from various ports. About 100 sailing ships on the Malabar coast, 21 in Godavari district besides 11 that are now under construction, about 20 in Tuticorin, 1 at Negapatam and 12 of them at Rangoon have been constructed during the war. The want of certified Indian mates and masters is very keenly felt, not only on account of increased number of vessels but also in consequence of the refusal of Government to modify section 13 of the Mercantile Shipping Act of 1859. As an instance, I may invite the attention of this Council to the letter addressed to the Government of Burma by the Chamber of Commerce, Rangoon, reading—

"The Burma Chamber draws attention to the difficulty in obtaining masters and mates for sailing vessels of over 800 tons in consequence of the refusal of Government to modify section 13 of the Merchants Shipping Act of 1859. The Burma Chamber further points out that many native mariners who have sailed the Indian seas for years and are fully competent to command such wooden sailing ships as are likely to be constructed in India and Burma cannot obtain certificates of competency as the official examinations are held in English.

"The Chamber suggests that these mariners should be permitted to appear before the Port officer at any of the leading ports to undergo an oral examination in the vernacular and that, should they prove to the satisfaction of the Port officers concerned that they possess the necessary knowledge to serve as master or mate of a coasting sailing vessel, then a temporary certificate of competency should be granted.

"The Burma Chamber further adds that this question of the officering of ships should be considered by Government at a very early date."

"A copy of this letter was forwarded to the Chamber of Commerce, Madras, who in their meeting held on 24th September last resolved to support the proposals put forward by the Rangoon Chamber of Commerce and forwarded a copy of their letter to the Government of Madras with a covering letter in support of same.

"On receiving a number of representations to open schools of navigation I moved a resolution at the Shipbuilding Committee meeting held on 12th August last which unanimously resolved to recommend my suggestion to Government. At that meeting of the Committee I offered to place at the disposal of the Government a building free of rent for the use of that school if one such school were to be opened at Negapatam as an experimental measure and I beg to confirm my promise in this Council. I have no doubt that a school, if opened at Negapatam, will surely be a success as there is a great demand for the same from the people already in the profession.

"As a matter of fact, Negapatam is such an important place, Your Excellency, that helped once the British India Steam Navigation Company a great deal in substituting a large number of Muhammadan officers at the time when all the European officers held a strike against their steamer companies and landed ashore from steamers simultaneously in all the ports for want of increased salaries. The Muhammadan officers were able to man the vessels quite

* Page 385 supra.

(Mr. Ahmad Tambi Marakkayar.)

[20TH NOVEMBER 1918.]

alright and without much delay the steamers that were lying at the port also went as far as Rangoon and other places and joined the steamers which were lying there for want of officers. This happened about 20 years ago. Perhaps the Hon'ble Sir Francis Spring and the Hon'ble Sir Gordon Fraser will remember this incident. Besides, we could teach navigation to the fishermen and boatmen as is done at Belgium.

"In this connexion I now beg to quote the paper read by Rao Bahadur V. Govindan, Assistant Director of Fisheries, Madras, at the Indian Industrial Conference held in Bombay in the year 1915 which, I trust, will be interesting to the Council—

THE TRAINING OF INDIANS AS SEAMEN AND NAVIGATORS.

(A paper read at the Indian Industrial Conference, 1915, by Mr. V. Govindan, B.A., F.Z.S., Assistant Director, Madras Fisheries.)

"This is a subject which has hardly received any adequate attention at the hands of the leaders of public opinion in this country. Unlike agriculture and other industries the seamen's occupation is from its very nature comparatively unknown to, and does not form a subject even for academic discussion by our educated classes, but it is a wonder why our merchant classes have not taken an interest in it, considering the large volume of commodities imported and exported by them by sea. With the exception of the efforts made by Mr. Muhammad Yusuf Ismail, who has been maintaining since last year a small training ship in the Bombay harbour for the benefit of the sons of our Indian seamen, no serious attempts have been made to give our sea-faring folk a scientific training in their hereditary profession according to modern requirements. Hence it is all the more creditable to Mr. Yusuf Ismail that he has undertaken at his own expense to organize a scheme which is "calculated to raise the status and accomplishment of our Indian seamen" and to the Government of Bombay who have welcomed his proposal with the support and encouragement it deserves. It requires no elaborate statistics to prove the huge volume of trade, which India carries on with almost every corner of the world. The following statement shows the number and tonnage of vessels which entered from and cleared to all countries during the five years ending 1908—13.

	Number of vessels.	Total tonnage.		Number of vessels.	Total tonnage.
1908-09 ..	8,001	12,910,823	1911-12 ..	8,868	16,616,435
1909-10 ..	8,042	14,597,091	1912-13 ..	8,737	17,451,985
1910-11 ..	8,435	14,984,528			

"The number of such ocean-going vessels for the same period are distributed under the following flags:—

	1908-09.	1909-10.	1910-11.	1911-12.	1912-13.
British	4,238	4,722	4,751	5,117	5,129
German	437	455	419	412	503
Austro-Hungarian	156	220	205	213	245
Japanese	79	63	77	121	197
Norwegian	106	95	104	134	131
Italian	76	81	84	88	90
French	55	56	56	58	47

"This includes, no doubt, steamers belonging to the Indian Steam Navigation Companies, which are mostly coasting steamers, but their number is insignificant as compared with those of foreign nations, whose number and tonnage, as can be seen from the above statement, have been steadily increasing. It is therefore high time for India to step in and claim her due share of her over-sea-carrying trade. Attempts have been made from time to time to organize the so-called "swadeshi" Steam Navigation Companies, which have ended mostly in such disastrous failures as to discourage our country men from venturing again into that business. And before further steps are taken in that direction the real causes of such failures should be found out. It has been said that they failed because of the keen competition from the existing steamship companies. It is no doubt a true statement, but it is not the whole truth and unfortunately most people draw wrong conclusions from it. Competition is the soul of modern industrial development and every one who enters into an industry not only courts competition but also competes. Have not the humble weavers, smiths and other artisans of India to compete with their modern rivals in various countries backed with enormous capital and scientific resources? They no doubt come across the operations of their powerful rivals and do not know who they are, but a steam navigation company has its rivals at its very doors and having to face them at close quarters is comparatively unnerved. But the real cause of such failures is due to the lack trained in the art of modern navigation and technical skill to take charge of their vessels. The organizers of such companies hitherto depended on Indian capital, but that alone without Indian brains to run it and Indian seamen to navigate their vessels, was not enough to bring them success. The history of the development of the mercantile navy of Japan is valuable example and indicates how India should develop here. The Japanese were not expert navigators a century ago and depended upon Chinese bottoms to carry their commodities to distant lands whereas India by the technical skill and perfection which her sea-faring people attained in their calling from time immemorial occupied the proud position of "the queen of the eastern

[20TH NOVEMBER 1918.]

(Mr. Ahmad Tambi Marakkayar; Mr. Yaqub Hasan.)

sea." India still possesses the descendants of those early navigators who are still engaged in their hereditary calling, though without any modern scientific training. All along the Indian coast from Baluchistan to Chittagong there are various sea-faring communities who carry on the coasting trade in their almost primitive sailing crafts such as dhows, buglowes, kottias, pattimars, dhonies, schooners, etc., some of them going far south as Zanzibar and to the east as far as Singapur, and as they are able to sail their vessels safe in these distant oceans depending as they do entirely on their instincts unaided by any modern scientific instruments and appliances, it may be safely presumed that with the necessary training in up-to-date scientific methods they could be made as capable navigators as any other people. We have decidedly the right sort of men and all that is required is to educate them and train them in the proper way. The first thing that Japan did when she began to organize her carrying trade was to train up her own men in modern methods. For this purpose selected men after a preliminary training were sent to serve on foreign vessels till they acquired the necessary knowledge and experience to man and navigate their own steamers. Japan and other maritime nations have established institutions for the special training of their navigators and seamen. Take for instance the example of Belgium, that dear little country that has suffered so much in this terrible war. Almost every important seaport in Belgium maintains institutions for the training of fishermen and seamen known as (Ecoles professionnelles de peche subsidees par l'Etat) (Professional fishery schools subsidised by the State).¹ Ecole de pupilles de la peche as well as the higher navigation schools supported by the State at Antwerp and Ostend. The first of these types of schools engaged in the professional education of young lads who may become fishermen, but as every fisherman ought to have a knowledge of navigation the programme of study includes a knowledge of language (French or Flemish arithmetic, geography, hygiene and such technical subjects as element of navigation including rules of the road, signalling with flags and lamps, telegraphy (including wireless in advanced classes), making of ropes, nets, etc., structure and working of a steam-boiler and engine. The lads are admitted into those institutions when they are about ten years old and have already passed through the ordinary elementary schools and learnt to read and write. After being trained for about six years in these institutions they are sent out as apprentices in fishing vessels for further practical training and experience; and on the completion of their apprentice course are examined by a Board appointed by Government who grant them certificates of competency to serve as regular hands on Board fishing vessels. After serving as seamen or engine room hands for a few years more those who wish to undergo a further course of training join the higher schools of navigation and pass out as qualified navigators and marine engineers. It will be seen that general education is an important factor in imparting a thorough training and in India also the same should be done and the pupils taught English and the general subjects before their technical training commences, especially in the case of pupils who wish to undergo the higher courses in navigation and become masters of ocean-going vessels. Such institutions can be established in India without any serious difficulty and the sooner our public spirited men undertake it the better it will be.

"I understand the Government in its memorandum No. 41/0-2, Marine, dated 17th September, have asked the Presidency Port Officer to obtain the views of all port officers of the Presidency with regard to the desirability of opening such schools. I am sure the port officers would have supported my suggestion. I am in possession of the figures showing the number of Indian crafts that are registered in the Madras Presidency. I am also in possession of the number that is registered in Jaffna which numbers 111. The latter vessels though registered in Jaffna are plying on the Madras coast. Considering the enormous number of sailing vessels that are plying on this coast and the disadvantage the owners of the vessels are undergoing in not being able to secure competent persons to man their vessels, it is absolutely necessary that the Government should see its way to increase the number of qualified mates and masters by opening schools of navigation in all the important centres of this Presidency which will impart to the people a knowledge of navigation. I can quote many instances, in which number of vessels were lost at sea for want of competent hands to man them from one port to another. As a matter of fact several men are already in employment who have the practical experience in navigation and it will therefore be easy to teach such men the rudimentary knowledge of navigation. The suggestion that I have placed before the Council is not a difficult one or one which would tax the purse of the Government very heavily and I feel assured that Your Excellency will agree with me that this long-felt want can be easily tackled at least by opening as an experimental measure one such school at Negapatam.

"In conclusion, I hope Your Excellency's Government will kindly afford my resolution the strong support it rightly deserves. In doing so, the Government will be conferring a great benefit to the Indian trade by safeguarding the capital which is enormously invested by the Indian ship owners and traders of this Presidency.

"With these few remarks I commend my resolution for the acceptance of the Council."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Your Excellency, I have much pleasure in seconding the proposition placed before the Council by the Hon'ble Khan Bahadur Ahmad Tambi Marakkayar. The boat is of course the best school for training navigators, just as the sea is the best school for fishers to learn how to swim. My Honourable friend has shown from the speech that he quoted in support of his resolution that there is a large population in India which depends upon navigation for their livelihood. On the Bombay coast as well as the Madras coast, there are certain classes which make a sea-faring caste by themselves. Most of these people had migrated from Arabia several centuries ago. They know their work

(Mr. Yaqub Hasan; Mr. Rajagopala Achariyar; [20TH NOVEMBER 1918-
Mr. Suryanarayana Rao; Mr. Ahmad Tambi Marakkayar.]

thoroughly; in fact it is not so much that the facilities for training are required by them as the facilities for passing a certain examination in order to get a certificate which is necessary, according to the Government of India Act of 1859. Section 13 of that Act provides that no one who is not certified can be an officer on any vessel of 300 and more tonnage. The result is that many persons who are quite fit to be officers of sailing vessels are deprived of attaining that position. There are, of course, many sailing vessels and they are of different capacity and they run up to 1,000 and more tonnage. Many of these persons, in order that they may be allowed to officer these vessels, register the vessels as say of 298 or 299 tonnage in order to avoid being caught by this Act of 1859. Of course, it would not be easy to persuade the Government of India to modify that section, as it is essential that a person who officers a vessel should know how to navigate. Otherwise there would be very great risk. What I say is that there are people who are able to navigate sailing vessels, but because there are no facilities for them to pass examinations, they are unable to get a certificate.

"I understand that Bombay is the only place where the port officer arranges for some examination like this. A few months ago when I went to Ceylon, I was very pleased and gratified to find that the two steamers that ply between Dhanushkodi and Talaimannar had Muhammadan captains. They were from Surat and Bombay and they must have proved as efficient hands as any captain of any steamer. There may be many others who may be just as qualified as these officers are; but still because they have not got the facility for obtaining certificates, they are deprived of such posts. Your Excellency, I would beg the Government to start one school as an experimental measure. I think this Presidency is the proper place to make a beginning in this line, because the sea-board of this Presidency is the largest in India, and it extends from Mangalore in South Kanara to Tuticorin and from Tuticorin to Ganjam. As I have said in the beginning, there are a number of people who are dependent upon the sea-faring profession for their livelihood and it will be a great boon if they had facilities for acquiring the necessary knowledge and passing the examination and getting a certificate. With these words I second the proposition."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the Hon'ble Mr. Ahmad Tambi Marakkayar's resolution is one with which the Government have a considerable measure of sympathy. The Honourable gentleman brought up this subject before the Shipbuilding Committee of which he is a member last August. He wrote to the committee to say that he proposed to start a school for navigation at Negapatam and offered to pay half the charges. The committee sent that up to us with a recommendation that the Education Department should take immediate steps to afford facilities to teach elementary navigation in those ports where the hereditary sailor classes were to be found and that so far as Negapatam was concerned, the Hon'ble Mr. Ahmad Tambi Marakkayar's offer should be favourably considered. As soon as that came up to us, we referred it to the Presidency Port Officer and, as the Honourable Member is aware, we sent that officer a copy of the resolution passed by the Shipbuilding Committee and asked him for his remarks after obtaining the remarks of local port officers and also after examining the following points, namely, syllabus, medium of instruction, staff, supply of pupils, examination and prospects of employment for trained men. This reference went out on the 17th of September and, as soon as the Presidency Port Officer's reply comes in, we shall deal with the whole question carefully and I am sure that the valuable speeches which have been delivered on the subject by the Hon'ble Mr. Ahmad Tambi Marakkayar and the Hon'ble Yaqub Hasan Sahib will be very carefully considered; and I trust that, under these circumstances, the Honourable gentleman will allow us time to deal with this question and not press his resolution just now."

The Hon'ble Mr. A. SURYANARAYANA RAO:—"Your Excellency, as a Brahman, I have very little to do with fishermen. But I am encouraged to speak on the subject on account of paragraph 173 of the Indian Industrial Commission's Report where it has been stated that navigation and marine engineering should be encouraged and schools should be opened; but the Commission say that there are difficulties and expert knowledge of a particular kind is required to handle the subject, and they strongly recommend that schools should be opened for the purpose. I submit that the first school that should be opened should be in our Presidency. With these words I support the resolution."

The Hon'ble Mr. A. T. G. M. AHMAD TAMBİ MARAKKAYAR:—"Your Excellency, on the assurance given by the Honourable Member in charge of the portfolio, I beg to withdraw my resolution."

With the permission of His Excellency the President, the resolution was then withdrawn.
The Council then rose for the day.

H. G. STOKES,
Acting Secretary to Govt., L. & M. (Legislation) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Thursday, the 21st day of November 1918.

PRESENT:

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.S.I.,
Governor of Madras—*Presiding*.
The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.
The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.
The Hon'ble Mr. L. DAVIDSON, C.S.I.
The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur,
C.I.E., I.S.O.
The Hon'ble Mr. L. E. BUCKLEY, C.S.I.
The Hon'ble Mr. M. E. COUCHMAN.
The Hon'ble Mr. H. S. DUNCAN.
The Hon'ble Major-General G. G. GIFFARD, C.S.I., I.M.S.
The Hon'ble Mr. R. A. GRAHAM.
The Hon'ble Mr. W. J. J. HOWLEY.
The Hon'ble Mr. A. R. KNAPP.
The Hon'ble Mr. S. B. MURRAY.
The Hon'ble Diwan Bahadur B. RAMASHANDRA RAO Avargal.
The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).
The Hon'ble Mr. C. G. TODD HUNTER.
The Hon'ble Mr. M. YOUNG.
The Hon'ble Mr. T. RANGA ACHARIYAR.
The Hon'ble the Rev. G. PITTENDRIDGE.
The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.
The Hon'ble Rao Bahadur M. RAMACHANDRA RAO PANTULU Garu.
The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.
The Hon'ble Mr. P. SIVA RAO.
The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.
The Hon'ble Mr. B. V. NARASIMHA AYYAR.
The Hon'ble Mr. K. SADASIVA BHAT.
The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.
The Hon'ble Mr. B. VENKATAPATI RAJU.
The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.
The Hon'ble Mr. K. KUMARAN RAMAN KAVALAPPARA MUPPIL NAKAR.
The Hon'ble Yaqub Hasan Sahib Bahadur.
The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBİ MARAKKAYAR SAHIB Bahadur.
The Hon'ble Sir GORDON FRASER, Kt.
The Hon'ble Mr. J. H. THONGER.
The Hon'ble Sir FAIRLESS BARBER, Kt.
The Hon'ble the Most Rev. JOHN ARLEN, D.D.
The Hon'ble Mr. T. RICHMOND.
The Hon'ble Sir FRANCIS SPRING, K.C.I.E.
The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.
The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO Bahadur, of Bobbili.

(Mr. Krishna Rao.)

[21st NOVEMBER 1918]

The Council re-assembled at 11 a.m. when the discussion of resolutions on matters of general public interest was resumed.

RESOLUTION RE INQUIRY INTO THE SYSTEM OF DISTRICT ADMINISTRATION.

The Hon'ble Mr. A. S. KRISHNA RAO:—"I beg to move—

'XII. This Council recommends to the Governor in Council to appoint a committee of officials and non-officials to inquire into the present system of district administration and suggest measures to improve the same so as to make it responsible to public opinion.'

"My Lord, this resolution deals with the question of district administration which affects the well-being and prosperity of the people in this Presidency who live mostly in rural areas. It suggests that an inquiry should be held into the present system of district administration; it suggests that measures should be taken to improve the district administration; it finally suggests that a committee should be appointed to report upon the various problems relating to district administration, some of them intricate and complicated, in order to come to a final conclusion in the matter.

"The Council is aware that, according to the present system of district administration, various functions are combined in the district officer, functions which if they are to be properly exercised will tax the capacity and ability of the best among administrators in this or in any other country. It will be remembered that the District Collector who dates very probably from 1765, the time of Warren Hastings, and who is supposed to be the head of the Revenue Department, has been invested with powers over various other kindred departments. He is the head of the magistracy and the police; he has to superintend the Department of Public Works including irrigation; he has control over the Excise Department; he has some powers of supervision over the local bodies and their working; and he has to organize several emergency measures such as plague measures, famine-relief, etc. As for the size of the districts in this Presidency, it is in every case too unwieldy for one officer, however capable and however energetic he may be, to be in direct touch with the whole of the people in that tract. So far as this province is concerned, the size varies from district to district excluding Madras and The Nilgiris and extends from Chingleput with an area of 3,072 square miles to Vizagapatam with the Agency tracts with an area of 17,221 square miles. Considering the population in each district we begin with Cuddapah with a population of 893,998 and go up to 3,015,119 in Malabar. I think it fit to draw the attention of the Council to the size of the various districts in this Presidency, for it is only then that we can have an adequate conception of the various functions which the district officers are called upon to discharge. It will be remembered that even the district officers who were examined on some occasions admitted the difficulty of the task imposed upon them and confessed that they did not find it possible to satisfactorily discharge the functions entrusted to them.

"While this question was before the Bengal District Administration Committee, an officer of considerable experience Mr. Birley, Collector of Dacca, stated as follows:

'As matters stand at present, we are neglecting the work which matters most, because neglect does not show, and in order that we may do the work which is intrinsically of no greater importance, but which must have the preference, because it comes more immediately to the notice of Government. It is because the mass of the people are so submissive to authority, and because they cherish an old belief that the British Government desires to do justice, that they do not make their voices heard, when the district officer fails to save them from such delay in obtaining justice in the criminal courts as amounts to a denial of justice, because he has no time to control the work of the courts; when the district officer fails to give them a fair price for their homestead land acquired for a public purpose, because he has not time to control the work of the land acquisition deputy collector; when the district officer allows the holdings of khas mahal ryots to be sold and fall into the hands of mahajans, because through want of time he exercises no control over collections, and allows an alternation of slackness and undue severity; and when the district officer fails to redress the just grievances of ryots in wards' estates, because he is defeated by the volume of the complaints and the passive resistance of the estate subordinates. None of these defects in the administration come very prominently before the notice of Government, because the people do not often complain; but the cumulative effect of these omissions, though slow, cannot fail to be far-reaching; and there is grave danger that the effect may become more rapid, now that ill-disposed people have set to work to persuade the masses that Government does not care for their interests. When the charge of a district officer is too heavy, these are the duties which he will in most cases neglect, and it has been so in the Dacca district.'

"And further on he says:

'At the cost of several mistakes due to hasty despatch of important business I have found time to discover many errors, but I have not found time to correct them; this can be done only by assiduous attention to individual cases, for which attention I have not found sufficient time. I cannot say that I have done more than increase the work by stirring up questions which I have not had time to settle.'

21st NOVEMBER 1918.]

(Mr. Krishna Rao.)

"This is what is stated by those who have inquired into the matter. Mr. Birley was an exceptionally able and zealous officer. That was his experience; I do not think the experience of any other officer will be different. So far as the position of the district officer is concerned, there cannot be any possible difference of opinion. Even in the Report on Constitutional Reforms the authors deal with this aspect of it, and state as follows: 'It is almost a truism to say that any extension of popular control over an official system of Government must be accompanied by some relaxation of the bond of superior official authority.' After pointing out the circumstances under which there was concentration of authority, they say: 'complaints were heard also that the prevalent unrest was due in part to loss of touch between officials and the people. The district officer was said to be too closely bound by rules and regulations; too much occupied in writing to his official superiors; too much of a machine and too little of a personality.' It is these circumstances, they say, that led to the appointment of the Decentralization Commission. In the same strain they remark as to the district officer and as to the system of district administration: 'It has the great advantage that in every district, and portion of a district—that is to say, in many parts of the country, within not more than 12 or 15 miles of every single inhabitant—there is a direct representative of Government, to whom complaints on every conceivable subject can be addressed, and through whom the Government can act. Its weaknesses are, we conceive, equally apparent. It is humanly impossible for the district officer to control the whole business of Government and to look after his army of subordinates as closely as is required. His utmost vigilance and energy do not suffice to prevent petty corruption and oppression from disfiguring official business. The people are slow to complain and prefer to suffer rather than to have the trouble of resisting.' Then they refer to the improvement of the subordinate services, and they suggest that the best remedy is in the awakening of public opinion. They also suggest the subdivision of the larger divisions and further advance in the cause of local self-government; and they further suggest that their proposals on constitutional reform must affect the district organization, though they do not consider it necessary to enter into that question at considerable length.

"I therefore submit to the Council that there can be no difference of opinion as to the present system of district administration and as to its not being in a position to cope with the present needs and requirements of the country. It is no doubt a difficult problem to suggest in what manner the system could be improved, and in what respects and directions alterations have to be effected in the existing state of things. To improve the personnel of the district administration amongst other things the Royal Commission on Decentralization was appointed; and they entered into the question at certain length and considered various suggestions made from time to time. One specific suggestion put forward and considered was whether it was necessary to constitute district advisory councils to help the Collectors in the matter of administration. That was a specific suggestion put forward. I will read the note placed before the Commission by Mr. Gokhale:

'I now come to the question of district administration. Here too the need of decentralization is manifest, but it must be decentralization accompanied by measures for a larger association of popular representatives with the work of the administration. There is no doubt that with the multiplication of central departments and a steady increase in the control exercised by the Secretariat of the Provincial Government, the position of the Collector, as the head of a district, has considerably deteriorated. There is also no doubt that the people require more prompt government, and more of it, so to say, on the spot. But this object will not be secured by a mere delegation of larger powers to the Collector. The time is gone by when the Collector could hope to exercise—and with beneficial results—a kind of paternal authority over his district. The spread of education, the influence of new ideas, the steadily growing power of the vernacular press make a return to the benevolent autocracy of the Collector of old times impossible. The only remedy lies in carrying a substantial measure of decentralization down to the villages and in building up local self-government from there. It will not do to be deterred by the difficulties of the task or by the possibilities of initial failure. Village panchayats must be created. Local and municipal boards must be made really popular bodies and larger resources than they can command at present made available to them. Last, but not least, district councils must be formed, whom the Collectors should be bound to consult in all important matters and with whose assistance they may be empowered to deal, with ever-increasing finality, with questions of district administration on the spot.

'This is the note regarding the improvement of the district administration which was placed before the Royal Commission and which the Commission considered at some length. Having considered that question they finally came to the conclusion that it was not desirable to appoint a district advisory council, and they summed up their position so far as this question was concerned in paragraph 531 of the report: "The general arguments adduced in favour of councils for Collectors were that it was very desirable to associate representatives of the people with the actual work of administration; and that to do this would not merely popularize the Government, but would permit the delegation of powers which witnesses who hold this view would not give to Collectors acting singly. Also, that such a system would enable the officers of Government, and the Government itself to get a clearer view of the feelings of the people on matters of policy and administration."

'On the other side it was argued:

'(a) That in most provinces Collectors already had district boards the members of which they could consult upon matters of general policy.

(Mr. Krishna Rao.)

[21st NOVEMBER 1918.]

(6) That any Collector worthy of his position would habitually obtain the opinions of non-officials whose views would be of value to him in dealing with any particular matter; that a new Collector would be guided in the selection of such persons by notes left by his predecessors, and by the darbar list, which is a register of district notables who should be invited to attend public functions; and that to tie the Collector down to a particular set of advisers, who would be largely drawn from a single class of the community, would be a mischievous step. Still more mischievous would it be to hamper him in the work of administration, which is mainly of a detailed character, by making his actions depend largely on the votes of an irresponsible body.

"These are some of the reasons urged by them for coming to that conclusion. I venture to suggest that, so far as the resolutions arrived at by the Commission are concerned, they cannot be accepted as correct especially when we have in view the composition of that Commission. It will be remembered that out of the six members of that Commission four were members of the Indian Civil Service who had been working as Collectors and who had been in close touch with the work of the department and who had naturally a sort of bias towards the official theory. There was only one Indian in that Commission Mr. R. C. Dutt. The other members had not much acquaintance with Indian conditions and the Indian frame of mind. I place these facts before this Council to suggest that it is not proper that we should place too much reliance upon the conclusions of that body, with whatever zeal and care they might have come to that conclusion. In a matter of this description the Commission should have paid more attention to non-official Indian witnesses rather than official witnesses. It will be noticed that amongst the various witnesses examined ten out of sixty-eight English officials accepted the theory of advisory councils; seventy-one non-officials were for advisory councils and thirteen against it; amongst Indian officials seven were for and seven against it. It would have been more satisfactory if the members of the Royal Commission, one of whom only was an Indian, had paid more attention to the opinions of the Indian witnesses both official and non-official. If that had been done, I have no doubt that the conclusion arrived at by them would have been somewhat different. I would suggest therefore that it is not a final conclusion arrived at by the Commission; but the question has to be examined from various standpoints.

"There is another aspect from which we can look at it. This Commission examined the question in 1908. What a wonderful change has taken place in the country in ten years! In ten years there have been changes of a striking character; and it is not desirable to accept these old ideals and work on those lines. This is a position which the authors of the Report on Constitutional Reforms actually recognize. After referring to the conclusion of the Decentralization Commission, they say: 'it would be unjust in us to blame the Commission for not taking a broader view of their task.' Again later on they say: 'their work must be judged by the conditions of 1908 and not those of 1918.' I only request this Council to consider this. When the conditions in 1908 were so different, we ought not to accept these theories now and draw conclusions from such positions.

"Having so far stated what was done by the Commission, I would now venture to point out various other problems which affect this important question when we consider the remedies. The question for solution is whether the powers of the Collectors of the districts ought to be increased or decreased. The Commission suggested that the Collector is very much tied down by restrictions, by various Government departmental rules; and if he is to do substantial justice promptly and speedily, he should be freed from some of the restrictions imposed upon him. Are we in a position to suggest that he should be freed from those restrictions when there is no means of checking the administration by means of popular bodies? Another question to be considered would be whether we want popular bodies to be brought into existence to administer the mere function of advising him in some branches of the administration. The other question will be whether you are going to start new bodies for the purpose of helping and advising the Collector in the administration of the various branches or whether you are going to utilize bodies we have in existence, i.e., the local bodies. That is also a question to be solved. The next question is, if we agree that some branches of the administration ought to be handed over to popular bodies, whether new bodies or the bodies already in existence, in what respects they can exercise administrative functions and in what respects they can advise the Collector in matters of administration. A further question will arise whether we agree that some branches of administration are to be handed over to popular bodies for the purpose of administration or consultation as to the restrictions and safeguards that ought to be provided to carry out that object.

"I have now indicated, my Lord, the various issues that arise in coming to a final decision. Every one of the issues is a very difficult one by itself; it is one on which the members of the Council, official or non-official, can entertain honest differences of opinion. It is for that purpose that I have suggested in this resolution the desirability of appointing a committee to go into these various problems. When questions of this sort are placed before this committee and when some suggestions are made—the suggestions I make are only as a basis for discussion and for consideration—I have no doubt whatever that, before the problem is satisfactorily solved, the suggestions must be subjected to scrutiny by a body of persons, both official and non-official, representing not only the official interest but also the public interests.

"Taking that view about the questions involved in this resolution I would, in the first place, suggest that we have gone far ahead of the old theories of having bodies for the purpose

21st NOVEMBER 1918.]

(Mr. A. S. Krishna Rao.)

of consultation or advice alone. I believe that the time has come when we can demand that there should be popular bodies for the purpose of exercising some of the administrative functions which are now solely in official hands. The system or scheme of partially responsible government which it is proposed to introduce—let us hope it will be introduced—will be ineffective and will not be advantageous or beneficial, unless similar measures are devised in regard to matters affecting district administration. In the Provincial Government we can only sketch down the lines of policy, the broad principles for the guidance of the Government. But in matters of actual administration, it is the district officer on the spot that will be in close touch with the people, and their welfare or misery will depend upon the way in which he proceeds to discharge his functions. Therefore I suggest that the time has come when we should, in the first place, ask for devolution of powers, of administrative powers, to popular bodies.

"Then the question will arise: whether new bodies have to be brought into existence or whether the existing local bodies can be used for the purpose. We are all aware that the Government have contemplated a definite advance of local self-government. They want to put them on as popular a basis as possible, and to extend the franchise as widely as possible. Therefore instead of bringing new bodies into existence, I would for myself suggest the desirability of enlarging the administrative functions of the local bodies which are already at work and which it is proposed to improve as early as possible. That is the position that I wish to take.

"Then it may be asked what are the powers which you would like to transfer to these new bodies. Before I make my suggestions, I may say that in the views I am putting forward I am supported by various responsible officials who have spoken on this question. In the first place as early as in 1893 Diwan Bahadur Srinivasaraghava Ayyangar who wrote on 'Forty years of progress in the Madras Presidency' suggested some devolution of powers. After referring to local administration he says: 'Further advance in this direction can be looked for only by entrusting to local bodies more and more of the work of real administration. The measures recommended by me for the settlement of petty litigation—civil and criminal—by means of popular bodies will, to some extent, have the effect of creating greater interest in public affairs than has been displayed hitherto. The assessment of taxes like the income-tax might, in rural tracts, be entrusted in course of time to local fund panchayats who might be assessed at a lump sum which would be distributed by them according to the means of the individuals liable to assessment. The obligation to maintain village forests, agricultural experimental farms, technical schools may, wherever possible, be imposed on them. In the matter of the dispensation of relief in times of distress, the assistance of local fund union panchayats might be made use of more than it has been. Under the influence of a watchful public opinion the duties and responsibilities of Government in this respect have greatly widened of late years, as the Government is made responsible for ensuring that, in times of failure of crops, no deaths by starvation ensue. This is a duty which it is very difficult for any Government to discharge satisfactorily.'

"Therefore he suggested that those functions should be made over to popular bodies. Coming to 1912 when a discussion arose in the Imperial Legislative Council about District Advisory Councils, Sir Reginald Cradock expressly stated that that should be the line of development. He said: 'The question of Advisory Councils of all kinds was in the air, and the district councils to which I referred in that note were not the district councils of Mr. Gokhale's scheme, but those district boards that we have already established and of which the foundations have been laid. These were to be the sources from which eventually, if ever, Advisory Councils were to spring, but I contemplated rather that these boards should themselves become not the Advisory Councils which Mr. Gokhale contemplates, but the agency for doing things themselves and not for advising the Collector how they should be done. And that is what I still think will be the future development not by giving a number of advisers—very often irresponsible—to executive officers like the Collector, but as time goes on for the Collector to divest himself of various functions and hand them over to responsible bodies like the municipalities and district councils. That is the line on which as far as my humble opinion goes, affairs will develop.'

"Now, my Lord, leaving aside the discussion in the Imperial Legislative Council I may draw the attention of the Council to the discussion which took place in February last in this Council and the pertinent remarks made by the Hon'ble Mr. Rajagopala Achariyar and Your Excellency on that occasion. The Hon'ble Mr. Rajagopala Achariyar in opposing the resolution moved by Mr. Ramachandra Rao and after quoting Sir Reginald Cradock, concluded as follows: 'That is a line, Sir, to which the Government have absolutely no objection. That is why I say, so far as the functions of these boards are concerned, we are prepared to, we will gladly, consider any suggestions made by Honourable Members for enlarging them.'

"Later on he said: 'My point is, whatever functions you give to the local boards, let those functions be complete and let the responsibility be complete. Let them deliberate, decide and act. Do not divorce action from advice. But I oppose making them advisory in certain respects in regard to which they cannot act. I hope my Hon'ble friend Mr. Ramachandra Rao understands the spirit in which I put forward my objections. It is as well that the objections to the particular idea should be known fully to the Council, because the idea is a particularly fascinating one. When the Local Boards Act is taken up, we would be most willing to consider suggestions for enlarging the functions of the local bodies. But to give them statutory power to offer advice in regard to all branches of the district administration would, I fear, not only paralyse that administration, but would do great injury to local self-government. I therefore feel bound to oppose that portion of the resolution.'

(Mr. A. S. Krishna Rao; Mr. Ranga Achariyar.) [21st NOVEMBER 1918.]

"Later on in winding up the debate Your Excellency made a speech which induced the Hon'ble Mr. M. Ramachandra Rao to withdraw that motion, and in the course of that speech Your Excellency stated as follows:—

'As the Council is aware the Government are willingly and whole-heartedly committed to what is called the liberalising of the local administration. It is a part of our declared policy and the Council knows it. So far as extending the present functions of local boards is concerned, we are in entire sympathy with it. But it is a business matter which must be examined and it must be done in accordance with order, after full information has been received. So far as the principle is concerned, we are entirely in favour of it.'

"Therefore, so far as the enlargement of the functions is concerned, it is clear from the above remarks that it is the accepted policy of the Government. The only question is in what manner we should proceed. The question is whether the time has not come when we might appoint a committee to consider a scheme of development in that direction. It might also be remembered in this connexion that the Public Works Department Reorganization Committee, as the Hon'ble Sir Alexander Cardew is aware, suggested not only that roads and buildings should be made over to local boards, but also that minor irrigation and also minor tanks in the hands of the Revenue Department and also of the Public Works Department should be handed over to local bodies. The recommendations made by them are now under consideration.

"Having referred to the opinions of Sir Reginald Craddock, of Your Excellency and of the Hon'ble Mr. Rajagopala Achariyar, I venture to ask whether there is not sufficient information before us to induce us to take another step in solving this problem. Suggestions have been made about handing over buildings, medical relief, income-tax, maintenance of agricultural farms, agricultural operations, licensing and location of liquor shops. Various suggestions have been made from time to time that in affected areas, areas affected by famine and distress, questions of remission and suspension of revenues might also be entrusted to them subject to certain safeguards and restrictions. It is not the ordinary seasonal remission I am referring to; I am referring to cases of widespread distress and famine relief, in which cases, the help of these bodies may be taken advantage of. There is a fair consensus of opinion that it is desirable to hand over forests and grazing areas to village panchayats. There is no question about it that these panchayats which have been formed and which are at the bottom of local self-government should have control in these branches of administration. I have so far sketched out some of the lines on which we might proceed, some directions in which the functions of these bodies might be enlarged and the control of the district officers removed.

"Another question has been suggested and remains for consideration; whether in addition to administrative functions you can give them power to express opinions on other matters of administration and whether they may have administrative control over some branches of district administration and in regard to other matters give their opinion. That deserves careful consideration.

"These are some of the lines on which an inquiry may be made. I know that one proposal after another made by me or others is open to criticism. It is possible that differences of opinion are entertained. I would ask, when we contemplate a real scheme of development in the matter of local administration, when it is the accepted policy of the Government to liberalize the district administration—I am using the words used on the last occasion—is it not high time that we should consult freely and candidly talk over the matter to see in what direction you can improve the existing state of affairs? With these words I commend the resolution."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"My Lord, I second the motion. It is an important question which affects the well-being of the people. The district administration is the real administration carried on by the Government, as it exists at present, as is well pointed out in paragraph 125 of the report of Mr. Montagu and Lord Chelmsford: 'The system which we have described was originally due to imitation of the quasi-military organization of the Moghul Empire. The Council and local bodies are innovations, due to the totally different conception of administration which springs from English political thought.' They point out the remedy: 'Strong as it is, the official system is too weak to perfect the enormous task before it without the co-operation of the people.' Such is the all-pervading official activity in the various branches of administration committed to the district officer. The time has come to consider as to how best to associate the people in this difficult task of administration. It is after all on the successful popular administration of the district that the popularity and the efficiency of the Government depend and therefore it is a subject of great importance. It is a subject involving various complications and a subject beset with difficulties. This was the question really discussed in February last on the motion of the Hon'ble Mr. M. Ramachandra Rao who unfortunately framed his resolution in a way which although it raised this issue was not in a form which was acceptable to the Government. As Your Excellency pointed out in summing up the debate on that occasion, the issue which the Hon'ble Mr. M. Ramachandra Rao raised was whether there should be a closer association of the people with the administration of the district. Your Excellency pointed out the resolution did not bring forth that issue which he wanted to place before this Council. Myself and others tried to bring up an amendment on that occasion. I mentioned this method of appointing a committee to find out how best this question can be solved. Your Excellency considered that came in rather late and the Hon'ble Sir Francis Spring also sent up an amendment of which we have not got a copy which also came in too late. Therefore the resolution was withdrawn by the Hon'ble Mr. Ramachandra Rao. In that historic debate in which the eloquence of our esteemed friend the Hon'ble Mr. Rajagopala Achariyar was raised to a pitch—it was a memorable debate—all points

[21st NOVEMBER 1918.] (Mr. Ranga Achariyar; Sir Alexander Cardew.)

were fully brought out. If you peruse that debate, as I did this morning, you will become alive to the difficulties then pointed out. It is therefore meet that such a question should be considered by a committee after careful inquiry and consultation with various district officers and people acquainted with district administration. The time has come when something must be done in that direction. Your Excellency's Government are alive to this and the people are alive to it. Therefore sooner or later this question must be settled, how best to associate the people in the task of district administration. District administration can no longer run along the old lines. District Collector was a sort of Governor even without being hampered by an executive council. I need not dilate upon the importance of a district in this Presidency or in India. Some districts are larger than Denmark or Switzerland. The population in some places is more than that of New Zealand or Canada or some divisions of Canada. That shows the importance of the task which the district officers have to perform. It is but right that a system which was brought into vogue about the latter part of the eighteenth century should not be allowed to continue. We must take steps to associate the people in the every-day administration which is carried on by these district officers. How best to do that can be settled by a careful inquiry by a committee of officials and non-officials. Non-official aid should not be under-rated nowadays. Their value and importance are recognized all over the country. Therefore while we concede to officials an intimate knowledge of the problems, yet at the same time their points of view are not at times as sympathetic as they ought to be. After all it must be remembered that in discussing this question of district administration officials are bound to take different views and be honestly biased in favour of their own views. That is not the view that the public will take. The public want to have that administration liberalized and made more popular and more amenable to the public voice and public control. In that view it is not necessary to go into detail on an occasion when the question is whether a committee should go into the question as to how the district administration should be made more popular and liked by the people. The great object should be to train the people in the art of self-government which is the aim and goal which all have in view. Therefore it is but meet that steps should be taken and that at once to see how best the people can be associated with the every-day district administration. I therefore support the proposition."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, the Honourable Member who has brought forward this resolution has given us a very long and eloquent speech, and in particular a nostrum which he advocates. The important question for us to consider as practical people is whether this is the time for us to go into these matters at all. The Government and the country have got before them a very wide and comprehensive scheme of political reforms. That scheme has got to be considered by the British Houses of Parliament and its ultimate result has got to be decided upon. Until that scheme has been settled, is it not rather difficult for this Council to go into changes of a subsidiary nature which must be dependent to a great extent upon the ultimate changes which the political changes involve? The authors of the joint report seem to have recognized this point, because they expressly refer to it and in paragraph 128 say as follows: 'Further as the principle of popular control is admitted into the Government through the medium of the Legislative Councils some means must be devised of enabling the established services to fall in with the new order of things. The precise means of doing so will depend on what we have to propose hereafter as regards the machinery of government.' Until you have settled your machinery of the government you cannot very well determine what administrative changes ought to be made. It is quite possible if you have the report carried into practice anything like a committee now appointed might not go so far as the future government might wish, or they might go further. It is thus premature to discuss the wide issues which the resolution seems to imply until the outline of the political changes is settled.

"On the other hand if the scheme contemplated by the Honourable Member who has brought forward this resolution is really the same as that debated last February—it is rather the conclusion at which I have arrived from the two speeches I have listened to, that this raises substantially the same point as was then debated at great length—then, as was then pointed out, the whole matter, so far as that aspect of it is concerned, would suitably be dealt with in connexion with the legislation before this Council, namely, the Local Boards Bill which is to be introduced into this Council. It is now, I think, under consideration by a committee; we are actually dealing with it, and it has been considered by the committee, it is going up to the Government of India. When we come to the practical things which the Honourable Member suggests, such as the suggestion that minor irrigation may be made over to local bodies, all that is necessary is to suggest the insertion of a clause to that effect in that Bill. I would put it to Honourable Members whether it would not throw back things tremendously and cause great delay if this resolution were accepted. If you appoint a committee *de novo*, the committee may draw up a further scheme of legislation which will take many years and which will have to be modified further when the reform scheme is settled. From whatever point of view you look at it, this is the wrong time to raise the question. I do not go into the merits of the scheme of devolution of powers regarding income-tax, assessment, minor irrigation, agricultural farms or grazing. All these details may well be discussed; they may be excellent suggestions, or they may not prove to be good suggestions. I only say that this is not the time when it will be wise in the interests of the object which he has himself before him to accept his resolution and appoint a non-official body to consider it. I think the Honourable Member will agree that, supposing a year hence a new scheme of government comes into operation and at the same time we now appoint a committee to examine into these questions on a large scale it would be embarrassing. It is a grave question whether even the revision of the Local Boards Acts can be

(Sir Alexander Cardew ; Mr. M. Ramachandra Rao.) [21st NOVEMBER 1918.]

carried through until we know what the future government is to be. If they are to be carried through then in the revision of the Acts you will have full opportunities of introducing these very matters which you want to introduce through this special committee. I have no personal opinion on any of these matters. I recognize that gradually larger powers must be given, larger scope must be given, to local bodies. How that is to be done is another question. I will not go into the question of advisory councils. Though the Honourable Member has raised it, he does not himself propose advisory councils, but he proposes the enlargement of the functions of the existing local bodies. At present that is a far better line of advance. But I submit to the Council that this is not the time really for discussing these questions; I submit we are wasting time in discussing this matter at this stage. When you have got this thing through, when we know where we are, it may be possible to shape the changes in the local administration. So far as is possible or feasible, I think these might be considered in connexion with the District Boards Bill. I do not think in this view I can accept this resolution. I would suggest to the Honourable Member to wait. This is not a thing to be settled in a hurry. I think without any reflection on the Honourable Member he can well afford to withdraw the resolution and wait till the matter is more ripe for discussion."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—" My Lord, my Honourable Friend who moved this resolution and the honourable seconder have already referred to the discussion which we had last February. I must say the discussion on the subject at that time was characterized by some amount of heat on both sides. I am glad that we have had as early an opportunity as possible after that discussion to reconsider the arguments and to urge those that have not been urged and take a general review of the position taken on the last occasion upon the present question."

" Before I proceed to make a few remarks I propose to refer to the three preliminary points on which the Hon'ble Sir Alexander Cardew wishes to oppose this motion. The first of these is that a large scheme of constitutional reforms is now before the country and until that matter is decided the question of district administration ought not to be taken up; a great deal depends on how the proposals for constitutional reforms would be shaped and further subsidiary changes in the lower parts of the machinery of the governmental administration in the province will have to be undertaken in consonance with the scheme that may be finally adopted. My Lord, I challenge that position. Before I answer that point, I may say that this question of district administration has not been started with the present scheme of constitutional reforms. It was raised in 1908 at very great length before the Royal Commission on Decentralization, independently of enlarging the powers of the Provincial Governments, as a means of democratising the administration in the districts. It was examined at great length in 1912 in the Imperial Legislative Council on a motion made by Mr. Gokhale and ever since it has been before the country. It has been considered in connexion with the question of enlarging the powers of the Provincial Governments and the Government of India. Therefore whatever changes may be ultimately sanctioned by the statute of Parliament with reference to the provincial administrations and the central Government, it seems to me that the question of district administration, the discussion about which has hitherto proceeded independently of the present contemplated changes in the Provincial Government and the Government of India must be taken up separately. So far as I can see, even assuming that all the proposals under the scheme of constitutional reforms are accepted, the question of district administration and the proposals made by my Honourable friend can be considered without affecting in the slightest degree the machinery of the Government. I am not therefore able to appreciate that portion of the argument of my Hon'ble friend Sir Alexander Cardew."

" Then, my Lord, he asked us whether this was the time when this question ought to be considered. As regards that matter, my Lord, I may say, having had some experience of committees as well as of the work in this Council, that if there is one way of probably shelving a question it is sometimes by the appointment of a committee. It has been the saying of an eminent Parliamentarian that the best way of shelving a question is to appoint a committee. Whether that is so or not we need not consider. We have had an educational conference and it is now two and a half years since the question was reported upon. It takes up a great deal of time for the Local Government to sit upon the proposals to examine the financial proposals and reporting, returning and rereporting takes place is another question. How long this process of before any conclusion is arrived at on a question of the magnitude of changes in the district administration by a process like this. Therefore, my Lord, I do not think we are starting far too soon. If a committee is appointed now to examine this question, it will perhaps take one or two years for this committee to report. Then Your Excellency's Government will have to go into that report, and then it will go to the district officers themselves and other gentlemen who have plenty of experience to examine these proposals, then it will go to the Board of Revenue and they will take another year, and then it will come to the Government and the Government will take another year to go through it, looking at the magnitude and importance of the question, and it must then go to the Secretary of State and the Government of India. How long these authorities are likely to take or have taken on previous occasions in regard to similar questions is well known; but it must be a considerable time before final orders are issued. I do not certainly think it will be inopportune to appoint such a committee now."

" Now, my Lord, coming to the argumentative part of the Hon'ble Sir Alexander Cardew's speech in answer to this resolution, Honourable Members would remember that the last time when I brought forward specific proposals to constitute the local boards as advisory committees,

[21st NOVEMBER 1918.] (Mr. M. Ramachandra Rao ; Mr. Siva Rao.)

most of the eloquence of my Hon'ble friend Mr. Rajagopala Achariyar was expended on demonstrating the inutility of irresponsible advice. I admit it. Now my Honourable friend on the present occasion has abandoned that line. Now we do not want advisory councils, let us have a transfer of administrative functions. Now I have not heard any answer to that aspect of the question. The Hon'ble Sir Alexander Cardew said he had no views either for one side or for the other at present, because the question was far too important. He does not wish to answer that aspect of the case."

" My Lord, as regards the necessity of a committee I may perhaps also refer to what the Hon'ble Mr. Rajagopala Achariyar himself said last time as showing the extreme complexity of the subject. My argument on the last occasion was that I was not prepared to give a cut and dry scheme because judging from the official experience and the non-official experience available it might be cut up and criticised in all kinds of ways; if a committee was appointed, the committee could command all the experience of the members and that was a much better method than to bring forward cut and dry proposals. Then the question was one for a committee. The Hon'ble Mr. Rajagopala Achariyar said, referring to my not bringing forward cut and dry proposals :—

" He indicated one or two things, but finally he wound up and in effect said, " I am not prepared to give you a cut and dry scheme, I hereby make a present to you of this idea, that the functions of these local boards should be enlarged, you had better work it out." I admit that we are under an obligation to work up an idea like this, because it is our policy to enlarge the functions of the local boards. If the Honourable Member would tell us the various directions in which it can be done, and if other Honourable Members would indicate their views on this subject by putting them on paper, or the local boards themselves in the province send up suggestions as to the way in which their functions should be enlarged, those suggestions would receive the most careful and sympathetic consideration. It is not possible for me to commit the Government off-hand to the view that the local boards could deal with this or that, e.g., minor irrigation works, excise or income-tax, or any other department of the Government. Each one of these things has to be examined carefully, it has to be thought out by the Government, and, if I may venture to add, it has to be thought out by Honourable Members and it has also to be considered by the local bodies whose functions we propose to enlarge."

" This is exactly the ground in support of the appointment of a committee. The persons that are to sit on the committee ought to be men who have dealt with the district administration both from the point of view of the officials as well as of the ordinary ryot, and it will have to consider the functions that can be so transferred. Therefore, I beg to submit that a strong case has been made out for the appointment of a committee. It is these very difficulties which are now in our way. The question cannot be answered and no proper scheme can be formulated by the Government or by ourselves as stated by the Hon'ble Mr. Rajagopala Achariyar. That is why on the present occasion the Hon'ble Mr. Krishna Rao has suggested the appointment of a committee and has not confined it purely to merely expanding the functions of the existing local bodies. It seems to me that the question is one which is very important and the sooner it is faced the better. If a committee were appointed, I take it that it would consist of men of different shades of opinion, official and non-official, they call and examine witnesses, call for statements of views from various departmental officers and adjust the machinery in the direction indicated."

" One other matter to which I would like to refer is the impending legislation with regard to local bodies. The Hon'ble Sir Alexander Cardew has stated to-day that at any rate in his opinion it may be that even these Bills about local self-government may have some kind of connexion with the new scheme of constitutional reforms, and perhaps they may also not be proceeded with. That was exactly the view taken in connexion with the City Municipal Bill by the non-official members, but that motion was defeated in this Council. On the present occasion it is suggested that these Bills may have some connexion with the reforms. Whatever that may be, there is this to be said; the Bills which have been framed relate to the present functions of these bodies and relate to local self-government—sanitation, education and matters of that kind. I do not think any of these Bills contemplate the transfer of other functions, functions such as those which are now vested in District officers. That being so, I expect, under the rules so far as I can see, it would be objected to on the part of the Government that this enlargement of these boards may not be within the purview of the Bills. If that position is taken up by the Government, we shall be altogether unable to do anything. That is an aspect of the case which I trust the Hon'ble Sir Alexander Cardew will consider. So far as I know the legislative procedure, if there are any points for suggestions to enlarge these boards, the Government will probably have to obtain the sanction of the Government of India and the Secretary of State subject to whose sanction the Government can introduce Bills. I mentioned this point last time. I think even before these amendments can come in, it would be a wise step to appoint a committee generally to find out in what respects the functions of the local bodies can be enlarged. Therefore, my Lord, without going into the actual functions that have been suggested as suitable for the general desirability of appointing a committee is to my mind clear. I do not think that the conditions at present are unfavourable for the consideration of such a subject."

The Hon'ble Mr. P. SIVA RAO :—" I give my strong support to the resolution moved by the Hon'ble Mr. Krishna Rao. The gist of the resolution seems to be that steps should be taken to liberalize the district administration, and to carry out that purpose, he has asked for the

(Mr. Siva Rao ; Mr. Venkatapati Raju ; [21st NOVEMBER 1918.
Mr. Narasimha Ayyar.)

appointment of a committee consisting of officials and non-officials to propose the necessary steps. I shall be very brief in this matter. I may say that the Collector of the district is virtually the governor of a very large tract of the country, as pointed out by the Hon'ble Mr. Ranga Achariyar. He is not a civil servant as in England who carries out mandates from the central government, but is himself virtually the governor, initiates policy and formulates schemes. That fact has been well recognized by the authors of the report on constitutional reforms. The Collector here is different from the public servant in England. If that be so, we naturally desire that that administration should be liberalised; in other words the people should be associated in matters of general administration. The Hon'ble Sir Alexander Cardew who replied on behalf of the Government did not give us the opinion of the Government; he reserved that opinion. But he feels that the time is inopportune because certain Bills are pending on the legislative anvil, specially the Local Boards Act. This resolution in my humble opinion does not commit the mover to any certain position. He asks for devolution of powers; he is not satisfied with a mere consultative body to advise the Collector. What he says is the times have very far advanced, and we have to go a step forward and ask for the devolution of certain powers in favour of local bodies. But he only suggests that it may not be desirable to form new bodies, and that the existing bodies, the municipalities and local boards, may be usefully utilized for the purpose. I do not think he commits himself to any definite opinion. He leaves it to the committee he proposes to decide this matter.

"The main objection of the Government to the formation of this committee is that these Bills will be under discussion in course of time and that will be the suitable occasion for considering them. As was pointed out by the Hon'ble Mr. Ramachandra Rao, all these proposals should be cut and dry and should be carefully thought out before the Bill is introduced into the Legislative Council. Then we can easily insert these provisions if we have the recommendations of this committee pointing out certain lines of advance and the powers which should be entrusted to these local bodies. The necessity for a committee could not be minimized. All sides of the matter have to be carefully considered and sifted. It is highly essential even when the Bills come into existence that the committee should sit over the proposals and come to a certain understanding.

"I may also point out in this connexion that the Public Works Department Reorganization Committee have already recommended that local bodies should be entrusted with the task of the construction of roads and buildings and also minor irrigation works. That is an expansion of the powers of the local bodies which they have proposed.

"With these remarks I strongly recommend the formation of a committee whose deliberations would be exceedingly useful to enable us to arrive at a definite conclusion."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I agree with the Hon'ble Sir Alexander Cardew for one reason; we are thankful to him that the Government are not prepared either to condemn or to accept the proposal simply because the reform proposals are before the country and will be discussed later on. Otherwise we are pretty sure what would be the verdict of this Government where popular control is to be extended to district administration. There is some difficulty which I entertain in understanding the Hon'ble Sir Alexander Cardew, because, when we oppose the introduction of the City Municipal Bill, another member of the Government said that we must have business as usual and we need not wait for the introduction of the reforms in order to give enlarged powers to local bodies and liberalize them. When we want to introduce popular control in district administration, the Hon'ble Sir Alexander Cardew says, there is a Bill before you, why do you bother yourselves? Whatever it be, these things cannot be done in a moment. First of all we must have ideas and fructify them; we must liberalize the administration; and it will take a long time. It is not with the hope that this resolution will be carried or adopted by the Government that the Hon'ble Mr. Krishna Rao has brought forward the resolution. He has done so in order to make the Government understand how the people are feeling—that popular control is necessary in district administration. For that purpose it is absolutely necessary to go into this question if not in this shape, in some other shape in order to bring the district administration under popular control. Therefore, I strongly support the resolution of the Hon'ble Mr. Krishna Rao."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I wish to state one or two reasons why this Council might accept this resolution. The Hon'ble Sir Alexander Cardew did not say that any harm would result from the formation of the committee, but he took up the attitude of saying 'not at present, just wait a bit.' The wait-and-see policy was not the cause of the successful conclusion of the war; it is the policy of activity that has given us brilliant results. We shall always be disposed to support any persons who recommend action for the purpose of doing any good rather than those who counsel us to wait and see how things get on. If the Hon'ble Sir Alexander Cardew is really under the impression that it is impossible for the committee to do any work without the fate of the constitutional reforms being known, very few will be able to endorse his view. The real fact is the district administration can be improved before the Parliament shortly.

"The other point of view which he put forward, viz., that this matter may be considered in connexion with the Local Boards Act, is a matter which is hard for us to understand. Will the appointment of a committee as recommended by the Honourable mover be an obstacle to the work of the amendment of these Acts? Obviously not. The work of the committee now

21st NOVEMBER 1918.]

(Mr. Narasimha Ayyar ;
Mr. Chidambaramatha Mudaliyar ; Mr. A. S. Krishna Rao.)

proposed will be fairly complex as to what is to be done. We are going to have two committees on one of which the Hon'ble Mr. A. Subbarayalu Reddiyar is to sit—committee to decide the functions in higher matters of the Provincial Government. Similarly in matters of district administration a committee might sit and take evidence and come to a conclusion or offer recommendations as to which would be the proper functions on which local bodies might have a decisive voice and in which matters their voice might be subject to other criticism. It is quite clear that far from there being any harm in constituting the committee, we shall be doing a lot of spadework which has to be done. When I was listening to the Hon'ble Sir Alexander Cardew, I was reminded of some old dames who when any serious undertaking is about to be undertaken often say in the same strain as the Hon'ble Sir Alexander Cardew, 'Not yet; now there will be difficulties, the stars are not propitious.' I was reminded of the Greek general who was in command of an expedition and who said that the stars did not sanction the sailing of the ships, and consequently the expedition had to be lost. It is not the stars that are being consulted; the Hon'ble Sir Alexander Cardew is thinking of the joint report as a sort of star which is to decide the fate of this motion. I hope that this advice for inaction will be swept aside and the Council would go in for a thing which is not harmful and on which a large number of members have built up great deal of hope."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"Your Excellency, I give my strong support to the appointment of the committee. I feel convinced that this is one of those matters in which reforms have been long overdue. I think the Hon'ble Sir Alexander Cardew's view that it should be put off is neither justifiable nor reasonable. District administration stands in great need of getting familiarised. There is absolutely no sort of control whatever by the public on district administration as such. I need not dilate upon the evils and inconveniences that result to the people by such a state of things. Sufficient has been said to the Council to show the need for reform in this matter at as early a date as possible. The question has been before the public for a pretty long time ever since the Decentralization Commission made their report and Mr. Gokhale brought forward his resolution in the Imperial Legislative Council. I hope Your Excellency's Government will see their way to take into their earnest consideration the resolution before the Council and give it early effect."

The Hon'ble Mr. A. S. KRISHNA RAO:—"My Lord, I find it difficult to follow the argument of the Hon'ble Sir Alexander Cardew in opposing this resolution. He has not taken any exception to the principle embodied in this resolution. He has admitted the desirability of enlarging the functions of local bodies already in existence. His only argument is that it is somewhat premature to take up this question at the present juncture. It is only that aspect of it that is now before the Council; and it is not necessary to enter into an elaborate discussion of the details of the various suggestions and proposals made by me.

"The first position taken up by him is, we have a scheme of reforms published; that scheme is going to be considered in due course; it must have some bearing on district administration; so this is not the time to see what experiments are to be made in that direction. My Lord, I venture to suggest that this question of district administration had been engaging the attention of the Government and the public even before the expansion of the Legislative Council was thought of. If on this occasion the Hon'ble Sir Alexander Cardew refers to the scheme of reforms, it is because, as we lawyers know, he finds it difficult to adduce any arguments against my resolution. It will be realised that whether our Councils are expanded or not, whether there is more representation in the Legislative Councils or not, the district administration ought to be improved if it is really to do any substantial good to the people of this country. So far as that question is concerned, I would submit, my Lord, it should be taken into consideration and satisfactorily solved as early as possible.

"The next point suggested is that there are other committees appointed to consider the draft Bills to amend the Municipalities Act and the Local Boards Act, that the Bills have been prepared and that during the discussion of those Bills this question might be solved. I hope the Hon'ble Mr. Rajagopala Achariyar will be in a position to tell us if these questions were considered or referred to the committees appointed for the purpose. My information is that the question of enlarging the functions of these bodies was not referred to the committee and was not considered by them. I hope he will enlighten me in regard to this point. I also wish to have some information as to whether the contemplated Bills to amend the Local Boards Act and the District Municipalities Act embody any provisions for enlarging the powers beyond those now existing; because if they contain any such provisions there will be enough of scope for a discussion regarding these aspects of the problem, but if that is not the case, I doubt very much whether we will be in a position to discuss the question of the enlargement of the functions of these bodies when these Bills come up before the Council. As to the question of procedure the Hon'ble the Advocate-General will also be in a position to advise whether, if the contemplated Bills for amending the Municipalities Act and the Local Boards Act do not provide for the enlargements of the functions of those bodies, it will be open to this Council to ask for such provisions. I have serious doubts whether that can be done unless we come to a deliberate conclusion and address the Government of India for further sanction. I hope some light will be thrown on these questions which materially affect the problem I have suggested.

"Another point I have to suggest is this—assuming for a moment that the Government have already incorporated in these Bills a provision for the purpose, and assuming that it is open to this Council to raise this question in the course of the debate on the Bills, whether that will be

(Mr. A. S. Krishna Rao ;
Sir Alexander Cardew ; the President.)

[21st NOVEMBER 1918.]

the proper procedure to follow or whether the proper procedure will be to have an independent discussion of these proposals by a committee in consultation with the district officers. Everyone knows there is so much difference between debates in this Council with formal rules of procedure where everyone is called upon to speak within a certain time-limit and a discussion in a committee where persons can be more free to exchange views and come to a common understanding. That is the advantage of working in a committee which we cannot have in a formal discussion in the Council. That is the chief reason why I have thought fit to suggest a committee; otherwise I would have accepted the invitation of the Hon'ble Mr. Rajagopala Achariyar and Your Excellency at the last meeting. When the Bills come up for discussion and are discussed in a formal manner, the results will not be as satisfactory as you would like them to be; whereas if the same question is debated in a committee it will be open to the non-officials to convince the officials or to the officials to convince the non-officials. To have a full discussion of the complicated problems that I suggest it is necessary to appoint a committee. I really do not see what harm or what serious consequences would be caused by the appointment of a committee. The committee will consist of several district officers of experience and will be able to offer sound advice; but the final action will be in the hands of the Executive Government."

The Hon'ble Sir ALEXANDER CARDEW:—"I have listened with a great deal of interest to the speeches of the many Honourable Members who have spoken, because of the remarkable change of view which they seem to have undergone during the last few months. When we were discussing the City Municipal Bill in August last, the Hon'ble Mr. Yaqub Hasan, who unfortunately has not favoured us with his views on the present occasion but whose views will become apparent later when we come to vote, told us that according to the reform proposals the question of local self-government would be treated as a transferred subject and would be in the charge of Ministers, and the local Government would be given a good deal of autonomy to manage their affairs and therefore we should put off the City Municipal Bill; a year is not a long period to wait he said; if the reformed Council cannot produce a better Bill than the present one, then the responsibility he added will be with the reformed Council. My Hon'ble friend Mr. Krishna Rao came into the discussion and he said: 'As has been pointed out already, very great constitutional changes are under contemplation; and there is absolutely no doubt that a substantial devolution of power will be given to the local Government; I have no hesitation in giving my support to the motion before this Council, i.e., to adjourn the consideration of the City Municipal Bill.' Then came the Hon'ble Mr. Narasimha Ayyar and he went a step further and was more logical in his conclusion. He has said to-day that I am counselling a policy of wait and see, and he is for going ahead. On the 14th of August he said: 'That leads me to a large proposition, that matters which are not urgent and which can possibly be postponed till after the new Council, when we shall breathe a freer air, should be invariably postponed because the voice of the people will then be heard.'

"It seems that we have a little changed our attitude since then. The Government on that occasion did not accept the proposal to adjourn the Corporation Bill, because that Bill was a measure which had been under discussion for years and which had reached a stage when it was ready for the practical work of the Council, and there was practical reason connected with finance for which we could not put it off. At present there is no proposal really ready for any action. Everything is in the air, we are asked merely to appoint a committee to investigate these things, and we are asked to take that step on the eve of the constitutional changes on account of which two months ago the Honourable Members thought it necessary to put off every concrete proposal. That attitude is inconsistent and I also venture to submit to the Honourable mover that it will be really better for the purpose he has in view not to go on with this proposal. I know for many years gentlemen have wished to have a larger control in district administration. They may be right or wrong, but I say again this is not the time when you ought to take up large questions of this sort. The changes which the joint report involves will have a far-reaching effect on the whole machinery of the Government, and I consider it would be wiser to wait till those changes are formulated and have been given a trial before you begin to tamper with your machinery further. India will be going through a period of considerable difficulty when the changes take place. If you are going to tamper with the machinery of Government the consequences will be serious. I do not say that the proposal is harmful, but this is not the time to insist upon the proposition. If you insist upon pressing it, the Government will be obliged to oppose it."

His Excellency the PRESIDENT:—"What is the opinion of the Honourable Gentleman?"

The Hon'ble Mr. A. S. KRISHNA RAO:—"Let it be put to the vote."

His Excellency the PRESIDENT:—"The whole discussion has been out of order. It raises substantially the same issue, though in other words, that was raised in February last. We have been raising the same issue. I would ask Honourable Members if they mean to discuss the same issue, to enable me to judge what their intentions are, so that I may administer the rules of debate. I sometimes can see the similarity of resolutions that are submitted, but in this case I was not able to see the similarity. Although the Honourable Member took part in the debate on the last occasion, he overlooked it when he sent notice of the resolution."

"Let me say one word on the merits of this resolution. There is considerable distinction between proceeding with legislation which has taken years of preparation and initiating a new inquiry. The policy of the Government has been quite consistent throughout. For several

21st NOVEMBER 1918.] (The President; Mr. Sadasiva Bhat.)

years they had been engaged in preparing Bills relating to local administration. The City Municipal Bill has been approved by the Government of India. The other Bills are now under consideration. The District Municipalities Bill has gone up to the Government of India. The Local Boards Bill is about to go up to the Government of India. There is also an Education Bill which is about to go up to the Government of India. Much time and labour have been spent on the preparation of the Bills. They represent the consistent and clear policy of the Government to extend the sphere of Local Self-Government. I need not labour that point. Would it be wise to throw away all that work, all the labour which has been expended upon them or to cancel them? After much consideration the Government came to the conclusion that it was wise to proceed with these Bills and whether they bear a large part or a small part in the extension of this sphere of local self-government which takes place in this country, they will be an integral part, and it will always be useful to have them passed into law after due consideration by this Council.

"Now I ask this Council what would be the position of a chairman and the members of such a committee as is now proposed if they were to meet a month hence and consider what their work is to be. The very first consideration which the chairman will have to put before the committee is that the Madras Corporation Bill has to be considered and passed, the District Municipalities Bill will have to be considered and passed and the Local Boards Bill will also have to be considered and passed into law; there is an Educational Bill which has also to be considered and passed into law; there is a Public Works Department reorganization committee which has been examining into the relations between the Provincial Government and the district boards and the Public Works Department, and those proposals will have to be considered. I feel almost certain that the committee would advise Government as a first step that it is better to postpone its labours until it can see if in these several directions the functions of local self-government are going to be extended. Yet at this moment when all these extensions are actually in sight though not actual in details, the Council is now invited to appoint another committee to institute a new inquiry in that very same field. I must say I feel it will not really redound to the practical capacity of this Council to adopt any such suggestion. I now put the resolution to the Council."

The resolution was put to the Council and lost.

His Excellency the PRESIDENT:—"The Hon'ble Mr. Rama Ayyangar is not here to move resolutions No. XIII* and XIV*. We shall take resolution XV."

RESOLUTION RE REMISSION OF REVENUE IN SOUTH KANARA.

The Hon'ble Mr. K. SADASIVA BHAT:—"Your Excellency, I beg to move—

'XV. This Council recommends to His Excellency the Governor in Council that Government should extend the ordinary rules regarding remissions to the South Kanara district.'

"South Kanara is usually regarded as a district where the monsoon never failed and the crops which are dependent on the heavy rainfall were generally good. The district was settled only in 1902-1903 and since then we have not had any particularly bad year. In these circumstances there has been no occasion to consider the question of remitting revenue in South Kanara. But I regret however that the district has had to go through an exceptional season this year. Our rainfall which in normal years ordinarily went up to 200 inches in some parts of the district has been largely in defect throughout the district and what rain we had fell in a most unseasonal manner. In ordinary years there would be little rain in May and the heaviest rain would be from the middle of June to the end of July. This year however the monsoon behaved in a very strange way. We have had a very wet and rainy May when the cultivators were quite unprepared, and we have had the driest June and July. There never had been such a bad season in the memory of any living person in Kanara and I am informed that the records of the district show that the monsoon never played such a freak in any previous year."

"I must also point out that the cultivators did their best in the exceptional circumstances of the year. Some sowed seed broadcast though late in the season when usually they would transplant. A few others attempted to raise a dry crop while others merely looked up to the Heavens in despair. The result has been a smaller extent under cultivation and a very poor outturn on the area cultivated. I learn from the answer to an interpellation of mine that about 25,000 acres of paddy land were left altogether uncultivated; and in most of the one crop lands, the outturn has not been sufficient to cover the cost of cultivation and there have been several fields where the crop has been so poor that it had to be left ungathered and grazed in the field as the straw would not cover the expense of gathering it."

* The Hon'ble Mr. K. RAMA AYYANGAR:—

XIII. This Council recommends to the Governor in Council that a committee consisting preferably of officials and non-officials be appointed to inquire into and report upon the steps to be taken in connexion with the recent incident in Madras in which the Reserve Police fired on the 27th ultimo on people in the Collector's office compound.

XIV. This Council recommends to the Governor in Council that the press communiqué dated 28th September 1918 (Revenue) relating to the disturbances in various parts of the Presidency be reconsidered, that steps be taken as far as possible to prohibit transport of foodstuffs from one district to another and to procure the necessary foodstuffs to the areas from places where they are available and that instructions be issued to the several local bodies to take the question of the supply of essential foodstuffs to the poorest classes of people on hand on an assurance of a grant from the Government of a moiety of the loss incurred provided the said local bodies accept the conditions, if any, laid down by the Government to transact business as per instructions given.

(Mr. Sadasiva Bhat; Mr. Kavalappara Muppil Nayar; [21st NOVEMBER 1918.
Mr. Narasimha Ayyar.]

"I also beg to make one or two observations to indicate to the Government why South Kanara deserves as a matter of fact a more lenient treatment than most other districts in the Presidency. In the first place the Government have not spent anything on any irrigation or other works to afford facilities for water-supply to the ryots and cultivators of South Kanara."

"The settlement was introduced in the district in 1902-03 under which the assessment was raised by over 9 lakhs which worked out at 131 per cent in one taluk and 85 per cent in another and an average increase of 64 per cent above the former assessment—although in the language of a former Settlement Commissioner 'all the cultivable lands in the district both wet and garden have been reclaimed by long years of patient toiling and moiling. There is in truth nothing to tax except the ryots' improvements.'"

"Again I understand that in other settled districts the practice has been to treat purely 'manavari' paddy growing lands as 'dry' but assessed at one sort higher than the ordinary dry land but in South Kanara bettu lands which even literally mean 'dry' have been classified with other rice growing lands in the valley as 'wet.'"

"Then again I wish Government to remember that in South Kanara cultivation has to be carried on under more than ordinarily difficult circumstances, that the heavy rainfall which has done away hitherto with the necessity for irrigation works entails otherwise much labour and expense on the cultivator. The heavy rainfall of the district entails much expenditure, though not always accurately appraisable in money for the repairing of bunds and the levelling of fields. Ploughing cattle have to be generally imported and the inclemency of the weather is considered to be unfavourable to their longevity. Wages though in most villages regulated by custom and therefore in some degree stationary when paid in kind are often high even in villages nearer the coast, owing to the existence of some diversity of employment for the working classes. Government provides no irrigation works and such irrigation sources as actually exist are all maintained in their efficient condition at the ryots' own expense. All these circumstances indicate that South Kanara deserves very lenient treatment particularly in the present year."

"The crop raised by the aid of the south-west monsoon is the main crop in South Kanara. The tenant has to pay the rent to the landlord out of that and the landlord has to pay the Sircar the assessment out of that also. It has also to be remembered that nearly half of the extent cultivated in the district yields only a single crop raised at the south-west monsoon. In these circumstances the Government and the members of this Council can form a fair idea of the calamity that has overtaken the district this year by the failure of the monsoon on which only the district is dependant for its crop. The conditions created by the war and the ravages of the influenza epidemic even in the remotest villages have only aggravated the hardship and the distress."

"I have no doubt that the Government are alive to the situation and in view of the failure of the crop took early steps to retain the available produce in the district itself by prohibition of export in any way before every other district in the Presidency; and the people have been anxiously looking forward to some relief at the hands of Government in the way of remissions of revenue."

"As I said however, there has been no experience of remissions in the district and the Government have also not preferred to make a statement of their policy regarding remissions in that district. The Board of Revenue in its proceedings No. 41, dated 15th March 1902 (paragraph 27) while passing orders on the settlement scheme remarked 'that when the new rates are introduced, the ordinary rules regarding remission should be extended to South Kanara.'"

"But the Government expressly said that they preferred not to announce their policy at that time. In the absence of any remission rules for the district and the hesitation of the Government in announcing their policy, the district authorities did not think they were justified in spending time and labour over the collection of detailed data regarding the state of the crops and outturn in the several classes of land in each village. It is for this reason I pray for remission for the district and that some rules may be framed for the guidance of district officers in such contingency."

"Since I sent up this resolution, I am advised by gentlemen whom I regard as authorities on the subject that the extension of the ordinary rules of remission to South Kanara will not be of advantage to the district and is not called for. Out of deference to them I do not seriously press for the extension of the ordinary rules. I shall be satisfied if the Government will treat the district of South Kanara in a lenient manner by granting remissions and will frame some rules for the guidance of district officers under similar circumstances in future. I am informed that since I sent up this resolution the Government have issued some instructions regarding remissions. I have not been favoured with a copy of the order nor do I know its terms. I move this resolution more with a view to elicit a statement from the Government."

The Hon'ble Mr. K. K. R. Kavalappara Muppil Nayar:—"I second the resolution."

The Hon'ble Mr. B. V. Narasimha Ayyar:—"I wanted to second this resolution clubbed with resolutions XXVI and XXVII of which I have given notice. I wish to support this resolution with this statement: I believe that the Honourable Mover of the resolution was induced to bring it forward in view of the special conditions and hardships prevailing in South Kanara. The same conditions are prevalent in so many places and therefore I sent up resolutions XXVI and XXVII. I understand there are very many features of the South Kanara district which would be dealt with by the answer of the Government, and I think the answer might

[21st NOVEMBER 1918.] (Mr. Narasimha Ayyar; Mr. Buckley;
Mr. Couchman.)

cover resolutions XXVI and XXVII. I hope the spirit which actuated the Hon'ble Sir Alexander Cardew and the Honourable Members in the discussion of the prices resolution would also actuate them in this matter. This is really a non-controversial question affecting the ryots which is causing them hardship and it appeals to all. Without anything more I place resolutions XXVI and XXVII as part of the same resolution. I hope one general statement will be made as to the Government policy."

The Hon'ble Mr. L. E. Buckley:—"May I ask the Hon'ble Mr. Narasimha Ayyar if he withdraws the resolution XXVI?"

The Hon'ble Mr. B. V. Narasimha Ayyar:—"After hearing you I can say whether I shall do so or not."

The Hon'ble Mr. M. E. Couchman:—"Your Excellency, I have been asked to deal with South Kanara. That is a separate subject and it has no connexion with the larger resolution put down by the Hon'ble Mr. Narasimha Ayyar. As regards the question of remission in South Kanara, the position has been correctly described by the Hon'ble Mr. Sadasiva Bhat. I have only to add that one reason which influenced the Government in declining to make any announcement regarding remission in South Kanara is because the settlement of that district contains certain provisions peculiar to that district which are exceptionally favourable. These exceptional features were that in that district the usual allowance of 15 per cent for vicissitudes of season was allowed, although in allowing it the Board of Revenue remarked that vicissitudes of season were practically negligible. That is to say by calculating it at that rate that district was treated favourably. The Hon'ble Mr. Sadasiva Bhat admitted that during the fifteen years after the settlement was introduced there have been no important vicissitudes of season. That justifies the remark of the Board of Revenue. Another special circumstance in that district is there is no second-crop charge. There is no registered double crop land. The very best wet land pays one-fourth assessment even when there is a second crop, and the best wet land there is equal to the best wet land in any other district. A third wet crop is raised on some lands. We have treated that at a compounded rate, one and a quarter times the single crop rate."

"Another point is, when land registered as single crop is cultivated with a second crop, no additional charge is made. That is unique. When a piece of land is cultivated with a second crop, there is no further charge. When I was Settlement officer I had to convince Sir Henry Winterbotham that owing to the peculiar nature of the country it is practically impossible to exercise any check. Even in respect of one village you may have to climb several mountain ranges and the difficulties of inspection are enormous. The reports of karnams and revenue inspectors would never have been subjected to inspection by higher officers. That would have resulted in a great deal of corruption and it was chiefly on that ground that the Government decided to grant South Kanara the exceptional concession of levying no second-crop charge on single crop land, when a second crop is cultivated."

"Another concession was, when dry lands were converted into wet or when uncultivated hill sides were converted into dry or garden lands, no assessment was made for the settlement period. That was a considerable concession because land registered dry was paying two or four annas an acre fifteen years ago; it may now be highly valuable garden and land planted with arecanut or coconut. All these things the Hon'ble Mr. Sadasiva Bhat may know; the inhabitants of that favoured district scarcely realize how much better off they are than people in the East Coast districts. The main position is that during the settlement period they are allowed the whole of the ryots' improvements. At jamabandi there are no extra charges whatever for the ryot to pay; he is free from fasljasti, tirwajasti, etc. All the people in the East Coast will realize that that is a very favourable position. In consideration of these special circumstances the Government thought it best to make no announcement as regards seasonal remissions. This year on the recommendation of the Collector and the Board of Revenue the Government have granted remission as a special case under Board's Standing Order No. 14. That Government Order must have reached the Collector by this time. It provides for exceptional concessions under exceptional circumstances. The exceptional circumstance has occurred once in the settlement period. Therefore the procedure adopted by the Government is the correct one. Such a circumstance very seldom arises. The Government have shown that they are willing to deal with it when it does arise. In view of this explanation I hope the Honourable Member will withdraw his resolution."

The Hon'ble Mr. L. E. Buckley:—"At the desire of the Hon'ble Mr. Narasimha Ayyar I will deal with resolutions XXVI and XXVII. Resolution XXVI asks that the collection of the land revenue may be immediately suspended. That is a request which it is not possible for the Government to comply with straightaway. But when we come to resolution XXVII it says 'that for affording relief to the agriculturists whose punja crops have almost wholly failed for want of seasonal rain, the question of remitting punja tirwa be considered by the Government and as a basis for the same the local revenue officers be directed to begin their inspection immediately.' In the areas in which distress has given rise to the greatest anxiety, I know Mr. Turing has under consideration the question of suspending assessments on dry lands. He has himself gone to Kudligi and will visit Rayadurg and Harpanahalli. I do not wish to raise any hopes that remission will be granted, because over a large area a gram crop has been put down; rain has been falling during the last ten days which is favourable to the crops. If the crop is successfully harvested, the ryots will get a good return in price. If the crop is not successfully harvested, it may be necessary to take some steps. In Kurnool and

428 **RESOLUTIONS RE REMISSION OF REVENUE IN SOUTH KANARA; SUSPENSION OF THE LAND REVENUE COLLECTIONS OWING TO THE PREVALENT DISTRESS; REMISSION OF DRY ASSESSMENT IN AREAS IN WHICH THERE HAS BEEN FAILURE OF CROP AND COMMITTEE TO CONSIDER AMENDMENT OF THE ACTS RELATING TO VILLAGE SERVICE.**

(Mr. Buckley; Mr. Sadasiva Bhat; [21st NOVEMBER 1918.
Mr. Narasimha Ayyar; the President;
Mr. Ranga Achariyar.)

Mr. Raghavayya in Anantapur have, I know, been considering the question. I have no doubt the Collectors of all districts have been doing the same. I have been hearing from them about the state of the season not only in the weekly season report, but by means of special weekly, fortnightly and monthly reports. I have no objection to asking the Collectors to let me know at an early date whether they have any recommendations to make on this question."

The Hon'ble Mr. K. SADASIVA BHAT:—"The Government, I am glad, have issued orders granting remissions. As I said, I am quite satisfied with regard to that point. I do not want to enter into a controversy now as to whether a favourable settlement has been granted to South Kanara or no although I had myself pointed out how the increase of assessment affected the different taluks. I beg to withdraw the resolution."

With the permission of His Excellency the President, the resolution XV was withdrawn.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I understand resolution XXVII has been accepted."

The Hon'ble Mr. L. E. BUCKLEY:—"I am prepared to ask the Collectors what recommendations they wish to make."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"You accept XXVII."

His Excellency the PRESIDENT:—"On that assurance you can withdraw."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"XXVII is accepted and I withdraw XXVI."

His Excellency the PRESIDENT:—"The Hon'ble Mr. Buckley accepts the resolution."

The Hon'ble Mr. L. E. BUCKLEY:—"The Honourable Member asks that the question may be considered by the Government. The question is already being considered by the Government."

His Excellency the PRESIDENT:—"There is no necessity to accept the resolution. The Honourable Member may withdraw it."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I see that it is practically accepted. It does not matter whether it is withdrawn or accepted."

With the permission of His Excellency the President, resolutions XXVI and XXVII were withdrawn.

The resolutions XXVI and XXVII which were withdrawn were as follows:—

RESOLUTION RE SUSPENSION OF THE LAND REVENUE COLLECTIONS OWING TO THE PREVALENT DISTRESS.

"XXVI. This Council recommends to His Excellency in Council

(a) that in order to afford relief to the agriculturists from the distress occasioned by the failure of the rains in areas where such distress is acute, the collection of land revenue may be immediately suspended; and

(b) that further measures be taken as may be shown to be necessary after consultation with special local committees that may be formed for this purpose."

RESOLUTION RE REMISSION OF DRY ASSESSMENT IN AREAS IN WHICH THERE HAS BEEN FAILURE OF CROP.

"XXVII. This Council recommends to His Excellency in Council

(a) that for affording relief to the agriculturists whose punja crops have almost wholly failed for want of seasonal rains, the question of remitting punja tirwa be considered by the Government; and

(b) as a basis for the same, the local revenue officers be directed to begin their inspection immediately."

RESOLUTION RE COMMITTEE TO CONSIDER AMENDMENT OF THE ACTS RELATING TO VILLAGE SERVICE.

The Hon'ble Mr. T. RANGA ACHARIYAR:—"In the absence of the Hon'ble the Raja of Ramnad who is unfortunately unable to attend, I move resolution XVI. It runs as follows:—

"XVI. This Council recommends to the Governor in Council that a mixed committee of officials and non-officials be appointed to inquire and report to Government on what lines the Madras Proprietary Estates Village Service Act, 1894, and the Madras Hereditary Village Offices Act, 1895, should be amended."

"When I was approached to move this resolution, I was aware of the Bill submitted by Government for public criticism for the amendment of these particular Acts mentioned in the resolution. I was wondering what necessity there was for this resolution, and thereupon I put

RESOLUTION RE COMMITTEE TO CONSIDER AMENDMENT OF THE ACTS RELATING TO VILLAGE SERVICE. 429

21st NOVEMBER 1918.] (Mr. Ranga Achariyar; Mr. Venkatapati Raju.)

myself in communication with the Raja and he pointed out that the Bill as proposed does not touch the question which the zamindars have been putting before the Government for a long series of years. Two points he wishes to urge for the consideration of the Council. The first is 'It is unnecessary for me to mention at length the existing unsatisfactory provisions of the Act. We cannot sanction any leave, remove any village officer or exercise any manner of disciplinary control over them, in short a deputy tahsildar or tahsildar who gets a pay of Rs. 150 is given wider and larger power over these village officers and we feel it a humiliation and disgrace to go to these low-paid officers frequently for getting our own subordinates dealt with for dereliction of duty and other irregularities.' That is apparently the grievance felt all along by these zamindars. Your Excellency will find that the matter was brought forward for the consideration of this Council in 1911 by Mr. Shanmukam Pillai on the 22nd February when he brought forward for the consideration of the Government certain considerations for the amendment of the Act so as to clothe the zamindars with larger powers of discipline in order to ensure the efficient administration of the zamindaris entrusted to their charge. Again in 1914 on the 2nd April the zamindar of Doddappanayakkaur, the Hon'ble Mr. V. Ramabhadra Nayudu, moved a resolution. He put forward quite a number of opinions which he had collected from various people in charge of a number of zamindaris, Diwan Bahadur Jagannatham Chetti, the Trustees of the Ramnad Devasthanam, all of them men of experience. That resolution was seconded by the late lamented Mr. K. R. V. Krishna Rao and the Hon'ble the Raja of Dharakota supported the resolution. The zamindars find their position irksome. They find they cannot get their work done. They ask for more powers being given to them over the village officers.

"I find in the Bill published for public criticism no provision is made to meet the difficulties the zamindars have felt. My own view is that any criticism that may be offered on this Bill may include suggestions in order to amend the Act in the way the zamindars want. The zamindars are apprehensive that they have no right to offer suggestions outside the proposed provisions in the Bill. They think it is not open to them to offer suggestions to include other provisions in the Bill. I do not know if that is the correct view. I do not see why they should not offer suggestions to make the Bill more comprehensive. Apparently some of the gentlemen who have offered opinions seem to have been labouring under the impression that their opinion is asked for as regards the merits of the proposed amendments and not as regards new suggestions. If they can be assured that they can offer further suggestions on the proposed Bill that may get over some of the difficulties.

"As regards the particular point they have in view, I do not know what view the Government have taken with reference to that question. From the omission to make any provision in the proposed Bill notwithstanding that the matter was brought to their notice more than once in the Council, probably the Government have taken a view not favourable to the suggestions contained in this resolution. If that is so, then perhaps this is a matter on which the Government might accept a resolution that a committee may be appointed to inquire into the necessity of the proposed amendment which the zamindars so much desire. They all feel it a grievance. They say they are not able to manage their estates efficiently and properly as the village officers are not under their control. These village officers have to collect the rent and to keep accounts and in various other ways they have to help the zamindars. All the zamindars feel there is a pressing need for an amendment of this character. It is a matter on which there should be some inquiry and the Government should have the advantage of a report by a committee consisting of officials and non-officials. As the Government have taken up the amendment of the Act, it is but right that this grievance should be attended to. Therefore I move this resolution and ask the Government to accept it."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I may be permitted to second this resolution which the Hon'ble the Raja of Bobbili intended to second. He is unable to do so owing to illness. He has asked me to read his speech which I gladly do, as I am able to endorse it. This is the Raja's speech:—

"The present condition of the Proprietary Estates Village Service is anything but satisfactory. It has long been a matter for complaint, but no remedy has yet been found. The real cause of this lies in the defective provisions of the Proprietary Estates Village Service Act, and the Hereditary Village Offices Act. Under the old regulations the appointment of village officers vested entirely with the proprietor. He was also their paymaster so that he had the necessary disciplinary control over them. But the existing law has practically deprived the proprietor of all control over the village officers with the result that he is almost helpless. Except, that in a very few cases, the proprietor is empowered to punish them by a small fine, subject to appeal and he has no way of check or control over them, independently of the Government revenue authorities. The proprietor has to report for orders each and every case of default or neglect of duty, which is not always easy for him to do. It is no wonder that under these circumstances proprietors are put to difficulties of all sorts in managing the affairs of their estates, including the annual jamabandi settlement and collection of rents in due time. In some cases, proprietors are obliged to employ their own agents to perform the duties of the village officers. This is a clear proof that the existing law is altogether inadequate and requires an early amendment. In view of the conflicting interest involved in the settlement of this question, it is highly desirable that the matter should be referred to a Representative Committee for investigation and report, so that the necessary relief may be given to the proprietors on the basis of such a report."

430 RESOLUTION RE COMMITTEE TO CONSIDER AMENDMENT OF THE ACTS RELATING TO VILLAGE SERVICE.

(*Sir Alexander Cardew ; Mr. Narasimha Ayyar ; Mr. Krishna Rao ; Mr. M. Ramachandra Rao ; Mr. Ranga Achariyar.*) [21ST NOVEMBER 1918.]

The Hon'ble Sir ALEXANDER CARDEW :—"Your Excellency, the Government in an Order of the 5th October of this year published a Bill to amend the Village Service Acts with the Statement of Objects and Reasons appended. This was expressly published for public criticism and it was published in all the vernaculars as well. The object of that was to elicit the gist of such criticisms as have been referred to in the two speeches that have been made. I quite agree with the Hon'ble Mr. Ranga Achariyar that there is nothing at all in the nature of this reference which would prevent the Hon'ble the Raja of Ramnad or anybody else from submitting opinions and drawing attention to those points which he wishes to be dealt with in the Bill. I can assure the Honourable mover of the resolution that representations on that subject will be fully considered if they are submitted by the Raja or anybody else and the Government are not bound merely to deal with the particular sections of the Act which are touched upon in the Bill. Until the criticisms which have been invited are received by the Government it will be hardly a practicable or useful step to appoint a committee. We have invited these criticisms. When we have received them, if they include this suggestion, we will consider it fully. The object proposed for the committee is a limited one. It is merely to deal with the powers of control over village servants, a very limited one. The Bill itself is of a much wider scope and deals with matters of very large importance, primogeniture and succession. Therefore I do not think it necessary to refer this suggestion to a mixed committee at the present stage. When we receive the criticisms invited, the question whether there is need for it will be considered. But it is more proper that the matter should be dealt with by a committee of this Council. I hope this statement will satisfy the Honourable Member."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"I did not catch all that the Hon'ble Sir Alexander Cardew said. I presume that it will be open to us to suggest that section 27 of the Act be repealed."

The Hon'ble Sir ALEXANDER CARDEW :—"The question whether section 27 can be repealed is a matter which it would be quite open to anybody who wishes to raise it to bring forward in connexion with the Bill. That is quite different from what these gentlemen are referring to. The Government will be prepared to consider any suggestions relating to the amendment of the two Village Service Acts without prejudice to their decision thereon."

The Hon'ble Mr. A. S. KRISHNA RAO :—"The resolution which has been moved raises a difficult problem with regard to the control and powers of punishment over village officers in the proprietary estates. A specific suggestion has been made in this resolution that the object of the Bill published for criticism is not satisfactory and that should be given to proprietors to appoint village officers. It is a very difficult problem. May I suggest that before any decision is arrived, it is necessary to obtain the views of the village officers. If we are to come to a satisfactory conclusion it is better that their views are ascertained. This Bill practically suggests that the powers of revenue divisional officers may be delegated to deputy tahsildars. There are very many things to be said about the delegation of powers to such officers. A question arises whether if the powers vested in the divisional officers are to be delegated, they cannot be delegated to the proprietors. I would suggest the desirability of placing before this Council full information as to whether the powers to be delegated should be in the hands of officers or proprietors."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"There is a great deal in favour of the view that, if the Hon'ble Sir Alexander Cardew is agreeable to entertain the proposals made by the Hon'ble Mr. Ranga Achariyar, a re-draft of the Bill may be published. Here is the proprietor asking for delegation to himself. That is not a part of the present Bill. So far as the public are concerned, they know nothing of the suggestion. The village officers do not know proposal is embodied in a Bill. There is considerable force in the suggestion made by the Hon'ble Mr. Krishna Rao that if a proposal to delegate to the proprietors is to be introduced later, it would be necessary to ascertain public opinion, especially the opinion of those who will be affected by that delegation. There are two views of this matter, as to whether the proprietors should have the power of the administrative officer such as the divisional officer or the tahsildar. The Hon'ble Sir Alexander Cardew has to weigh the advantages and disadvantages of both these proposals. If these proposals are to be put into the Bill we must have adequate opportunity for discussion and criticism which cannot be afforded by the terms of the existing Bill. It is quite possible to consider this matter after publishing the draft of the Select Committee's report with reference to the suggestion. I take it that the Hon'ble Sir Alexander Cardew's idea is to appoint a Select Committee who will examine the present proposals. The Hon'ble Mr. Ranga Achariyar wants a committee independent of the Select Committee. Which of this is possible the Hon'ble Sir Alexander Cardew is in a better position to judge than I am. If this request for control by proprietors is to be complied with, it must be placed before the public."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"I am obliged to the Hon'ble Sir Alexander Cardew for his statement that it is open to all people interested to make suggestions not only on the proposed amendment but also all desirable amendments especially as the Bill has been published for criticism. I do not think it is necessary to press this resolution. If the proposals

RESOLUTIONS RE COMMITTEE TO CONSIDER THE AMENDMENT OF THE ACTS RELATING TO VILLAGE SERVICE AND ORGANIZING AN INDUSTRIAL AND ECONOMIC SURVEY OF MINING AND OTHER INDUSTRIES; MEASURES TO BE ADOPTED FOR INCREASING THE AREA UNDER COTTON CULTIVATION AND MEASURES FOR IMPROVING THE QUALITY, ETC., OF LIVESTOCK. 431

21ST NOVEMBER 1918.] (*Mr. Ranga Achariyar ; Mr. Suryanarayana Rao ; the President ; Mr. Venkatapati Raju.*)

are accepted by the Government, the Bill will be published. I do not see any necessity for republishing the Bill. If the suggestions are accepted and the new Bill is prepared it will be published. It is hardly necessary to make that suggestion. After we give public notice and invite criticisms on these points, I do not think that any useful purpose will be served by my pressing the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE ORGANIZING AN INDUSTRIAL AND ECONOMIC SURVEY OF MINING AND OTHER INDUSTRIES.

The next resolution regarding the organizing of an industrial and economic survey of mining and other industries which stood in the name of the Hon'ble Mr. A. Suryanarayana Rao was as follows :—

"XVII. This Council recommends to His Excellency the Governor in Council that an industrial and economic survey be undertaken by the Government with particular reference to the development of mining industries."

The Hon'ble Mr. A. SURYANARAYANA RAO :—"I request Your Excellency's permission to bring this resolution at the next meeting when I send up a resolution in connexion with the report of the Industrial Commission."

His Excellency the PRESIDENT :—"The Honourable Member will send up a notice in the usual way for the February meeting."

The next resolution which stood in the name of the Hon'ble Mr. Suryanarayana Rao was as follows :—

RESOLUTION RE MEASURES TO BE ADOPTED FOR INCREASING THE AREA UNDER COTTON CULTIVATION.

"XVIII. This Council recommends to His Excellency the Governor in Council that steps be taken for increasing the area under cotton cultivation and for introducing the same on a large scale in districts where it is not in vogue."

The Hon'ble Mr. A. SURYANARAYANA RAO :—"I submit the same thing with regard to XVIII."

His Excellency the PRESIDENT :—"Let the Honourable Gentleman take the same course. We have discussed XIX. We shall now take up XX."

RESOLUTION RE MEASURES FOR IMPROVING THE QUALITY, ETC., OF LIVE STOCK.

The Hon'ble Mr. B. VENKATAPATI RAJU then moved the following resolution :—

"XX. This Council recommends to the Governor in Council that the Government be pleased to appoint a Committee of experts and private citizens to inquire and report measures to be taken for the qualitative improvement and increase in numbers of the agricultural livestock, cattle, sheep, and goats in this Presidency."

In doing so he said :—"This is a very simple resolution. The Government have taken immense pains to do something in the matter of improving the livestock. They have appointed an expert. But I do not see sufficient activity to find out any appreciable advance in either direction. We know that in some provinces a census is taken of the livestock once in five years, in some provinces annually, and when I asked a question when the census was taken and whether it was actual census or mere guess work of some karnam, the Government were pleased to state : 'The census figures are obtained by the usual census methods.' That is the answer to question No. 110. But when I actually referred to the statement showing the number of agricultural livestock in 1914-15, I found the figures in several districts separately given as actuals and estimates I understood them to be by actual census and by estimates and I thought they were guess work. If the estimates are actual, there is no reason to show them separately. Whatever it may be, with reference to goats in our Presidency which number nearly 7½ millions, the Government were pleased to state in answer to my question that a large portion of forest area has now been released from forest control, so that it will be available for the goats to graze therein. When we know that there are over ten million sheep and twenty million cattle which the Government must necessarily regard as so much wealth to the country, every possible step should be taken not only to see that useless animals are not maintained at the expense of the useful animals but also those that are retained are of good breed. It is true that the Government propose to start an experimental breeding station at one place, and perhaps it may take some time. But in the meanwhile suggestions may be taken from people who are actually

432 RESOLUTION RE MEASURES FOR IMPROVING THE QUALITY, ETC.,
OF LIVE STOCK.

(Mr. Venkatapati Raju; Mr. Chidambaranatha Mudaliyar; [21st November 1918.
Mr. Rajagopala Achariyar.]

dealing with these things in order to find out their grievance and to find relief with reference to these matters. Therefore my suggestion is: a committee may be advantageously appointed in the matter. In this connexion I may invite Your Excellency's attention to a question put in the Imperial Legislative Council by Sir Gangadhar Chitnavis in 1913, regarding the steps to be taken for a systematic cattle survey in all the provinces. He suggested that there should be a systematic cattle survey in all provinces. Sir Robert Carlyle replied that the cattle question was discussed by a conference held in the United Provinces in 1909 and a memorandum on cattle was published in the Central Provinces by Mr. Staunton and that a similar report was published in Punjab by Mr. Stokes. He further stated that the Government had advised all the local bodies that a preparation of cattle survey should be preceded by a general collection on the general lines foreshadowed in Mr. Stokes's report. Though I was unable to find that report even in our Council library, I believe the Government are in possession of a copy. I do not know whether any steps were taken by the Government subsequent to that advice given by the Government of India with reference to the cattle survey being undertaken in each province after obtaining the necessary information. If we are to be satisfied with the report of 1914-15 and with the casual references in the administration report to cattle, I think it is not a satisfactory method when we know that the wealth invested in agricultural livestock forms the wealth of the country. The only available information is with reference to any particular disease of cattle and the mortality of cattle noted down by karnams. Otherwise there is no knowing whether the cattle are increasing in numbers or decreasing. There is also a complaint that on account of the limited grazing area when we have a large number of useless cattle, it would not be helpful to the other cattle which are useful and which are necessary to be maintained. Even in the matter of breeding there is no use of deferring action for large number of years—to start one centre to breed one quality of cattle. It must be started in various centres in order to be helpful to the whole Presidency. In order to find out what steps can possibly be taken to improve the cattle qualitatively and quantitatively and as to where the Government propose to establish the breeding centre, the Government may be pleased to accept the resolution in the form moved by me or in any other form which the Government may think fit. This is a matter to which the Government ought to pay particular attention and obtain actual information and publish statements in order to be understood by the people as to what steps are being taken to improve the quality and number of cattle.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"I beg to second the resolution, and in doing so I may say that this is a matter which requires the careful and early attention of the Government. No doubt breeding farms have been started here and there, but certainly the Government must be aware that that can never meet the situation. Formerly in all the local areas where there were good breeds of cattle, breeding bulls were let out by the Government themselves in the villages at their own cost and kept in the cattle pound. Now neither that system nor any other system prevails. The result is that no care is taken to have good breeds of cattle. As the Hon'ble Mr. Couchman remarked to me the other day, there are a large number of useless cattle and the quality of cattle is greatly deteriorating. That seems to be the opinion of the officers of the Government. If that is so, there ought to be some remedy, early remedy. I would suggest the starting of breeding farms in as many centres as possible as the surest way of improving the quality of the cattle and the value of agricultural products."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the question of improving the livestock in the country both in quality and in numbers is, I need hardly say, one, the importance of which is appreciated by the Government. There is really no difference of opinion between the Government and Honourable Members in regard to this question. What I have not quite understood, if I may say so, is what exactly a committee can do by inquiring into and reporting on the question. Probably, it will be a convenience to the Council, if I state very briefly what has been done with regard to this matter and leave it to them afterwards to say whether these measures could be in any way furthered by the appointment of a committee such as is proposed by the Honourable Member. So, with the permission of the Council I will give a very brief account of what has been done."

"In August 1911 the Government deputed Mr. Sampson, the Deputy Director of Agriculture, to conduct a survey of cattle in the Presidency and to submit a report. Mr. Sampson submitted his report in 1912, and when his report was under consideration the Hon'ble Mr. Chidambaranatha Mudaliyar moved a resolution (at the meeting of the Council in January 1914) for the appointment of a committee of officials and non-officials to inquire into and report on the condition of cattle and on the measures to be taken for their improvement, exactly the same resolution as is now brought forward. That resolution was withdrawn as the attention of the Government had already been directed to the subject and as they had then the report of Mr. Sampson before them."

"Mr. Sampson's report was considered and orders thereon were issued in April 1914. The steps which the Government decided to take on Mr. Sampson's report were—

- (i) the establishment of stock-breeding farms in the localities where a good breed of cattle existed and to that end the appointment of a dairy expert for charge of cattle-breeding and dairy farms;
- (ii) better methods of supplying breeding bulls and an increase in their number; and
- (iii) the encouragement of the formation of private pastures by supplying the ryots with seed of good sorts of grass free or at cost price and the adoption of other methods

RESOLUTION RE MEASURES FOR IMPROVING THE QUALITY, ETC., 433
OF LIVESTOCK.

21st November 1918.] (Mr. Rajagopala Achariyar.)

"These are the things decided upon by the Government when they dealt with Mr. Sampson's report. I will now tell you what has taken place since then. In pursuance of that decision about stock-breeding farms and the appointment of an expert, the Government obtained the services of a cattle expert who entered on his duties in April 1916. His duties were defined in the following words: (a) the establishment and management of stock farms in localities in which a good breed of cattle exists; (b) the preservation on such farms of valuable strains of indigenous cattle and the distribution of good stock therefrom; (c) the formulation of systematic measures to improve the draught and good milking qualities of cattle by selection and crossing, etc. In pursuance of the duties laid upon the cattle expert, I will tell you what the cattle expert did—

(1) A cattle breeding farm costing more than a lakh of rupees has been opened in the Chintaladevi village, Kavali taluk, Nellore district.

(2) The Government have accepted a scheme for the purchase of good stud buffaloes of the country type for breeding purposes with a view to the improvement of the stock in the Northern Circars, the scheme being the result of the inquiries instituted with reference to a resolution moved by Mr. Venkatapati Raju for opening a farm for improving the breed of 'Bobbili-Kimedi' buffaloes.

(3) Mr. Carruth has also carried out a survey of the Madras dairy trade.

(4) The expert has now toured throughout the major part of the Presidency to gain information connected with the breeding and rearing of livestock and to study the lines on which improvements may be effectively made. He has also investigated the possible lines on which cross-breeding experiments might be taken up, especially with a view to fixing the type.

"Then in regard to the question of breeding bulls to which reference has been made, the system under which the breeding bulls were entrusted to village munsifs and veterinary assistants having proved a failure, the Government sanctioned a scheme for the better maintenance of bulls under which (i) a grant of Rs. 100 a year is made to an individual or a society in consideration of the maintenance at his or its cost of an approved breeding bull subject to the observance of certain conditions and (ii) the grant is made at the end of the year after inspection of the bull, the grant being renewable year after year for the same animal up to a maximum of three years: the conditions to be observed being (a) that the bull should be properly housed and maintained, (b) that a register of services by the bull is kept, (iii) that the herd of cows served is segregated, (iv) that the cows served are limited to those owned by the members of a society or by a particular breeder or group of breeders, (v) that a society may fix a scale of fees, etc. It is too early to judge of this experiment. In addition to the bulls maintained under this scheme the Agricultural department maintains breeding bulls at the agricultural stations at Hagari, Nandyal, Anakapalle, Manganallur, Koilpatti and Coimbatore.

"As regards the supply of seed of good grass, the department has only recently taken up the study of grasses and the Government of India have also been informed that this Government would, in course of time, need an 'agrostologist' in this connexion. A farm has been opened in Bantanahal, Bellary district, where the indigenous grasses are to be particularly studied. This subject will receive attention in the cattle farm also.

"The Government have also approved a scheme (1) to accord facilities to individuals or groups of individuals who wish to obtain a sufficient amount of suitable land for cattle and dairy farms, (2) to grant loans for preparing land, fencing in pasture and purchasing good stock, and (3) to give advice and assistance through the agency of the Agricultural department. Darkhast rules will be relaxed in favour of deserving persons. The working of the rules framed in this connexion and how far the ryots are taking advantage of these concessions are given in paragraph 51, page 27 of the Administration Report of the department for 1917-18. The general result may be stated to be, I am sorry to say, that no great use is being made of these concessions. Honourable Members are no doubt aware that the moment we attempt to regulate grazing, there is a cry and so far we have not been able to carry the agricultural population with us.

"What I have mentioned so far refers to the improvement of cattle only, but not of sheep and goats with which also the Honourable Member has dealt. On the question of improving sheep and goats the Government have sanctioned the opening of a sheep farm. Even before the opening of this farm the Deputy Director of Agriculture, I to III Circles, has been working at the improvement of sheep in the agricultural stations at Hagari and Nandyal.

"From this the Council will see that the department has been doing all it can to improve livestock subject to the limitations imposed upon its activities by considerations of finance and considerations of staff. The Honourable Member has stated that he does not see sufficient activity and there has been no appreciable progress in the department. I am very sorry that the Honourable Member does not see sufficient activity. I wonder if he has read all the papers connected with the subject, which Honourable Members have had at their disposal. I should be glad to furnish the Honourable Member with any papers that he may require. It is not possible to see sufficient progress in a matter like this in the course of five or six years. It would require a much longer period to see progress in a matter like this. I would therefore counsel a little patience on the part of Honourable Members and would ask them to allow the department to go on with its work. I do not think that the appointment of a committee such as the one suggested is likely to help or speed up the solution of the problems.

"I quite see that gentleman like the Honourable Member who is interested in the subject might have useful suggestions to offer, and I would therefore suggest that any individual members who have suggestions to make should put down their suggestions on paper and send

434 RESOLUTIONS *RE* MEASURES FOR IMPROVING THE QUALITY, ETC.,
OF LIVESTOCK AND SUPPLY OF SEEDS TO AGRICULTURISTS
AT COST PRICE.

(Mr. Rajagopala Achariyar; Mr. Ranga Achariyar; [21st NOVEMBER 1918.
Mr. Venkatapati Raju; the President.)

them to me. I will then send them to the Agricultural department for examination and consideration. In that way, Honourable Members will advance matters more than by appointing a committee to go about taking evidence. You will no doubt have, by the appointment of a committee, a lot of generalizations, but these will lead to no result. As the Hon'ble Mr. Ramachandra Rao pointed out some time ago, it will probably end in shelving the whole question. I therefore deprecate the appointment of a committee. I trust after hearing the account that I have given, the Honourable Member will not press for the appointment of a committee. I would gladly consider any definite suggestions he may have to make if he will put them on paper and send them to me."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"One remark I wish to make is that it is the general opinion that cattle are freely allowed to be exported out of the country. The Honourable Member will consider how far that is to the detriment or the welfare of this country and of our work. The Honourable Member might keep an eye on the number of good cattle being exported out of the country."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"After hearing what the Hon'ble Mr. Rajagopala Achariyar has said, I do not think that any useful purpose will be served by pressing this resolution if the Government are prepared to take some more interest and put some more energy in the officers in order to facilitate the work and produce good results as early as possible. What is required is more energy put into the matter. I accept the suggestion of the Hon'ble Mr. Rajagopala Achariyar that any suggestions we have, may be made to him so that action may be taken. With these words I do not press this resolution to a division, and with Your Excellency's permission I wish to withdraw it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"As the resolution is being withdrawn, I have nothing more to say. I wholly decline to accept the suggestion that there is want of energy or lack of advice. These things take time. So far as the materials before me go, that suggestion is wholly unwarranted, and I am certain that the Honourable Member himself has not got anything definite to say except a vague impression that nothing is being done. A vague general impression that nothing is being done does sometimes occur while as of want of energy. The department has met with difficulties, difficulties connected with the reluctance of the ryots in segregating cattle for breeding. These things will take time. The Government are doing their very best and to suggest want of energy will damp the spirits of those officers who are doing very good work."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I did not use energy in any sarcastic sense. If that is objected to, I withdraw it. I would say more interest."

His Excellency the PRESIDENT:—"I do not know whether the Honourable gentleman has improved matters by substituting the word 'interest' for 'energy.' I accept the word, and I do endorse all that the Hon'ble Mr. Rajagopala Achariyar has said. If the Honourable gentleman only knew fully all that has been done and had informed himself not by any un- in this particular direction for the improvement of stock breeding, I can assure him that he would come to a very different conclusion. There is no branch of the work of the Agricultural department in which more energy and more interest has been put in recent years under very difficult circumstances, as my Honourable Colleague has pointed out, difficult circumstances not only in regard to financial respects, but in acquiring the services of experts. I feel sure that the Honourable gentleman, the more he looks into it the more will he appreciate the work of the Agricultural department in this respect. It should not go out from this Council that there has been any lack of energy or interest in this particular matter of which I happen to have some personal knowledge. The Honourable gentleman is good enough to withdraw the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION *RE* SUPPLY OF SEEDS TO AGRICULTURISTS
AT COST PRICE.

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I hope this resolution will be accepted by the Government; the resolution is—

'XXII. This Council recommends to the Governor in Council that the Government be pleased to provide necessary funds to the Agricultural Department for purchase of seeds in large quantities and to supply the same to the agriculturists at cost price in localities where there is dearth of seed-grains owing to the failure of crop.'

"I may mention that hitherto agriculturists are enjoying the benefits provided by the Agricultural Department to secure seed with reference to any improved kind so that agriculturists who are unable to secure the seed can go to the Agricultural Department and secure it. That is being done for some years and it is true that the same help may be continued, but at the present time when famine is staring us in the face, most of the localities are suffering from want of timely rain and seed grains. Seed grains apart from food grains are essential to

RESOLUTIONS *RE* SUPPLY OF SEEDS TO AGRICULTURISTS AT COST 435
PRICE AND THE GOVERNMENT SOAP WORKS, CALICUT, TO BE
HANDED OVER TO A LIMITED LIABILITY COMPANY.

21st NOVEMBER 1918.] (Mr. Venkatapati Raju; Mr. Chidambaranatha Mudaliyar;
Sir Alexander Cardew; Mr. Yaqub Hasan.)

secure a proper agricultural crop next year. Wherefore it is necessary to provide seed grain; it is necessary to secure them from localities where they are available because if it is gathered from famished crops, it will not be of much use. Therefore it is absolutely necessary to go to other districts to secure seeds. Another reason is the recent difficulties of transit. Seeds and food-grains cannot be transported from one district to another, and it is difficult to secure seeds from one district for another. In these circumstances there will not be much difficulty if the Government instruct the Agricultural Department to provide the people with the necessary seeds and to comply with the request of *bona fide* agriculturists with reference to the necessary seeds they may want at the price which it costs the Government without making any profits. This is my simple request. It may be said that if a large number of people were to ask for seeds the Agricultural Department may not be able to cope with the supply to all the agriculturists. I do not see any difficulty why the Agricultural Department should not help the people as much as possible, if not fully and completely, they may help the people as far as possible. Therefore my simple suggestion is that the Government might be pleased to provide funds to the Agricultural department so that they may render as much help as may be possible in supplying seed grain to localities where there has been failure of rains and famine."

The Hon'ble Mr. K. Chidambaranatha Mudaliyar seconded the resolution.

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, as regards this resolution all that I have to say is that no Collector has represented to Government from any district in the Presidency that there is any difficulty at present as regards seed grain. No such representation has been received from any Collector from any part of the Presidency, and nothing so far as I know has been received from any private body or district association, nor has there been any representation in the press. So far as any information before the Government goes, there is no call for action at present; but if action has to be taken it will be taken probably by means of advances to enable agriculturists to obtain seed grain, under the Agricultural Loans Act. That is the well ascertained and established method of dealing with this difficulty in famine time. In Ganjam in 1908 Rs. 40,000 were advanced for the purchase of seed grain, not advances through the Agricultural Department who have really got no organization to distribute seed grain, but advances through the revenue authorities. Any demand for the money to finance such demands will be fully met to any extent that may be required out of the famine grant. In certain small limited localities it might be necessary to try and find seed grain. In 1908 seed grain to the value of Rs. 5,000 was distributed in Ganjam. But those were exceptional cases. The Honourable Member may be quite sure that whenever anything is wanted to be done in regard to the supply of seed grain the Government will use all the powers they have to provide financial assistance in the shape of loans to the agricultural population. That is as far as has ever been done in the past and as far as it is wise to go. It is better to leave the agricultural population to receive the loan and obtain its own seed grain. The organization of the Government is not sufficient to promptly and effectively supply seed grain to individual ryots all over the Presidency. If any difficulty arises in regard to the actual transport of grain in a district, the Director of Civil Supplies will provide the necessary certificate of priority. I do not anticipate there will be any difficulty in meeting the real object which the Honourable Member has in view in this resolution."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"The Hon'ble Sir Alexander Cardew states that no reports have been received from the Collectors saying that there is necessity for such action as this. That is exactly our complaint. I, as the representative of the landholders, received many applications from several parts of the country to ventilate their grievances, and therefore I have placed this resolution for the consideration of the Government, because the people find it very difficult to secure transport from one district to another. But the Government are prepared to furnish the necessary advances out of the famine grant and also to instruct the Director of Civil Supplies to give additional facilities for transport of seeds when an application is made for that purpose. I think that these two statements with regard to additional facilities for transport and advances to purchase seed grains are satisfactory. Possibly the Agricultural Department may not be able to cope with the supply for all the needy agriculturists. I am satisfied with these two provisions intended to be made by the Government and I do not press the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION *RE* THE GOVERNMENT SOAP WORKS, CALICUT, TO
BE HANDED OVER TO A LIMITED LIABILITY COMPANY.

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"Your Excellency, the resolution which I have the honour to move runs as follows:—

'XXIV. This Council recommends to His Excellency the Governor in Council that the Government Soap Works, Calicut, be handed over to a limited liability company to be formed and registered under the Indian Companies Act, 1913, the share capital of which to be open to public subscription, the Government retaining a number of shares and a seat or two on the directorate of the company with a provision in the articles of association for affording facilities for the training of apprentices in the art of soap manufacture.'

(Mr. Yaqub Hasan; Mr. Rajagopala Achariyar; [21st NOVEMBER 1918.
the President.]

"Your Excellency, the public of this Presidency are very much obliged to the Government of Madras for having developed this industry in the last four years. Soap-making is not new to India. There are soap factories in almost all the provinces of India and the manufacture of soap is carried on to a large extent. It has become practically one of the chief industries in India. There are factories in Bengal, in Bombay, in Central India, in the Punjab, Rajputana, the United Provinces and elsewhere. Of these factories the North-West Soap Factory at Calcutta and Meerut is a very large concern. It has become a limited liability company and has a share capital of five lakhs of rupees and on its directorate there are Europeans and Indians. Sir Johnson MacRobert is, I believe, the President of the Board of Directors. The manager is a European, the assistant manager is an Indian who is an expert in soap-making. So also the rest of the staff consists of Europeans as well as Indians. The soaps manufactured by that company are considered to be very good and the company is in a flourishing state. That shows that the initiative has already been taken in the line of soap-manufacture in India and certain factories are working successfully, specially this factory which I have brought to the particular attention of this Council. In Madras very little was done. There were one or two small concerns not worth mentioning. But the Government have given a great stimulus to this industry by starting the factory at Calicut. It is strange that instead of the Department of Industries taking the initiative in this matter it remained for the Fishery department to start the soap factory. It came about in this way. In December 1913 Mr. Menon was employed by the Fisheries department as an oil chemist. He was trained in England as a Government of India technical scholar and he specialised there in oil and soap. He was employed by the Fisheries department as an oil chemist to make analyses and experiments in oil. He was deputed to the Indian Research Institute at Bangalore for further study, and then he remained for some time in the Agricultural College at Coimbatore for making experiments. While at Bangalore—"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (*interrupting*):—"May I rise to a point of order and inquire what Mr. Menon's career has got to do with the transfer of the soap factory to a private company?"

His Excellency the PRESIDENT:—"The honourable gentleman is going to connect Mr. Menon's career with his proposal to hand over the soap factory, but it does not need so much labour on the part of the Honourable Member to go into the biographical side."

The Hon'ble YAQUB HASAN SAHIB Bahadur (*continuing*):—"Mr. Menon is the founder of that factory, and I wanted to show how this factory was brought about in connexion with the Fisheries department. I think by going a little into the history of the department I shall be able to show what the Government have done in developing the industry, in what position it is now and why it should be handed over to a private company. I know it is 2 o'clock and Honourable Members are anxious to have their lunch and your Excellency also would like to close the Council soon as you wish to go to the Convocation."

His Excellency the PRESIDENT:—"We are not at all disinclined to hear the honourable gentleman fully on the subject. We are quite ready to hear him. The point of the proposal which the honourable gentleman has brought forward before us is that the soap works as they stand should be handed over to a limited liability company. My honourable colleague rose to ask whether it was necessary that we should go so much into the early history of the matter. If it is more convenient for the Council we will adjourn and the honourable gentleman may resume his speech after lunch if that is more convenient."

At this stage the Council adjourned for a short interval.

The Council re-assembled, when the Hon'ble Yaqub Hasan Sahib Bahadur resumed his speech. He said:—"The Hon'ble Mr. Rajagopala Achariyar asked what connexion the appointment of Mr. Menon in the Fisheries department had with the handing over of the soap factory to a limited liability company. He perhaps thought that I was going into a matter which was not relevant to the subject or he was impatient and wanted me to come to the point at once instead of beating about the bush. Your Excellency, this Council consists mostly of men who have very little to do with industries. They are interested in the development of industries, they are keenly interested in it and they wish to see the industries developed, but at the same time their knowledge as to how great industries can be brought into existence and made successful is limited. That is not only true of most members of the Council, but it is true almost of all our public men. Our public men interested themselves in industries when there was a swadeshi boom some time ago; large associations came into existence in Bengal and elsewhere; they collected large funds and they sent out every year 30 or 40 students to foreign countries to learn industries and much was done in that direction, but the result was that when these technically trained students returned to India they were not able to help in any way in the creation of new industries. Why was it so? Simply because they began at the wrong end. They thought if there were a sufficient number of people who knew certain industries, the industries would come into existence. They did not realize as all merchants and capitalists realize that a mere knowledge of industries is not enough to start industries. There are many other things which should be done before industries can be started and made successful. Mr. Menon himself was a Government of India scholar. He was sent out to England to specialise there in soap and oil. If he was not taken over by the Government and if in Sir Fredrick Nicholson he

21st NOVEMBER 1918.] (Mr. Yaqub Hasan.)

had not found an officer who gave him all sorts of encouragement and if the Government had not given him many facilities, this factory would not have come into existence. If he had gone to moneyed men and had asked their assistance for starting a soap factory he would never have succeeded in his attempt. Because capitalists first of all must be convinced that soap could be successfully manufactured here, that raw materials are available and the cost of production would be such that they can compete with foreign countries successfully and that the return would be enough for the investment of capital. You cannot expect that the capitalists, men who have money, will simply owing to patriotism put money at the disposal of a raw man who has nothing more than a qualification to manufacture one article. A man must know many other things in order to make a concern, a success, for example, whether raw materials are available in a particular locality, whether labour is suitable, whether transport arrangements are good and whether the cost of production will be cheap enough, and whether he could find a sale for his goods. He has to stimulate a demand for his article. He has to look to the business side of the thing and carry on the correspondence. All these things it is too much to expect to find in your technically trained man. If the Government had a training school which produced many experts like Mr. Menon do you think that the soap industry would have been successfully started? I do not think that it would have. That is because trained people would have had the same difficulty in starting a soap factory as Mr. Menon would have had if he had not been helped by the Government.

"It is not the technical training of some students that is necessary for industries to be brought into existence. There are other factors which I was going to mention, when I was interrupted. The Government took the very right way, quite the right way, when they started a soap factory in connexion with the Fisheries department. This was not a technical school. For the last four years not a single person was trained there. No facilities were given for training and even this year it is said in this report: 'a considerable number of applications was received from all parts of India from students, soap manufacturers and others for admission for training in the soapery, but as there is no accommodation in the present makeshift building and owing to the lack of facilities for teaching and want of time to teach such applications could not be considered favourably.' As far as the training of experts is concerned, the Government have done nothing so far. They intend to do something in future. I am not sorry that the Government have not done anything, because by starting a factory and working it on a commercial basis as any business man or as any capitalist would have done, they have given greater encouragement to the industry than they could have done by merely training a number of students. They have shown here that very good soap can be manufactured and it can be manufactured at such a small cost that it can compete with foreign soaps, and they have also stimulated a demand for it by exhibiting it at exhibitions and they have boomed the thing just as any commercial man would have done. I admire Sir Frederick Nicholson for having gone about the very right way of doing it. No Indian Civil Service man would have done it in the same way as the gentleman has done and our gratitude is due to him for it.

"In this report I find that orders are pouring in from all sides which they are not able to cope with and they cannot supply all those orders. So you will have to decide in one of the two courses open to you either to extend that factory and continue to work it as a commercial concern or turn it into a technical school for the training of soap makers. If you train a number of persons in the art of soap-making, these people will start factories of their own, and they do not possess the means of doing it on a large scale. If any person has already a factory big or small and he finds certain difficulties and certain problems to be solved in that connexion, he comes to the Government to solve these things for him. It is the business of the Government to help him to do it. From this report I find that some manufacturers of soap did require Government help in this way. This help can be given through the technological institute that is proposed to be established in connexion with the factory. It is the commercial factory that has first come into existence, and the technological institute is to be established hereafter. It is for you now to decide whether that institute or that experimental factory would give such information or training.

"There are people who have no opening elsewhere and who are crowded out of other departments. They will say, 'so much is talked of this industry, we will go and train ourselves in this industry; at least we might be able to eke out a living, and make more than what we can make as Government clerks.' If such people are given training you do not stimulate the industry. Then the harm done will be this. This factory will become a school and you will train people how to make soap and encourage them to establish mushroom factories all along the coast. It is stated in this report that 'The Government Soap Works has tempted capitalists from all parts of India and outside to start soap and allied industries in this Presidency, e.g., the enterprise of the Tatas at Ernakulam. There is enormous scope for several factories on this coast and the Government factory can hold its own and help in turning out more experts and foremen who may be required in other parts of this Presidency and outside for expanding the soap industry in India.'

"I do not think this step would be in the right direction. Your Excellency is aware the other day a reference was made why so many banks and industrial concerns came to grief some time ago. I think the Hon'ble Sir Gordon Fraser referred to it. If you take the reports of the Registrars of limited liability companies, you will find that many of the companies which come into existence soon go to the wall simply because the men who promote them do not know how to organize industries. I do not want similar mistakes to be made in the case of soap

(Mr. Yaqub Hasan.)

[21ST NOVEMBER 1918.]

industry. Simply because the soap factory has become a success with the Government, others may take up the soap manufacturing business and they may employ some of the men trained in the Government factory. That is not the right way to encourage the industry. On the other hand if the Government hand over to a limited liability company, this factory which is already known to be a successful thing, whose soaps are liked by the people and find a good sale in the market—many people who are willing to invest their money in safe concerns will come forward and put money in it and subscribe to the share capital of this company and take over this business. Instead of a number of mushroom companies, working on a small scale and starved for want of capital and struggling hard against foreign competition there would be one large well-equipped well-manned factory launched under the good auspices of the Government. It is stated in this report that the Tatas intend starting soap business in Ernakulam. I do not think they are starting any soap factory. All I heard was that they wished to do something in the extraction of oil. That is of course a very big thing and would be a very good thing if they do something in that line. After what Your Excellency's Government have done in this line it would be unfair if this business gets into the hands of outsiders. We must also remember that there is such a thing as trade secret. Every factory, every trade, every arts has some trade secret of its own. The trade secrets of cloth manufacture are so well guarded that when I went to Manchester I went from door to door to get into a mill just to see how they print clothes, I could not get admission though I had letters of introduction from the Members of the India Council. They said, they do not admit foreigners. I told them that I could not gain any knowledge of their secret, by a glance but it made no effect. Now in the case of the soap factory if nothing new is discovered you have the same process of soap manufacture as there is anywhere else and then the Government have done nothing to establish their claim for originality; on the other hand if you have found certain processes, if you have found out certain formulas, if you have discovered any special recipe for a certain soap that gives you advantage in competing with other manufacturers then you have a secret worth keeping. If you divulge that secret to every Tom, Dick and Harry that comes for training you make that thing too cheap and no capitalists would think it worth while to go in for this business because it is an industry that can be done everywhere. In that way you will discourage the development of the industry on proper lines and not encourage it. Applicants from Native States and other provinces want to come and learn things here. What business have they got to come here and learn things? If there is anything special to teach which they cannot learn anywhere else, the people in this Presidency should benefit by it and by the development of the industry in general.

"Why I consider this is an opportune time for handing over this business to a private concern is this: that interest in industrial matter has been aroused by war and people are anxious to invest money in paying concerns—the Government have before this transferred other things. For example, it was the Government department of industries that introduced the aluminium industry. They developed it on a large scale and a fully equipped factory was established and was run by the Government for some years, and when its success was fully ensured it was handed over to a private concern. I was also concerned in the transfer of this business to a private concern. A company did come forward and took it up. Then in regard to the chrome leather factory the same thing was done. Recently the pencil factory was also handed over, sold to private people who, I understand, are going to make it a limited liability company. The pencil factory case illustrates what I have said about soap. The pencil factory was started as a private concern. It proved a total failure. Why was it a total failure? Not because the man who was in charge of making pencil did not know the art of making pencils. He must have known it, and yet the pencil factory became a failure. The Government took it over and they had to contend with difficulties. Sometimes they were not able to make out anything. At one time I had a talk with the Director of Industries and found him in despair about it who thought that pencil could not be manufactured cheaply enough. Experiments are now completed, and tenders were invited for the purchase of the factory as a going concern and large sum was paid for the concern. The same will be the case with soap. If you go on teaching people pencil making and turn out experts in manufacturing pencils, those experts though highly trained men would not be able to push the industry as well as you have done. That should be the case with soap too.

"It might perhaps be said that though this factory is successful still there is much to be done and if it still remained with the Government, they will be able to make it a better success and a model for others to copy. Sir Frederick Nicholson, in paragraph 6, says 'For want of a laboratory and assistance nothing worth mentioning could be done in the way of testing and refining oils.' The testing and refining of oils has been done to sufficient extent. Some of the oils were tested and they were found useful. You can continue testing. You do not want this Nicholson goes on to say 'For the same reasons it has been impossible to proceed with the manufacture of new classes of soap, but they do not say that they have yet to discover fresh processes of manufacturing soap. If they can manufacture one kind of soap they can manufacture twenty kinds of soaps. Their capacity is limited for want of sufficient plant. There is no use of keeping that factory with you in order to have a few more classes of soaps added to the category of soaps you have already produced. Then it is stated that 'it has been impossible to proceed with the recovery of glycerine by methods specially suitable to this

21ST NOVEMBER 1918.]

(Mr. Yaqub Hasan; Mr. Rajagopala Achariyar.)

country' including solar evaporation as a final, low temperature process; space for the plant and time for the attention of the manager were equally wanting' therefore they could not make it, that is also a thing in which the Government should make experiments and they can make them even if the factory is handed over to a private company.

"As for training other students you can train them in your department of industries, or in the factory itself you can teach them. I have put it in the resolution 'the Government retaining a number of shares and a seat or two on the directorate of the company with a provision in the articles of association for affording facilities for the training of apprentices in the art of soap manufacture.' When you are handing over a large concern, you can make any conditions, for you can put them in the articles of association, and the new company will be quite willing to train others in the factory. The training of some students will not do them any harm for trade secrets can be preserved even then.

"Another reason why this is an opportune time for transferring the business is just now Indians are very much inclined to come in and support industries. There are men who have money to spare and they would like to invest it in business in factories and limited liability companies. So if this is started now the capital will be flowing into this direction. Some may say, why not these people form a company and start a factory at Calicut and compete with this factory? Your Excellency is aware that in this Presidency business enterprise has its limits. If the Government say they are not prepared to hand it over to a private company, they would think there must be some reason for it. They will say that the Government are training so many people, who would do the thing on small scale, what is the use then of starting a large limited liability company? All sorts of discouraging factors will be thought of to show that such a venture will not have a chance of succeeding so well as it will do under the auspices of the Government. So I beg Your Excellency's Government to accept this resolution. If they tell me that eventually they will do as they have done in other cases and can convince me that by delaying it a little longer they will be able to give better encouragement to this industry, perhaps I might reconsider my position, but I would certainly require very strong reason to be convinced of it."

The Hon'ble Mr. K. Chidambaramatha Mudaliyar seconded the resolution.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I propose, Your Excellency, to confine myself to the resolution on the paper. The Honourable Member's resolution is that 'the business of the soap factory be handed over to a limited liability company to be formed and registered under the Indian Companies, Act 1913, the share capital of which is to be open to public subscription, the Government retaining a number of shares and a seat or two on the directorate of the company with a provision in the articles of association for affording facilities for the training of apprentices in the art of soap manufacture.' In the first place let me point out that the object of the Government is to start an industry and not a factory. An industry connotes scores of factories spread over a country in convenient localities and not merely a single monopolist factory. I know the Honourable Member's view is different. He said that he did not believe in having a number of small soap factories all over the country, he believes in having one company. We however believe in having a number of small ones. If people are able and willing to have small factories all over, there is no reason why we should not allow them to do so. The aim of the Honourable Member and of the Government being entirely so divergent, it is not a matter of surprise that we are wholly unable to accept this resolution. To hand over the initiatory Government factory to private enterprise would be to establish a single monopolist factory and to sacrifice an industry, to benefit the few and neglect the many.

"The objects and methods of a State institution started to develop a manufacturing industry absolutely novel to a country are (1) experiment, (2) demonstration, (3) instruction.

"In starting such industry, especially one involving complicated processes in applied chemistry, the stage of research and experiment is lengthy and costly. The State soap factory (I prefer the word 'State' to 'Government') only started serious work less than two years ago in a hired shed (where it still is), without a laboratory (still unprocurable), without any staff save one expert—of whom the Honourable Member has been good enough to give a long account—on oils largely unknown to Western practice and without certain oils so greatly used there, so that incessant experiment has been found necessary to ascertain the proper formulae for wholly new mixtures; the plant had to be and still is being devised and extemporised since it was not procurable—except to a small extent—from abroad; the men had to be trained, the soaps suitable to the market ascertained, and scores of other matters investigated, e.g., the recovery of glycerine, the causticizing of soda ash, the discovery and substitution of indigenous perfumes for those (now unobtainable) in use abroad, the designing of a proper factory, etc. Even in the second year longer experiment has resulted in effecting a considerable saving per ton over the first year on the few lines of soap at present made; much more requires to be done even in this way. Do people think that in two years, hampered as above, we can devise, start, and develop on a score of different lines of manufacture, a brand-new industry, absolutely novel to the Presidency so far as regards modern needs and ideas? We are still feeling our way experimentally in various lines, and many are not yet touched. To close the State factory as such would be to stop valuable experimental work in the first stage.

440 RESOLUTION RE THE GOVERNMENT SOAP WORKS, CALICUT, TO BE HANDED OVER TO A LIMITED LIABILITY COMPANY.

(Mr. Rajagopala Achariyar; Mr. Ranga Achariyar.) [21st November 1918.]

"And if stopped at this stage, how could we proceed to that thorough demonstration and instruction which after all, are the main objects of a State factory used as the starting point of a new industry? How would it be possible, for instance, for the Government to establish that standing exhibition of the oils and fats linked industries which is one of the main objects in this branch of industry, and to which the greatest importance is attached as a source of information and stimulation to private enterprise? How can we have that practical laboratory for the investigation and improvement of oils as prepared in the villages, so that the oil trades may start with oils of better initial quality than at present? or that laboratory for the detection of adulteration? Without the factory with its experts, how are we to solve the numerous practical problems (industrial, chemical, manipulative) which continually present themselves to the petty manufacturers whom we aim at establishing, or stimulate them and teach them in new and improved lines? How can we establish that trade school for the future managers and foremen of the industry if we have no factory in which to train them as practical men? With the State factory, its laboratory and its teachers, we can investigate, demonstrate, teach: without it we can do nothing. We have the beginnings of a factory, and we shall have a model one, a laboratory, a class of students, a going concern, and all without cost to the tax-payer. Its relinquishment now proposed is under present circumstances unthinkable.

"If private enterprise were now allowed to take over the State factory, it would necessarily become a monopoly—

(1) there is only one soap expert in the Presidency and presumably he would be lent to the factory;

(2) since the profit of shareholders is necessarily the main, perhaps the sole, object of a private factory, experiment would cease as soon as certain profitable lines were ascertained, publicity would be absolutely banned and profound secrecy maintained; all materials, processes formulae and accounts would be kept rigidly secret;

(3) the very last thing that a private factory would dream of would be to train up managers, etc., to compete in rival factories. Till now we have not made much progress in the training of people, because we have not had buildings, laboratory, etc. If the factory is transferred into a private concern, it really means that all further development is checked, not only in the matter of soap but of all allied industries. But, the very objects of a State factory are precisely experiment, demonstration (publicity), instruction of men desirous of starting, running, etc., factories. Consequently the handing over of the State factory to private enterprise would be to stunt experiment, stifle demonstration, and abandon instruction.

"The proposal is unworkable. The views and objects of the Government in its desire for continuous experiment, entire publicity, and thorough instruction of numerous experts, would be absolutely opposed to those of the private shareholders who require immediate and easy profits, without heavy expenditure in experiments, absolute secrecy, entire monopoly of knowledge and of experts. Hence incessant unavoidable clash. A factory cannot be worked where the idea of one party is to spread an industry, of the other to confine it.

"If it be admitted that the establishment of a great industry or series of linked industries (soap, glycerine, candles, edible fats and oils, paints and varnishes, etc.) is desirable yet necessarily costly, why should the profits arising necessarily in this factory out of State expenditure be diverted to private capitalists (who have done nothing for the initiation of the industry), and the cost of any subsequent State operations in such industries be thrown on the general tax-payer? At present the profits of the factory which have attracted the attention of capitalists, arise legitimately from the sale of genuine goods at moderate prices, replacing goods from outside; these profits pay, and will pay the whole cost of the institute with its experiments, demonstrations, instruction; the Government is actually initiating an important industry or set of industries absolutely without cost to the tax-payer! This unique position would be entirely nullified and destroyed by the seizure of the factory and its profits by a small group of capitalists who would thus reap without cost or labour the early fruits of State enterprise and would, ipso facto, either throw an equivalent burden on the general tax-payer if the Government decided on further steps, or would keep the industry in its own leading strings.

"Well, Your Excellency, I have only to add that the Honourable Member's proposal seems to be singularly inopportune. After a great deal of struggle the Government are slowly making up their minds to pursue a bolder policy in regard to industries than they had thought of at one time. This matter of soap is one of the early things, and it has hardly taken root when the Honourable Member proposes to choke it off. I appeal to Honourable Members not to vote for this resolution. The Honourable Member spoke about the pencil factory. Pencil is not a thing which could be made in all cottages. The moment we finished our work in regard to pencils we readily handed it over, which shows that our policy is not to keep anything going longer than is necessary. For another twenty years it may not be possible to hand soap over to private enterprise. At present we cannot possibly think of it. I earnestly advise the Council to reject the resolution which is fraught with evil consequences to the development of a valuable industry and connected industries."

The Hon'ble Mr. T. RANGA ACHARIYAR :—"I have listened to this debate with an open mind, and I must say I am convinced by the statement made by the Honourable Member. I think that it will be too soon to hand over this business to any private company."

RESOLUTION RE THE GOVERNMENT SOAP WORKS, CALICUT, TO BE HANDED OVER TO A LIMITED LIABILITY COMPANY. 441

21st November 1918.] (Mr. M. Ramachandra Rao.)

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO :—"My Lord, I have heard with great pleasure the vigorous and trenchant criticism of the resolution made by the Honourable Member. Like the Hon'ble Mr. Ranga Achariyar, I had also an open mind. Some of us thought that this proposal was inopportune and invited my Honourable friend to a discussion. He asked me to listen to what he had to say on the subject and then make up my mind. I have heard him fully and I consider that the statement made by the Hon'ble Mr. Rajagopala Achariyar that the acceptance of this proposal would be fraught with grave consequences to the development of the soap industry in this Presidency is one which I fully endorse. My Lord, I thought the Hon'ble Mr. Yaqub Hasan showed a tendency to favour large capitalists as against smaller capitalists or smaller industries. If he said so, as I believe he did if I understood him correctly, I think it would be an inadvisable step to choke off the development specially of the soap industry in this Presidency which must spread by smaller concerns rather than the bigger ones at which he is aiming. Whatever it is, my Lord, if anyone is anxious to start a limited liability company for the manufacture of soaps, I do not see what there is to prevent him from doing so. This is a concern in which Sir Frederick Nicholson has spent so much time in devoting his attention to ascertain what I would call the data of production for the benefit of all those who wish to enter into this business. The data of production is a most important element in the success of any venture. My Honourable friend wishes that this concern which is merely intended to ascertain the date of production of soap should be handed over to a limited liability company. The Hon'ble Mr. Rajagopala Achariyar has very truly pointed out that, if the proposal is that with the experience already gained with the staff of experts this factory is to be handed over to a limited liability company, it would be creating a monopoly. I would only invite my Honourable friend's attention in addition to the statement of policy of your Excellency's Government to what the Industrial Commission have to say about pioneering industries. I refer to page 159 of that most illuminating report which has just been placed in our hands, where they make a distinction between pioneering and demonstrating work, the various steps which the Government have to take in setting up cottage industries, small organized industries and larger organized industries—various steps which the Government might usefully take under these three heads to secure the development and assistance which might be given by Government. I do not wish to detain the Council any further but I only wish to refer to the following statement :—

"By 'pioneering' we mean the inception by Government of an industry on a small commercial scale, in order to ascertain and overcome the initial difficulties, and discover if the industry can be worked at a profit. It must be clearly understood that Government should only undertake the pioneering of industries when private enterprise is not forthcoming, and that, as a general rule, Government participation should only be continued till the object with which the operations have been started has been fully attained. By this we do not mean that the Government factory should necessarily be closed down, as soon as a private individual or company is willing to take it over, or it has reached some degree of commercial success. The opportune moment can be decided only by a full review of the circumstances of the case, and in some instances it will be found that the new industry is capable of development far beyond the initial stages at which it is profitable, before the withdrawal of Government becomes imperative in the interests of those who have invested, or are anxious to invest, capital in the new industry."

"On a review of the circumstances mentioned in the last report of Sir Frederick Nicholson I am certain that the time has not come when the Government should close this concern and hand it over to a private company. During the last ten or fifteen years various attempts were made to start soap factories in the Northern Circars but they came to grief. The data of production not having been ascertained, most of these men who went to Japan and got well-equipped knowledge and started this industry came to grief and a lot of money and a lot of time was wasted. I have used several of the soaps manufactured elsewhere and I am also using the soap manufactured in this company on the West Coast and there is absolutely no doubt that we are now reaching a stage when perfection will be obtained very soon in the manufacture of soap in this Presidency. I regret that if by any chance the present opportunity for the establishment of the industry on a firm basis in this Presidency is lost it will be really an unwise step.

"My Honourable friend referred to the pencil factory. I was one of the shareholders in the Anakapalle factory. He said that people knew how to make pencils. My Honourable friend Mr. Suryanarayana Murthi Nayudu was the creditor and had to take charge of the effects of that company and pass it on to Government. People did not know how to use graphite or to mix it in suitable proportions to make it useful for pencils. There was absolutely no information about wood. After the factory was removed to Madras, various attempts were made to find out where suitable wood would be available and how suitable mixture of chemicals could be made and to devise processes and a good deal of money had to be sunk in it and a great deal of preliminary work had to be done. It is now possible to place that factory on a sound basis. It would be quite an unwise step, in my humble opinion, to hand over this concern to a private company at present—I regret that my Honourable friend who is very keen in commercial matters has not seen his way to drop this proposal. I trust he will consider all that has been said on this matter and not push it to a division."

442 RESOLUTION RE THE GOVERNMENT SOAP WORKS, CALICUT, TO BE HANDED OVER TO A LIMITED LIABILITY COMPANY.

(Mr. Yaqub Hasan; Mr. Rajagopala Achariyar; [21st November 1918. Sir Gordon Fraser.)

The Hon'ble Yaqub Hasan Sahib Bahadur:—"The Hon'ble Mr. Rajagopala Achariyar was very wise in depending on Sir Frederick Nicholson for facts to meet my argument. I am sorry that Sir Frederick Nicholson himself was not here. If he were here, I feel sure that after hearing me he would have met these points better. He had to anticipate some of my points in order to meet them with his counter-arguments. I did not quite catch where the Hon'ble Mr. Rajagopala Achariyar was reading from—that wide publicity was bad. Was it the statement of Sir Frederick Nicholson?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"You said publicity was bad; I said it was good."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"That publicity was bad was the word used by you. I distinctly heard it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I beg your pardon; I did not say so. I was quoting you."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"I do consider publicity bad. I am sorry if Sir Frederick Nicholson thinks that publicity is good. Then there will be no trade secrets and anybody can get on with manufacturing soaps. The Hon'ble Mr. Rajagopala Achariyar wished that several small factories should come into existence instead of a single factory, because if there were only a single factory it would become a sort of monopoly, and that that would benefit the capitalists only and not the industry itself. Monopoly is not the correct word to use in this connexion. When a factory runs for some time and is making huge profits, several other people do come forward and start factories on the same scale and that gives stimulus to the further extension of the industry. Monopoly, if any, can only be of some secrets and processes. The process of manufacturing soap is complicated and requires study and many experiments and those who discover anything new can enjoy its monopoly. I am not opposed to a laboratory being established for Government experiments. I simply wanted that the business of this factory should be handed over to a company. It does not matter if you do not give over some of your own plant. What I want you to transfer is the goodwill and the business. What I mean is that in the case of private companies, when a company starts a manufacture and that manufacture becomes known, its trade mark is established; if any other company wants to purchase it, it pays so much for goodwill, for the right of manufacturing certain articles which have come to be known by some particular names. Here some soaps have come to be known. If you hand it over to a business company, it will help the business to be a success from the start instead of making it a success by stages. I do not ask for the transfer to a private company. I said it would be a limited liability company of which the shares will be purchased by a large number of people. If they were 5-rupee shares, there may be several lakhs of people who might buy them. I want the Government to take some shares, to reserve some seats on the directorate to have a controlling voice in that limited company and put in the Articles of Association that certain facilities for training should be provided. You can keep your laboratory in connexion with that. You will be able to do it because the Government will have just as much voice in the management of the company as any other director."

"The Hon'ble Mr. Rajagopala Achariyar has said that it is our policy to hand it over to a private company as soon as it has become a success, and he qualified it by saying that it may be twenty years. The Hon'ble Mr. Ramachandra Rao says it may take fifteen or twenty years. Why fifteen or twenty years? Experiments in manufacture will never come to an end. New discoveries will continue to be made, experiments can never end. There will be new things brought to light. Why do you set a limit? Why say after twenty years we will have completely known the art of manufacturing soap and there will be no further necessity for making experiments? That necessity will continue to exist even after twenty years. I do not want the Government to cease to make experiments. Let them go on making experiments and discovering new things and helping the industries still further. That is why in the Industrial Commission's report a recommendation has been made that Government should take the initiative in industrial matters."

"I will not labour the point any further. I will make only one observation, that is, I am glad that I was able to bring forward this proposition before this Council. Industrial questions very seldom come before this Council and members do not discuss these problems as often as I should like them to do. In future I should wish that industrial questions come up in this Council more frequently and be tackled with in the right spirit and that the Government also should develop their industrial department in a way that in the Council itself there may be a member of the Government who has only the portfolio of industries to look after and who makes it his particular concern and is able to handle it completely. As it is, industries form only a secondary question, and when it is brought forward here, as I have done, I find that some non-official members simply for want of knowledge and not for want of sympathy are not able to give it that help which would otherwise have been expected from them. I wish also that the Hon'ble Sir Gordon Fraser had taken part in this discussion. He would have been in a position to show to withdraw this resolution and bring it forward at some more opportune time."

The Hon'ble Sir Gordon Fraser:—"If the honourable gentleman had given us a little more time, I would have taken part in the debate."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTIONS RE INQUIRY INTO THE SITUATION CAUSED BY THE FAILURE OF THE MONSOONS; ENCOURAGEMENT OF CO-OPERATIVE HOUSE-BUILDING SOCIETIES AND DOUBLE TRACK OF RAILWAY BETWEEN THE BEACH STATION AND CHINGLEPUT. 443

21st November 1918.] (The President; Mr. Chidambaranatha Mudaliyar; Mr. Ranga Achariyar; Sir Alexander Cardew; Mr. Narasimha Ayyar.)

RESOLUTION RE INQUIRY INTO THE SITUATION CAUSED BY THE FAILURE OF THE MONSOONS.

His Excellency the President:—"The Hon'ble Mr. Chidambaranatha Mudaliyar's resolution XXXII has already been covered. We have got other resolutions to discuss. The Council will agree that it was covered and I cannot go back upon that. I have had a long personal conversation with him. That brings us to resolution XXV."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"My resolution is supposed to be covered by the resolution of the Hon'ble Mr. Narasimha Ayyar, but he has not moved it."

His Excellency the President:—"I am sorry that the Honourable Gentleman does not see eye to eye with me. In my duty as Chairman I have to do my best, but with the assent of the Council I went so far as to put the matter to the Council."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"The mover of the resolution omitted the last words 'the failure of the last monsoon'."

The Hon'ble Sir ALEXANDER CARDEW:—"No."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"I am labouring under that mistake."

Resolution XXXII ran as follows:—

'XXXII. This Council recommends to His Excellency the Governor in Council the appointment of a committee consisting of an experienced Revenue Officer with two non-official gentlemen to make a full inquiry into the present situation in areas seriously affected by the failure during the year of both the monsoons in this Presidency and make an early report on how best it may be met by the Government and the people.'

His Excellency the President:—"We should only be discussing it twice. That leaves us with XXV, XXVIII, XXXIII, XXXIV and XXXV."

RESOLUTION RE ENCOURAGEMENT OF CO-OPERATIVE HOUSE-BUILDING SOCIETIES.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I shall move resolution XXVIII with an addition, that is inserting after the word 'house-building' the words 'for the poorer classes.' The resolution will then run as follows:—

'XXVIII. This Council recommends to His Excellency in Council that co-operative house-building for the poorer classes may be encouraged and assisted in this Presidency by financial help to the extent permitted by the present circumstances of this Government.'

"My object is in the present financial stress the poorer people might be helped. That is the sense of my Honourable Friends. I want to know if it is accepted by the Government."

The Hon'ble Mr. A. S. KRISHNA RAO seconded the resolution.

The Hon'ble Sir ALEXANDER CARDEW:—"With that amendment I am prepared to accept the resolution."

The resolution as amended was accepted.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"Will the Government be pleased to do anything by way of preliminary inspection in regard to resolution XXXII?"

His Excellency the President:—"I am sorry that the Honourable Member cannot agree with me. If the Honourable Gentleman wishes to move any resolution, he must submit it to the next meeting and it will be considered whether it can be taken."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"I am under the honest impression that my resolution was not covered. That is all I have to say."

His Excellency the President:—"That leaves XXV and the last three resolutions to discuss."

RESOLUTION RE DOUBLE TRACK OF RAILWAY BETWEEN THE BEACH STATION AND CHINGLEPUT.

Resolution XXV of which the Hon'ble Mr. Yaqub Hasan Sahib had given notice ran as follows:—

'XXV. This Council recommends to His Excellency the Governor in Council that the South Indian Railway Company be asked to arrange for the laying of a double track between the Beach Station and Chingleput as soon as the war comes to an end.'

444 RESOLUTIONS RE DOUBLE TRACK OF RAILWAY BETWEEN THE BEACH STATION AND CHINGLEPUT; IMPROVEMENTS TO A SECTION OF THE BUCKINGHAM CANAL AND OPENING UP OF MINOR PORTS IN THE PRESIDENCY.

(Mr. Davidson; Mr. Yaqub Hasan Sahib; the President; 21st November 1918. Mr. Chidambaranatha Mudaliyar; Rajagopala Achariyar.)

The Hon'ble Mr. L. DAVIDSON:—"I may perhaps save the Hon'ble Mr. Yaqub Hasan trouble, if I say that while the Government are not able to accept the resolution as it stands, they will be glad to communicate it to the Agent of the South Indian Railway Company. This is not the first time this point has been before the Council; the necessity for improved service is admitted; and almost the only question is when the work can be started. The wording of the resolution is 'as soon as the war comes to an end.' When conditions will permit of commencement is a matter on which the Government cannot make any pronouncement. Again, an alternative to a double line has been suggested, consisting in a scheme for the electrification of the single line. As all these matters have been fully before the South Indian Railway Administration, it will probably serve the Honourable Member's purpose if the Government undertake to forward a copy of the resolution to the Railway Administration."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"Do I understand that the words 'as soon as the war comes to an end' should be omitted?"

His Excellency the PRESIDENT:—"What the Honourable Member has said is that he will be ready on behalf of the Government to communicate to the railway company the fact that this resolution has been proposed in the Legislative Council."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"That is quite enough."

His Excellency the PRESIDENT:—"The resolution will be communicated to the railway company by the Government. The Honourable Gentleman will then reserve his right to move it on a later occasion."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"May I point out with regard to resolution XXXIV that a similar resolution has been accepted by the Bombay Government?"

RESOLUTION RE IMPROVEMENTS TO A SECTION OF THE BUCKINGHAM CANAL.

His Excellency the PRESIDENT:—"We have XXXIII to deal with. Would the Honourable Gentleman move XXXIII?"

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"It would take some time."

His Excellency the PRESIDENT:—"If the Honourable Gentleman does not wish to move it now, will he be good enough to move it at the next meeting of the Council?"

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"Yes, Your Excellency."

The resolution XXXIII which was not moved ran as follows:—

'XXXIII. This Council recommends to His Excellency the Governor in Council the immediate repair and bringing into working order of the portion of the Buckingham Canal between Porto Novo and Tranquebar.'

His Excellency the PRESIDENT:—"Will the Honourable Gentleman now move XXXIV?"

RESOLUTION RE OPENING UP OF MINOR PORTS IN THE PRESIDENCY.

Resolution XXXIV which stood in the name of the Hon'ble Mr. Chidambaranatha Mudaliyar was as follows:—

'XXXIV. This Council recommends to His Excellency the Governor in Council the immediate opening up of as large a number of minor ports as possible in the Presidency.'

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"As a preliminary I may point out that a similar resolution has been accepted by the Bombay Government."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"If the Honourable Gentleman will omit the word 'immediate' I will accept the resolution. We are opening a number already decided to open a number of them in Kistna, Guntur and Ganjam districts (e.g.), ports are under investigation. If the word 'immediate' in the resolution is omitted, it comes into line with what we have been doing."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"I would substitute the word 'early' for 'immediate'."

His Excellency the PRESIDENT:—"I leave it to the Honourable Gentleman, but I may say that I would not quibble over that word. I advise the Honourable Gentleman to accept the suggestion made."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"Is it accepted by the Government?"

RESOLUTIONS RE OPENING UP OF MINOR PORTS IN THE PRESIDENCY; FINANCIAL ASSISTANCE TO LOCAL BODIES FOR MAINTENANCE OF THE MEDICAL INSTITUTIONS; CONTROL OF THE PRICE OF CLOTH; PETITIONS ABOUT RESETTLEMENT OF THE WYNAD AND AUTHORIZING DISTRICT MAGISTRATES TO ISSUE PASSPORTS TO PERSONS GOING TO STRAITS SETTLEMENTS, ETC.

445

21st November 1918.] (The President; Mr. Narasimha Ayyar; Rajagopala Achariyar; Mr. Krishna Rao; Mr. Venkatapati Raju; Mr. Annamalai Chettiyar.)

His Excellency the PRESIDENT:—"Yes."

The Hon'ble Mr. K. Chidambaranatha Mudaliyar accepted the resolution as amended.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I formally second it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I accept it."

The resolution (with the word 'immediate' omitted) was accepted.

RESOLUTION RE FINANCIAL ASSISTANCE TO LOCAL BODIES FOR MAINTENANCE OF THE MEDICAL INSTITUTIONS.

Resolution XXXV which stood in the name of the Hon'ble Mr. A. S. Krishna Rao ran as follows:—

'XXXV. This Council recommends that the Governor in Council be pleased to render additional financial assistance to local bodies, to enable them to meet the increased cost of maintenance of the medical institutions under their control.'

The Hon'ble Mr. A. S. KRISHNA RAO:—"XXXV is likely to take up some time unless it is accepted. As some non-official members are anxious to go away to-day, I do not wish to move it."

His Excellency the PRESIDENT:—"If the Honourable Gentleman prefers to move it at a subsequent meeting of the Council, probably that will be the most convenient course."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Yes."

The following resolutions were not moved:—

RESOLUTION RE CONTROL OF THE PRICE OF CLOTH.

The Hon'ble Mr. B. VENKATAPATI RAJU:—

'XXIII. This Council recommends to the Governor in Council that the Government be pleased to undertake necessary measures at an early date to reduce the high prices of cloth and to facilitate the supply of yarn at reasonable cost in weaving centres for local manufacture, besides supplying the standardized cloth.'

RESOLUTION RE PETITIONS ABOUT RESETTLEMENT OF THE WYNAD.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—

'XXIX. This Council recommends to His Excellency in Council that the claims and pleas of the Wynad landholders submitted to Government in connexion with the resettlement of the Wynad be further examined.'

RESOLUTION RE AUTHORIZING DISTRICT MAGISTRATES TO ISSUE PASSPORTS TO PERSONS GOING TO STRAITS SETTLEMENTS, ETC.

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR:—

'XXX. This Council recommends to His Excellency the Governor in Council that instructions be issued by them to all District Magistrates to freely grant to all persons applying to them for the issue of passports to enable them to go over by sea to places in Straits Settlements and the Federated Malay States and in other British Colonies, and to places in the Colonies of Allied Governments for carrying on trade or business, unless such applicants are certified by the District Medical and Sanitary Officers to be physically unfit for the voyage.'



446 RESOLUTION *RE* REMOVAL OF RAILWAY RESTRICTION ON THE
DESPATCH OF PARCELS OF INDIAN HAND-MADE CLOTHS.

(*Mr. Annamalai Chettiar; The President.*) [21st NOVEMBER 1918.

RESOLUTION *RE* REMOVAL OF RAILWAY RESTRICTION ON THE
DESPATCH OF PARCELS OF INDIAN HAND-MADE CLOTHS.

The Hon'ble Rae Bahadur S. R. M. ANNAMALAI CHETTIYAR :—

'XXX'. This Council recommends to His Excellency the Governor in Council that the restriction placed at present upon the despatch by Indian merchants and others by railway of parcels of Indian hand-made cloths in this Province may be removed.'

His Excellency the PRESIDENT :—"The Council will adjourn until the next meeting."

The Council was then adjourned *sine die*.

H. G. STOKES,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

Proceedings of a Meeting of the Council of the Governor of Fort St. George
assembled for the purpose of making Laws and Regulations under the
provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council assembled at the Council Chamber, Fort St. George, at 11 a.m. on the 5th
day of February 1919.

PRESENT :

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.S.I.,
G.C.I.E., Governor of Madras—*Presiding*.

The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur,
C.I.E., I.S.O., O.B.E.

The Hon'ble Mr. L. E. BUCKLEY, C.S.I.

The Hon'ble Mr. A. Y. G. CAMPBELL, C.I.E.

The Hon'ble Mr. W. J. J. HOWLEY.

The Hon'ble Mr. W. HUTTON.

The Hon'ble Mr. R. LITTLEHAILES.

The Hon'ble Mr. N. E. MARJORIBANKS.

The Hon'ble Mr. J. C. MOLONY.

The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.

(Sir Alexander Cardew.)

[5TH FEBRUARY 1919.]

The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).
 The Hon'ble Mr. H. G. STOKES, C.I.E.
 The Hon'ble Mr. C. G. TODHUNTER.
 The Hon'ble Mr. M. YOUNG.
 The Hon'ble Mr. R. B. WOOD.
 The Hon'ble Rao Bahadur T. RANGA ACHARIYAR AVARGAL.
 The Hon'ble the Rev. G. PITTENDRIGH.
 The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.
 The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO PANTULU GARU.
 The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.
 The Hon'ble Mr. P. SIVA RAO.
 The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR AVARGAL.
 The Hon'ble Mr. B. V. NARASIMHA AYYAR.
 The Hon'ble Mr. K. SADASIYA BHAT.
 The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR AVARGAL.
 The Hon'ble Mr. K. RAMA AYYANGAR.
 The Hon'ble Sri RAJA RAO VENKATA KUMARA MAHIPATI SURYA RAO Bahadur, Raja of Pithapuram.
 The Hon'ble B. RAJA RAJESWARA SETUPATI alias MUTTURAMALINGA SETUPATI AVARGAL, Raja of Ramnad.
 The Hon'ble Mr. B. VENKATAPATI RAJU.
 The Hon'ble Mr. K. CHIDAMBARAM NATHA MUDALIYAR.
 The Hon'ble Mr. K. KUMARAN RAMAN KAVALAPPARA MUPPIL NAYAR.
 The Hon'ble Yaqub Hasan Sahib Bahadur.
 The Hon'ble Sir GORDON FRASER, Kt.
 The Hon'ble Mr. J. H. THONGER.
 The Hon'ble Sir FAIRLESS BARBER, Kt.
 The Hon'ble the Most Rev. JOHN AZLEN, D.D.
 The Hon'ble Mr. T. RICHMOND.
 The Hon'ble Sir FRANCIS SPRING, K.C.I.E.
 The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU GARU.
 The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO Bahadur, of Bobbili.
 The Hon'ble Dr. T. M. NAYAR.

NEW MEMBERS.

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

The Hon'ble Mr. NORMAN EDWARD MARJORIBANKS.
 The Hon'ble Mr. RICHARD BOARDMAN WOOD.
 The Hon'ble Mr. ARCHIBALD YOUNG GIPPS CAMPBELL, C.I.E.
 The Hon'ble Mr. HOPETOUN GABRIEL STOKES, C.I.E.
 The Hon'ble Sri RAJA RAO VENKATA KUMARA MAHIPATI SURYA RAO Bahadur, Raja of Pithapuram.
 The Hon'ble Mr. WILLIAM HUTTON.
 The Hon'ble Mr. RICHARD LITTLEHAILES.
 The Hon'ble Mr. JAMES CHARTRES MOLONY.
 The Hon'ble Dr. TARAVATH MADHAVAN NAYAR.

THE LATE MR. GILLMAN.

The Hon'ble Sir ALEXANDER CARDEW:—"The painful duty again falls to my lot of having to bring before the Council the loss which it has sustained since our last meeting through the death of one of its members—I refer to the Hon'ble Mr. Gillman, C.S.I. Few who saw Mr. Gillman with his alert frame, his soldierly bearing, his quick response, would have foretold that we should so soon have had to deplore his loss. There is indeed reason to believe that he reduced his strength by his too great attention to the heavy duties of his office, and we know also that the final catastrophe was rendered inevitable by his disinclination to admit that he was ill or to take the necessary precautions. His life was indeed sacrificed to his sense of duty. It is not for me to refer here to his service except as seen in this Chamber. Every one who knew him here recognized, I believe, his high qualities, his directness of purpose, his manly straightforwardness, his conspicuous desire to be fair. These qualities were patent to all. Those who knew him better, whether as friend or colleague, knew also that behind his abrupt speech and

5TH FEBRUARY 1919.] (Sir Alexander Cardew; Mr. M. Ramachandra Rao;
Mr. Kavalappara Muppil Nayar; the President.)

manner, there lay not merely a warm heart but a fine character, something singularly frank, boyish and unspoilt, a generous instinct, and an incapacity to commit any mean or unworthy action. Of him we may say with certainty,

'Whatever record leap to light
He never shall be shamed.'

"In Mr. Gillman we feel we have lost a comrade of rare temper and quality, and I believe that all members of this Council will join in deploring his loss. Your Excellency, I beg to move:—

'That an expression of the sincere regret of this Council at the death of the Hon'ble Mr. H. F. W. Gillman, C.S.I., Member of Council, and of its deep sympathy with Mrs. Gillman in her affliction be placed on record and conveyed to her.'"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, I beg to second this motion; and in doing so, myself and my colleagues the other non-official Members associate ourselves fully with the sentiments to which the Hon'ble Sir Alexander Cardew has given expression in moving this resolution. When Mr. Gillman was leaving this Council just before his departure to Simla, I asked him when he was coming back, and in his usual playful way he said 'four or five months or perhaps never'. That unfortunately has come true. We very much sympathise with Mrs. Gillman and the members of his family in their great bereavement; this Presidency has lost an experienced official."

The Hon'ble Mr. K. K. R. KAVALAPPARA MUPPIL NAYAR:—"I wish to associate myself with what has been said by the Hon'ble Sir Alexander Cardew."

His Excellency the PRESIDENT:—"The Council, I am sure, will wish that their deep sense of loss should be conveyed to Mrs. Gillman and that this resolution should be recorded in the Council Proceedings."

The motion was agreed to.

ACT ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR-GENERAL.

His Excellency the PRESIDENT announced that the Koodalmanickam Devaswom Act, 1918, received the assent of His Excellency the Governor-General on the 8th January 1919.

ACTS ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR.

The SECRETARY reported that the undermentioned Acts, which were passed at the meeting of the Council held on the 19th November 1918, received the assent of His Excellency the Governor on the dates noted against them:—

- | | | |
|---|----|---------------------|
| (i) The Koodalmanickam Devaswom Act, 1918 | .. | 14th December 1918. |
| (ii) The Port Trust Amendment Act, 1918 | .. | 20th December 1918. |

COMMUNICATIONS TO THE COUNCIL.

The SECRETARY reported the receipt of the following communications to the Council:—

- (i) Regarding the Bill to provide for the voluntary registration of Mussalman marriages and divorces.

- (1) From the President of a public meeting of Mussalmans held at Nellore, dated the 16th November 1918.
- (2) From the Honorary Secretary to the Muttialpet Moslem Anjuman, Madras, dated the 14th November 1918.
- (3) From the Honorary Secretary to the South Indian Islamia League, Madras, dated the 26th November 1918.
- (4) From Khan Sahib Saiyid Diwan Abd-ur-razzaq Sahib Bahadur, President, Anjumans Islamia, Coimbatore, dated the 25th November 1918.
- (5) From Khan Bahadur Waljee Laljee, Honorary Presidency Magistrate and Honorary Secretary to the Anjuman, Madras, dated the 30th November 1918.
- (6) From the Chairman of a Moslem public meeting held in the Esplanade Maidan, Madras, on the 2nd December 1918.
- (7) From the Chairman of a Moslem public meeting held in Lawley Hall, Mount Road, Madras, on the 18th November 1918.
- (8) From Adam Dand Sahib Bahadur, Honorary Magistrate, Udipi, dated the 6th December 1918.
- (9) From the Hon'ble Mir Asad Ali Khan, Khan Bahadur, dated the 10th December 1918.
- (10) From Waiz Muhammad Shams-ud-din Sahib, Chairman of a public meeting held at Ponneri on the 3rd December 1918.
- (11) From the Honorary Secretary, Moslem Educational Association, Nellore, dated the 15th December 1918.

(The President; Mr. Narasimha Ayyar.) [5TH FEBRUARY 1919.

- (12) From the Secretary, Young Men's Moslem Association, Tellicherry, dated the 19th December 1918.
 (13) From the Honorary Secretaries of the Muhammadan Educational Association of Southern India, dated the 21st December 1918.
 (14) From the Moslem community of the Red Hills, dated the 19th December 1918.
 (15) From the President of a meeting held at Negapatam on the 3rd January 1919.
 (16) From the General Secretary, Anjuman-E-Hamdard-E-Islam, Ambur, dated the 30th December 1918.
 (17) From the President of a meeting held at Cochin on the 5th January 1919.
 (18) From the President, 'Cutechee Memon Jamaat', Madras, dated January 1919.
 (19) From the President of a public meeting held at Cochin on the 10th January 1919.
 (20) From Saiyid 'Abd-ul-ghafur Shah Sahib, B.A., Sub-Assistant Inspector of Schools, Madura, dated the 15th January 1919.
 (21) From the President of a public meeting held in Kalvathy Mahozara at British Cochin on the 12th January 1919.
 (22) From Mir Muhammad Kalimullah Sahib, Zamindar, Palakod, dated the 17th January 1919.
 (23) From the Honorary Secretary, People's Association, Pentland town, Vaniyambadi, dated the 20th January 1919.

(ii) Regarding the Madras City Municipal Bill, 1918.

- (1) From the Chairman of a public meeting of the women of Mylapore held on the 14th December 1918.
 (2) From the Chairman, Madras Trades' Association, dated the 16th January 1919.
 (3) From the Joint Manager, Madras Electric Tramways, Limited, dated the 23rd January 1919.

(iii) Regarding the Madras Agricultural Pests and Diseases Bill, 1918.

From M.R.Ry. R. Krishna Ayyar Avargal, Kaprangode Madam, Katampalipuram Post via Ottappalam, dated the 20th December 1918.

A MOTION FOR ADJOURNMENT.

His Excellency the PRESIDENT:—"Now we proceed to the order of the day No. (5)."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, before order No. (5) is taken up I have a motion for adjournment to make. I move that this meeting be adjourned for 24 hours. The object of this motion is to draw attention to two crying evils and to give the Government time to consider or reconsider their position in regard to those evils. The first evil is the tone of the last Madras administration report. The Government of Madras are issuing it and are responsible for its tone and contents. The Government of Madras are a highly personal element in the review of the political events of the year; it has gone further and displayed an attitude which looks adverse to various movements such as the movement for the attainment of self-government within the Empire by Indians and the movement of labour in Madras to organise itself and to better its material condition and prospects in its struggle with capital. There is unfortunately too much stress laid on the personality of one or some of the workers and the main course of the movements and their significance are sought to be ignored or belittled. This would have the effect of making vast masses believe the Government to take the side opposite to them, e.g., those engaged in the labour movement—the illiterate labourers especially—will take it that Government side with capital in this economic struggle."

His Excellency the PRESIDENT:—"I cannot accept that particular ground for the adjournment."

The Hon'ble Mr. B. V. NARASIMHA AYYAR (continuing):—"Those endeavouring to promote the progress of self-government within the Empire for the people are apt to take the sneers directed against the movement in the first paragraph of the said administration report as proof of Government's hostility to all such progress."

His Excellency the PRESIDENT:—"Will you proceed to the next point?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"My next point is that such ideas will have the effect of increasing mutual bitterness, and tend distinctly to weaken the prestige and authority of Government."

His Excellency the PRESIDENT:—"The Honourable Gentleman is not proceeding to his next point. I am unable to admit the motion and accept the subject as a proper one for debate. I ask the Honourable Member to state for my information the next point on which he wishes to make the motion for adjournment."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Will your Excellency kindly listen to me? I am trying to convince the Council that my motion for adjournment is reasonable. I should not be muzzled and I hope your Excellency will permit me to put forward my grounds. Would not your Excellency allow me a chance? I am prevented from mentioning my grounds to Honourable Members. Would your Excellency not allow me so much liberty?"

5TH FEBRUARY 1919.] (The President; Mr. Narasimha Ayyar;
Sir Alexander Cardew.)

His Excellency the PRESIDENT:—"I am merely stating to the Council that the first ground mentioned by the Honourable Member is not sufficient for putting his motion to the Council. Would he kindly proceed now to the next ground?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"May I ask your Excellency whether it is open to you to assume that the rest of the Honourable Members would not accept that point as a sufficient ground for adjournment?"

His Excellency the PRESIDENT:—"I am bound to administer the rules, and in the first place I am bound to see whether the Honourable Gentleman's grounds are within the rules. The first ground does not come within the rules."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Which is the rule to which your Excellency is referring?"

His Excellency the PRESIDENT:—"I must ask the Honourable Member to be good enough to follow my suggestion."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I am quite willing as far as I can to follow your suggestion, but I want to know whether the liberty of any member of the house to put forward his various grounds—some of them may be good, some not—in support of the motion for adjournment, is to be curtailed by the dictation of the chair. When is this dictation to cease?"

His Excellency the PRESIDENT:—"The Honourable Member will hear my reasons presently. The Council will be able to judge. I ask the Honourable Gentleman to be good enough to proceed to the next point."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Does your Excellency rule out of order any ground not approved of by your Excellency? Your Excellency, is it to be assumed that the Council has rejected my first ground as unsuitable?"

His Excellency the PRESIDENT:—"The Honourable Gentleman need not assume anything; let him be good enough to comply with my request to proceed to the next point on which he wishes to propose the motion."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Though I protest against any dictation of this sort, I proceed. I shall close my observations on the first point. I distinctly decline to obey any order which unlawfully curtails the liberty of a member."

The Hon'ble Sir ALEXANDER CARDEW:—"I rise to a point of order. Rule 35 (2) of the Financial Rules says: "No discussion on any point of order shall be allowed unless the President thinks fit to take the opinion of the Council thereon." I think the opinion of the great majority of Honourable Members is that this motion is a gross abuse of the rules of the house but at any rate the Honourable Member is now deliberately breaking the rules by disobeying your Excellency's ruling on a point of order."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"If your Excellency lays down a point of order I am bound to obey it, but your Excellency was giving me only a suggestion and not a ruling on any point."

His Excellency the PRESIDENT:—"Will the Honourable Member kindly follow the suggestion which I have already made?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I am in a dilemma; but I shall proceed. On a point of order, I agree with the Hon'ble Sir Alexander Cardew, I am bound by the ruling of the Chair and I have no right to discuss it. I think there is no point of order. I proceed to the next point. This tendency and this effect are still more noticeable in the second evil I shall advert to. That relates to a very important circular largely circulated amongst the members of the Indian Civil Service in the course of which they proceed to put forward their claims and privileges as inconsistent with the placing of the Indian people in a position to control policy and to issue orders in pursuance of such policy to members of the service. This has been widely understood as a declaration of violent opposition to the policy enunciated on the 20th August but the fact that one-half of the Government is recruited from that service has added to the vague fears of the people; and there are not wanting men who readily assume and assert that there is no knowing if Government are not behind the circular."

His Excellency the PRESIDENT (interrupting):—"The Honourable Gentleman is not following my suggestion. He must either follow my suggestion and proceed to the second point, or I must ask him to resume his seat."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"What I am mentioning is the second point. The first is that paragraph in the Administration Report, and the second point is the circular of the Indian Civil Service. I dare say the Government are aware of that circular."

His Excellency the PRESIDENT:—"Will the Honourable Gentleman give me the circular?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I have got only one copy. In that circular, they proceed to put forward their claims and privileges as inconsistent with the placing of the Indian people in a position to control policy and to issue orders in pursuance of such policy to members of the service."

His Excellency the PRESIDENT:—"Neither of these grounds is in my opinion sufficient to justify such a motion and I am unable to accept the motion of the Honourable Gentleman."

(Mr. Narasimha Ayyar ; the President.)

[5TH FEBRUARY 1919.]

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" May I make a request? Is your Excellency giving me a suggestion or does your Excellency say that I have no right to make the motion for adjournment?"

His Excellency the PRESIDENT :—" The Honourable Gentleman is asking me to put a motion for adjournment on grounds which he has stated. These grounds are not sufficient to justify me in putting such a motion before the Council."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" May I know under what rule your Excellency is acting?"

His Excellency the PRESIDENT :—" The first and immediate ground is this: 'that the Amended Draft Financial Statement shall be presented to the Council on a day not later than the 5th day of February. That is the first and immediate ground on which I must rule the Honourable Gentleman out. He will find it in the book'."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" Then I shall make an amendment by substituting 'four hours' for '24 hours'."

"The motion as modified runs as follows :—

"That this meeting of the Council be adjourned or postponed for four hours for the consideration by Government of the two items of urgent and public importance."

His Excellency the PRESIDENT :—" I am unable to accept the Honourable Gentleman's motion."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" May I know whether the motion is to be accepted by the President or by the Council? If there is any rule by which I am prevented, I am bound to accept it. But in the absence of a rule, your Excellency is exercising a power which is not provided for by the rules."

His Excellency the PRESIDENT :—" If the Honourable Gentleman had given me warning, I should have considered the point. He suddenly comes to the Council and proceeds to make the motion. If I had time, I could have looked it up. I should have time to consider it."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" I have not the least objection to time being taken now."

His Excellency the PRESIDENT :—" I will tell the Council why I would rule the motion out of order as I propose to do after I read the rules to the Council. These rules may not be complete and literally construed, and they may not have been framed to meet every emergency. But the rule of deliberative assemblies is this: that when a matter is of urgent public importance, so urgent that it will admit of no delay and no further opportunities for discussion will occur unless the present opportunity is taken, such a motion is legitimate; the president of any deliberative assembly would not be entitled to deprive the assembly of that right. But it is not the case that this is a matter of urgent public importance in that sense. If the rules permit, it is just as useful to discuss it the next day, the next week or at the next meeting of the Council, and no harm will be done by such postponement or delay. We are met on this occasion under the rules and under positive instructions that the Amended Draft Financial Statement shall be presented to the Council—that means it shall be presented for consideration—at a day not later than the 5th day of February. It would, I think, be in direct contravention of the spirit of that rule, in the first place, if I were to permit such a motion as this to be put before the Council. In the second place, for the reason which I have already given, neither of the grounds suggested by the Honourable Member makes these matters of urgent public importance in the sense that their discussion cannot take place at any other later date. I do not propose to allow this motion to be put before this Council."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" May I request permission to point out several grounds which do not admit of delay. I do not ask for an adjournment of 24 hours. I only ask for four hours, so that we might be strictly within the letter of the instructions I was just going to point out that unless the Government proceed to act quickly there is great public danger. I dare say the Government are absolutely innocent of the matter, but there is an unfortunate misapprehension which has to be removed—and the removal is very necessary—that the Government are behind that particular movement; the Government ought to dispel it at the earliest possible moment, in order to avoid serious consequences. I wish to give the Government this chance, before further mischief is done, to declare emphatically that they are not behind the movement, which is inimical to the country and which is considered to be engineered by certain prominent persons. I make this motion for that purpose and not at all with the view by the Indian Civil Service circular, because it is believed that the Government are behind that circular, because 50 per cent of the Government belong to that service."

His Excellency the PRESIDENT :—" The Honourable Gentleman has really taken advantage of proposing this motion to discuss on their merits questions which are not before this Council. It is not desirable that it should be done in the interests of anybody. May I suggest to the Honourable Member that if ever he or any other Honourable Member of this Council wishes to move such a motion as this, he should consult me beforehand and allow me to contribute such information and advice as I can which will be freely at their disposal. I have no wish as President to restrict or confine the discussion. We have all got to co-operate in carrying out

5TH FEBRUARY 1919.]

(The President ; Mr. Narasimha Ayyar ;
Sir Alexander Cardew ; Mr. M. Ramachandra Rao.)

the rules of debate. I must invite the Council to endeavour to support me in this matter. I am very sorry I feel obliged in the exercise of my duty to say that this is not a motion which should be put."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" May I have information for my benefit. Under what rule is this ruled out?"

His Excellency the PRESIDENT :—" I have already stated the grounds on which I have given my ruling."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" That does not come within any rule. Is your Excellency creating a new rule?"

His Excellency the PRESIDENT :—" If the Honourable Gentleman wishes to know the rule which will cover my ruling, I will read this rule 15. 'The President may disallow any resolution or part of a resolution without giving any reason therefor other than that in his opinion it cannot be moved consistently with the public interests'."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" That is the Financial Rules. We are now under the general business rules."

His Excellency the PRESIDENT :—" The same thing is in the Business Rules."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" I move the motion under rule 4 of the Business Rules and not under the Financial Rules. We have not begun the Financial Statement as yet. There is no such provision in the Business Rules."

His Excellency the PRESIDENT :—" I will endeavour to find it out (after referring to the book). The Honourable Gentleman will find it on page 101, rule 7. 'The President may disallow any resolution or part of a resolution without giving any reason therefor other than that, in his opinion, it cannot be moved consistently with public interests'."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" That relates to resolutions and not to motions for adjournment. This is not a resolution."

His Excellency the PRESIDENT :—" I am unable to continue the discussion."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" Your Excellency will give me a ruling. I protest against the ruling which is highly improper and I wish to mark my protest against it by leaving the hall. At least this morning, I wish to keep out of the hall as a mark of protest."

The Honourable Member then left the Council Chamber.

THE AMENDED DRAFT FINANCIAL STATEMENT FOR 1919-1920.

The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I., then presented the Amended Draft Financial Statement for 1919-1920 and in doing so he said :—" I beg now to present the Amended Draft Financial Statement. In doing so, I do not propose to detain the Council by any speech, as such remarks as I have to make are contained in the memorandum prefixed to the Financial Statement and which indeed forms part of it. There is only just one matter which I wish to mention, and that relates to some inquiries which have come through the Chief Secretary from some Honourable Members, asking for information regarding the Financial Statement. The Hon'ble Mr. Ramanuja Achariyar, whom I do not see present this morning, has sent a long list of requests for information and the Hon'ble Mr. Ramachandra Rao has sent a short list for information. Certain items in these lists, though relating to matters of general interest, have nothing whatever to do with the Draft Financial Statement; and in future, an endeavour will be made to make it clear to Honourable Members that, when they ask for further information in connexion with the Draft Financial Statement, their request must relate to items in the Draft Financial Statement. This meeting is merely a business meeting for dealing with the figures in the Draft Budget, and not a meeting for general requests for information, or for asking whether papers will be laid on the table. I only mention that to remove some possible misunderstanding in future. With these words, your Excellency I present the statement and I proceed to introduce heads, 1 & 3. Land Revenue."

I. & 3. Land Revenue.

The Hon'ble Sir ALEXANDER CARDEW introduced this head and in doing so, said :—" Under this head, a certain number of inquiries have been received which I might perhaps now answer. The Hon'ble Mr. Ramachandra Rao has asked for information as to the scale of war allowances which have been recently sanctioned to subordinates drawing Rs. 50 and under. He asks why village officers and village servants have been left out. The answer to that is that the scale of allowances is shown in G.O. No. 16, Financial, dated the 7th January 1919, which has been laid on the Editors' table; and therefore it is unnecessary for me to give details of the exact allowances. Copies of it may be supplied to any member who might want them."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—" At that time, I did not know of the order."

(Sir Alexander Cardew; the President; [5TH FEBRUARY 1919.
Mr. Krishna Rao.)

The Hon'ble Sir ALEXANDER CARDEW:—"As regards the reasons for excluding village officers, that is a matter which is going to be dealt with in resolution No. 3 and we shall then be able to discuss it fully.

"The Hon'ble Mr. Ramanuja Achariyar and the Hon'ble Mr. Ramachandra Rao both asked for information regarding the entry of Rs. 2,900 on page 31 of the Civil Budget Estimates for the creation of a leave reserve in North Arcot district. Honourable Members will see that this too is coming up as a resolution of the Hon'ble Mr. Krishna Rao and we shall come to that in due course.

"The Hon'ble Mr. Ramachandra Rao asks whether Mr. Tottenham's proposals for the reduction of work in the Secretariat and in the Collectors' offices have reached the Government. Though it is not a matter connected with the Financial Statement, I may say for the information of the Honourable Member that we have not yet received Mr. Tottenham's report.

"The Hon'ble Mr. Ramanuja Achariyar has various questions. He asks what are the items included in the provision of Rs. 6.93 lakhs for 'other items' shown in Appendix AA of the Civil Budget Estimate. The chief items included under this minor head are sale proceeds of coir, receipts from escheats, receipts from sale of tank beds, charge on achchukattu irrigation, assessment on salt pans, land revenue of Madras, ground-rent and back-yard assessment. No details of the amounts are available, nor could they be obtained without a reference to Collectors. He wants to know the details of the charges under coir establishment on page 32. The coir establishment and coir receipts arise out of an old arrangement under which the Government take over all the coir produced in the Amindivi Islands attached to the district of South Kanara at fixed rates and supply the islanders with cash or rice in return, also at a fixed rate. The coir thus received from the islanders is sold on behalf of Government and the receipts are included under the head 'other items' which are shown in the detailed account No. 1-A on page 236 of the Civil Budget Estimate. The administration of the establishment is in the hands of the Collector of South Kanara and the charges form a proper debit to district administration in accordance with the principle laid down in article 1006 of the Civil Account Code. No separate budget estimate of the receipts is available.

"Then the Honourable Member asks, what are the temporary establishments referred to under the Survey department (headquarters) employed on. The answer to that is that the temporary establishment is employed on preparing triplicate manuscript copies of field atlases, correcting topographical details of revenue maps in municipal towns, final examination of town and union survey maps, extra departmental work including publication and supply of sheets for the Survey of India, and generally in supplementing the sanctioned permanent establishment.

"Another matter on which the Hon'ble Mr. Ramanuja Achariyar seeks information is as regards the duties performed by what is shown in the budget estimate as 'mica establishment' for which a sum of Rs. 5,110 is provided. This establishment is employed in the Nellore district in checking consignments of mica and examining the accounts at the mines with the stock in hand with a view to the payment of royalty. There are between 80 and 100 mines scattered about the Nellore district and the establishment which is shown on page 32 has been in existence for some years, but has hitherto been included under the major head 'Forests'. In June last, the Board of Revenue, on the initiative of the Accountant-General, recommended that the classification of the receipts and charges on account of mica mining in the Nellore district which had hitherto been shown under 'Forests' should be transferred to 'Land Revenue' on the ground that the mines were situated as much outside forests as inside forests. This accordingly has been done and an assignment has been obtained from the Government of India to cover the loss of revenue involved by the change from the undivided to the divided head, and the details will be found mentioned in the Financial Statement. The establishment is now for the first time separately shown under the head 'Land Revenue', but it is the old establishment and no new charge is involved thereby. These, I think, are matters on which I was asked to give special information under this head. I now beg to introduce it."

His Excellency the PRESIDENT:—"In the ordinary course, we will take the resolutions."

RESOLUTION RE LEAVE RESERVE FOR THE REVENUE ESTABLISHMENT IN THE NORTH ARCOT DISTRICT.

The Hon'ble Mr. A. S. KRISHNA RAO:—"I beg to move:—

'I. This Council recommends to His Excellency the Governor in COUNCIL that the lump provision of Rs. 2,900 made under 3-A. LAND REVENUE for the creation of a leave reserve for the revenue establishments in the North Arcot district be omitted.'

"Your Excellency, as appears from the Amended Draft Financial Statement, this lump provision has been made for the creation of a leave reserve as an experimental measure, for the revenue establishment in the North Arcot district. So far as the principle of the creation of leave reserve is concerned, it is a principle which has been accepted and it is a principle which deserves consideration. Notwithstanding the provisions of article 197 of the Civil Service Regulations that leave of absence cannot be granted as a matter of right and that the Government may refuse or revoke leave, it is quite desirable and necessary that officers in the active service should have all possible facilities for obtaining leave and that necessary arrangements should be made for that purpose. So far as the principle of the creation of leave

5TH FEBRUARY 1919.] (Mr. Krishna Rao.)

reserve is concerned, subject to certain limitations and safeguards, it is a principle which has been recognised and accepted; and if I take objection to the insertion of this provision in the Financial Statement, it is because of the indefiniteness of the proposals which have now been placed before this Council. It would be interesting to notice that so far as this province at least is concerned, in the case of the provincial civil service, executive side, there has been provision for a leave reserve to the extent of 14 per cent though it has not been found necessary to have any leave reserve on the judicial side. It would throw considerable light on this question, if I read some of the answers given before the Public Services Commission with reference to this important problem. I shall first read to the Council the answer given by Sir Ralph Benson, though the answers are confined to the judicial service. He said at page 18:—

"The number of permanent and temporary officers in the service is determined by the number of such appointments, and the number of officers acting in vacancies is fixed with reference to the number of acting vacancies existing from time to time. It is satisfactory.

"No alteration is required, except perhaps in the rule by which all temporary appointments are placed in the lowest grade.

"In particular, is the leave reserve adequate, and the system on which it is graded suitable? There is no leave reserve. Selected candidates are always eager to act in a temporary vacancy. No alteration is required."

"It may be suggested that he spoke of the Judicial service, and that these remarks would more properly apply to that branch of the service, because they have got the vacation and other conveniences. I will now read to the Council the answers given by the Hon'ble Sir Alexander Cardew before the Public Services Commission. In his written answers he says in regard to this—

"Q. In particular, is the leave reserve adequate, and the system on which it is graded suitable?"

"A. Executive service.—The leave reserve for the Deputy Collector Service, viz., 14 per cent on the sanctioned strength, was sanctioned and introduced only in 1911, and it is therefore too soon to say it will prove adequate, but as it was based on the actual leave vacancies in several years (1906 to 1909) it will probably suffice.

"Judicial service.—There is no leave reserve in the judicial branch of the Provincial Service, and none is required, as sub-judges are usually selected from the ranks of district munsifs while leave vacancies among the latter are usually filled by selection from the bar or by promotion from the clerical staff."

"That is what is stated in the written answer. A question arose in the course of further examination by the Commission as to whether in the case of tahsildars any distinction was to be created. I will now refer the Council to the question put by Mr. Sly and the answer given by Sir Alexander Cardew in regard to that question. I am reading from page 125—

"Q. You have stated that the tahsildar's grade must be recruited by promotion from the lower ranks of the service, whilst for the more important and more responsible work of deputy collector you have admitted 50 per cent of the posts by competition. Is there any reason why the tahsildars and the deputy tahsildars should not be recruited by competition, in which they would get training just as good as that of the deputy collector and on the same basis?"

"A. There are two main reasons; one is that you would tremendously diminish the opportunities of the subordinate services below the Tahsildar and the Deputy Tahsildar and thereby of course prejudice that service, and the class of man you get in it, and the other reason is that you would not get men with the same expert knowledge of the revenue system that you get from men who have actually served as revenue inspectors and begun at the bottom.

"Q. The second objection applies equally to your scheme for deputy collectors?"

"A. Not quite, because the tahsildar has more detailed duties connected with the revenue administration."

"I thought it best to refer to these answers, because they have considerable bearing upon this question. So far as the provision of Rs. 2,900 is concerned, it is not quite clear from the information furnished in the Financial Statement whether it is intended for tahsildars or deputy tahsildars or for the deputy collectors already in service or other officers of this description. I am objecting to this lump provision, because it merely states that as an experimental measure it is intended for the revenue establishment in North Arcot district. So far as the question of principle is concerned, there is absolutely no difficulty in understanding the principle. If the scheme has already been formulated, it is best that we know what the scheme is; it is best that we know for which officers this leave reserve is intended and to what extent there should be this arrangement. I do not think that when once we start the experiment, we can stop there. It is a question which must eventually affect the whole province. Is it not therefore desirable that we have before us a fairly accurate idea of the whole scheme including the cost of the scheme, before we give our assent to the insertion of this lump provision of Rs. 2,900. It is stated that it is a lump sum of Rs. 2,900; but there is a sort of indefiniteness about it. If the scheme is ready, it is necessary that we should know what it is and what the scheme is likely to cost, before we give our sanction to this sum of Rs. 2,900. If the scheme is not ready and has yet to be formulated, I would venture to suggest that we can wait till the scheme is ready and that there would be no difficulty in the Government finding funds to give effect to the scheme.

"Then I would ask what is the necessity for inserting this provision when it is not known for what officers it is intended, to what extent it would apply and how many probationers would be required. It is only on that ground that I object to this provision: it is more on account of

(Mr. Krishna Rao ; Sir Alexander Cardew ; [5TH FEBRUARY 1919.
the President ; Mr. Venkatapati Raju.]

want of information in the Financial Statement that I move it. If there is no provision for the direct recruitment of tahsildars, we would like to know whether there should be a leave reserve ; and if there is leave reserve, whether it would not affect the promotion of men in the lower grade. In the absence of such information, I think the Honourable Member would enlighten us whether there is a scheme which will enable us to consider whether it can be tried. If the scheme is not ready, the Government can wait, as they will not find any difficulty in providing the funds."

The Hon'ble Sir ALEXANDER CARDEW :—"I am sorry that the Financial Statement did not give more detailed information. I overlooked the point, because I knew what the figure related to. This proposal relates only to clerks on Rs. 35 and under, that is at the bottom of the scale. The question which the Government had to consider was whether some device could not be found to do away with the acting clerk in the taluk office who is generally a source of much inconvenience and is very unsatisfactory. There are great difficulties about the selection and appointment of acting clerks for acting vacancies on Rs. 35. It involves 'ladders', which I dare say some Honourable Members are aware of—ladders of leave and leave arrangements. Instead of that, it is proposed to try in the North Arcot district, the other plan of employing a sufficient number of men permanently on the establishment who will be available for acting in leave arrangements, so that you will not have any one acting for years on end, as there was when I was Collector. There was then a B.A. acting for five years on Rs. 15. That is a most miserable position, disheartening to the man and most unsatisfactory to Government. We cannot get good service when a man has not got certainty of tenure. To do away with that, we propose to try this plan of increasing the number of clerks between Rs. 20 and Rs. 35 ; so that when a man goes on leave, a permanent man will be available to act for him. This may involve a certain amount of expenditure, but it is difficult to foresee how many will be needed. It is estimated that in this district it will cost Rs. 2,900 and it is therefore presumed that it would cost three-fourths of a lakh for the whole Presidency. But there will be a saving on acting allowance if we get acting men from the permanent establishment, and therefore I do not think the expenditure will be too heavy. If the Honourable Member who moved the resolution would like that, I would be glad to lay on the table of this Council the Government Order on this subject, with Board's Proceedings dated the 17th July 1918, which gives full details of the establishment and the men proposed. The Honourable Member does not object to the principle and I hope this explanation will remove any uncertainty as to its application."

His Excellency the PRESIDENT :—"May I take it that you are satisfied ?"

The Hon'ble Mr. A. S. KRISHNA RAO :—"Your Excellency, I have still some difficulty in the matter. The Hon'ble Sir Alexander Cardew no doubt indicated that it is intended to apply to clerks on Rs. 35 and below. I wish to know whether the proposal is only confined up to Rs. 35 or is eventually proposed to be extended."

The Hon'ble Sir ALEXANDER CARDEW :—"No."

The Hon'ble Mr. A. S. KRISHNA RAO :—"The next question that will arise will be whether any calculation has been made as to what amount would be required or what percentage of clerks should be entertained and on what grade."

The Hon'ble Sir ALEXANDER CARDEW :—"I will lay that on the table if the Honourable Member wishes to have it."

The Hon'ble Mr. A. S. KRISHNA RAO :—"Yes."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE DEDUCTION FROM PROVISION FOR TEMPORARY ESTABLISHMENT UNDER LAND REVENUE, SURVEY AND SETTLEMENT.

The Hon'ble Mr. B. VENKATAPATI RAJU :—"Your Excellency, the resolution which I have the honour to move is an old one and runs as follows :—

'II. This Council recommends to His Excellency the Governor in Council that the sum of one lakh of rupees be deducted from 3-B. LAND REVENUE—Survey and Settlement out of the temporary establishment.'

"This is an old resolution which has been engaging the attention of this Council for the last so many years, that is, the reduction of the charges of survey. In March last this question was discussed and various aspects were presented by the Hon'ble Mr. Rama Ayyangar, the Hon'ble Mr. Ranga Acharyar and the Hon'ble Mr. A. S. Krishna Rao. The Hon'ble Sir Alexander Cardew on behalf of Government stated that he would be most willing to agree with the Members in reducing the expenditure, but he found it impossible to follow that course, because on taking advice and consulting the Members of the Board of Revenue and the Settlement officers he found it difficult to reduce the expenditure. That was in March 1918. Six months after in the Administration Report on Survey and Settlement, passed on the 17th September 1918, I find the Government saying that 'the Government know that there has been a decrease in the cost of the controlling staff in settlement parties in the year under review and the possibility of further reduction is engaging the attention of Government.' I propose to test

5TH FEBRUARY 1919.] (Mr. Venkatapati Raju ; Sir Alexander Cardew.)

how far this attention which the Government have been paying has materialized in the present proposals. It is said in the Administration Report for 1917-18 that in that year the expenditure on settlement parties was Rs. 2,86,000 ; the present proposal is Rs. 4,29,400. This department is not reducing its expenditure, but on the other hand it is increasing the expenditure by 70 per cent. We must also consider that this expenditure on survey and settlement is admittedly, as the Hon'ble Sir Alexander Cardew stated, unremunerative expenditure and therefore nobody is anxious to spend a pie more than what is absolutely necessary. But the question is whether the whole amount is absolutely necessary at all. We have nearly completed by 1917-18 about seventeen districts and in 1918-19 some more will be done and the rest would be completed in the year 1919-20 excepting some few taluks which will be left for 1920-21. What I find great difficulty in understanding is, when the survey and settlement operations began at first, they cost less to the Government, and when we are taking the re-settlement operations, naturally we would expect that the cost of the original settlement and original survey would have been more than that of the resurvey and the resettlement ; but we find an increase in the cost of resurvey and resettlement of more than cent per cent or nearly 200 per cent in the later years.

"Just to give you an idea as to what it cost the Government in previous years, I may be permitted to mention that there were five survey and settlement parties in the matter of settling the assessment. When we go to the years 1896-97, and also 1897-98, 1898-99 and 1899-1900, during the years 1896-97 and 1897-98, we spent over Rs. 6 lakhs ; in 1898-99, we spent Rs. 4 lakhs ; in 1899-1900, Rs. 5 lakhs. When we come to 1900-1901—this was including both survey and settlement—they spent only Rs. 6-94 lakhs ; they said that year that the increase was due to want of trained surveyors. Since then we have had enough of trained surveyors to attend to this business. In 1901-1902 the expenditure was Rs. 7-36 lakhs and in 1902-1903 Rs. 8-59 lakhs, that is, an increase of one lakh. This provision included a fifth survey party and strengthening the survey establishment."

The Hon'ble Sir ALEXANDER CARDEW :—"I am sorry to interrupt the Honourable Member, but I beg to submit that the debate to-day on this sum is to deal with the figure in the Financial Statement and not with the policy of the Government in regard to survey parties. The Honourable Member has moved a resolution that a certain sum under the temporary establishment should be removed and his speech should be directed to that point. If he wishes to raise a debate on the general point, he may legitimately do so at the budget meeting ; but it is not relevant to the resolution on the agenda. Having given notice of a resolution for the reduction of only one lakh, he cannot discuss other points."

The Hon'ble Mr. B. VENKATAPATI RAJU :—"Your Excellency, I quite appreciate the observation of the Hon'ble Sir Alexander Cardew. I do not propose to discuss the general question. That is not my intention. I wanted a reduction in the expenditure and I wanted to suggest how a reduction should be made, and in giving reasons therefor I stated that they employed five settlement parties and they incurred less expenditure. I say that by economizing expenditure they can reduce it. That is the main point I am placing before the Council. I am not discussing the settlement policy at all. That is a matter which we can discuss later on on another occasion. I am only stating that during these years a much smaller sum was found sufficient in employing all the five settlement parties and now my request is whether we should not have more economy in the matter of expenditure instead of increasing it. As I have mentioned, in the present proposal there is an increase of Rs. 1-40 lakhs. The Hon'ble Sir Alexander Cardew also asked why I should not discuss more directly about the temporary establishment. Even with reference to that, at page 37 of the Civil Budget Estimate, we notice that in the year 1917-18 Rs. 92,000 was found sufficient for the temporary establishment. This year they want Rs. 1-83 lakhs. Therefore, there is an increase in the temporary establishment and a general increase also.

"What was pointed out and complained of on the last occasion was this, how many villages were there and what was the extent of the ground to be covered by the settlement parties in order to find out whether there was any necessity for the employment of an additional party and for the increased expenditure. Now, from the budget figure I find that there are six survey parties. My humble submission is that we can get on with five parties. We have only three districts and we can get on with five parties for 1919-20. As I stated at the previous discussion, in Vizagapatam there are only three taluks. So far as the Nilgiris is concerned, one special officer will serve the purpose. In order to reduce the expenditure, my first suggestion is we must not be merely satisfied by receiving advice from those who are working ; we must also consult others. They must not be the sole arbiters to decide the question whether the whole expenditure is necessary or whether the same establishment should be continued. Naturally every department wants facilities to get on with its work more easily and wants more clerks and more persons to be employed. We see that it was stated in the year 1914-15 that 2,000 villages could be managed by five settlement parties. When we have only 429 villages in the year 1919-20, ought we not to be satisfied with the same five survey parties, instead of expending a larger amount on additional parties ? I do not propose to mention here the point which was urged last time, but I expect the Hon'ble Sir Alexander Cardew would give us additional information as to how long this would continue and whether this would continue for subsequent years. What the Hon'ble Sir Alexander Cardew stated last time was that after 1920 there cannot be possibly any resettlement. Therefore, I wish to know whether this would be discontinued afterwards. As it was stated last time that the survey party would be disbanded, I want to know whether this would be continued for the year 1920 or whether it will be continued

(Mr. Venkatapati Raju; Sir Alexander Cardew; [5TH FEBRUARY 1919.
the President; Mr. Sadasiva Bhat.]

for subsequent years also. Therefore I suggest that every possible precaution may be taken for reducing the expenditure and therefore I move for the reduction of one lakh under survey and settlement out of the temporary establishment."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, the Honourable Member has not told us exactly from which item the amount should be taken off, whether from survey or settlement."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Settlement."

The Hon'ble Sir ALEXANDER CARDEW:—"I thought the Honourable Member was referring to five survey parties and six survey parties."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I meant settlement parties."

The Hon'ble Sir ALEXANDER CARDEW:—"I did not therefore quite grasp what the Honourable Member was aiming at, because most of his remarks were with reference to survey parties, and the remarks I made with reference to the prospect of reducing the number of parties at some future date. As regards the settlement, the position, so far as I understand it, is this: A certain proportion of the establishment in the party is temporary. In each party a certain proportion is temporary. Practically the result of taking away one lakh from the settlement temporary establishment would be that you would have to reduce the number of parties. If we are going to reduce the temporary establishment, we should reduce the number of parties. We come back to the question whether or not it is possible to reduce the settlement parties. This seems to be an indirect means of reducing the number of settlement parties. These parties have been employed with reference to the dates when resettlement becomes due. There are resettlements which fall due at fixed dates, and there are several resettlements which fall due either next year or shortly after that. In order to carry on the resettlement operations, parties are necessary for the charge of these resettlements. Unless the Honourable Member proposes to abandon the policy of resettlement and to extend the settlement period or something of that sort, it is necessary to have parties to carry on the resettlement operations. I am afraid that this proposal which is an indirect means of reducing the settlement work cannot be accepted, because it would cripple one or other of the parties. I do not know whether I can go very much further than this. The temporary establishment provided in the budget for 1919-20 is as follows: Rs. 21,000 in Tanjore, Rs. 67,000 in South Arcot, Rs. 4,000 in Bellary, Rs. 62,000 for Madura, Rs. 18,000 for Vizagapatam and Rs. 9,000 for Wynad. The Madura settlement is nearly finished; it has been introduced. South Arcot is nearly finished and is being introduced. The Bellary settlement is in its initial stages; the Vizagapatam settlement is similarly in its initial stages. The Tanjore settlement will not come on till 1922. I am not quite certain of the exact area in which these parties are engaged, some in completing the settlements that have been already carried on, such as South Arcot and Madura, or preparing for resettlements, as in Bellary, Vizagapatam and Tanjore, which are in immediate prospect. It will be impossible to reduce any one of these parties. It is also impossible to reduce the temporary establishment in these parties unless you create a permanent establishment to take their place. That explains I hope why the Honourable Member's proposal cannot be accepted."

His Excellency the PRESIDENT:—"Does the Honourable Gentleman wish to have votes taken?"

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Even after hearing the Hon'ble Sir Alexander Cardew, I am not able to understand why the proposal for reducing the expenditure contained in the Government Order of September 1918 was not adhered to, because they stated there that the further reduction of the cost was engaging the attention of the Government. Why was the expenditure increased instead of being reduced? I expected the Hon'ble Sir Alexander Cardew to explain how, when they were aware in September 1918 of the reduction of expenditure for that year and of the possibility of further reduction in the next year, there should be an increase in the expenditure instead of a reduction."

His Excellency the PRESIDENT:—"May I put the motion to the Council?"

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I do not press the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE ADDITIONAL PROVISION UNDER 3-C. LAND RECORDS FOR PAYMENT OF WAR ALLOWANCES TO KARNAMS, VETTIS AND UGRANIS.

The Hon'ble Mr. K. SADASIVA BHAT:—"I beg to move—

'III. This Council recommends to His Excellency the Governor in Council that a provision of Rs. 1,00,000 be made under 3-C. LAND RECORDS for the payment of war allowances to karnams, vettis and ugranis and that a corresponding reduction be made under 45-B.'

"In commending this resolution for the acceptance of this Council, it is not necessary for me to refer at any length to the conditions which persuaded the Government to grant temporary allowances to their lower paid subordinates to meet the existing high prices of all necessities.

5TH FEBRUARY 1919.] (Mr. Sadasiva Bhat; Sir Alexander Cardew; Mr. Ranga Achariyar.)

It is enough to say that the grant has been widely appreciated, and it will, to a fair extent, relieve the difficulties of many poor Government servants. These allowances were originally made to all public servants with the exception of the village service establishments and members of the executive police staff. The explanatory memorandum to the Draft Financial Statement supplied to the Honourable Members says: 'It was later on found necessary to afford a more substantial measure of relief to subordinates whose salaries did not exceed Rs. 20 and the Government were pleased to enhance the rate of allowances and to sanction a revised scale with effect from 1st January 1919. The scope of the scheme has also been extended to members of the executive police staff including police talaiyaris who were hitherto excluded.' The point which I wish to urge on the Government and on the Council is that, as will be seen, the only class excluded now from the benefit of this scheme are the village establishments and there is no good or valid reason to exclude them. It will be seen that a large majority of these karnams draw only Rs. 8 a month. A karnam's work has increased considerably in recent years and the nature of the work requires a man with a fairly high qualification. He is expected to keep all the village accounts, survey and prepare sketches of plots and inquire and report on all revenue matters, besides having to attend on every revenue and land records officer of the district. Considering the class of work to be done, I do not think there is any class of public servants so underpaid and so overworked as the karnam of the village. He prepares the records and the statistics on which all the decisions of the District officers and the Government are based. He is frequently summoned to taluk headquarters and detained for days where he has to pay four to five annas a meal at the hotel. The village karnam is the only public servant who has to deal directly with the poorer ryots and cultivators in their every day concerns, and is thus capable of doing a lot of mischief if he chooses to do so. It is only right and reasonable that he should be given a fair living wage. As it is, he has no increments in his pay and no hope of bettering his pay and prospects. No wonder that under the circumstances, several of these men are forced to be creating faction, taking sides, preparing incorrect records and trying to augment their income by improper means at the expense of the ryots of the village. The result is that their work has to be most closely scrutinized thus adding to the routine work and anxiety of the higher officers.

The other class of public officers who should not be excluded are the vettis and ugranis. Most of them are drawing a pay of Rs. 4 per mensem. These also are often called away from their villages to supplement the taluk office staff. I do not wish to take up the time of the Council by a statement of the grievances of this class, but shall content myself by representing that their grievances are the grievances of the poor ryots. These public servants have to live, and they are compelled to live, on the people. It is not a desirable state of things. They are paid less than the ordinary unskilled labourer who earns his wages in the villages and I feel no doubt in my mind that the lot of the class of public servants referred to in the resolution should be improved in the public interests as they are more deserving of consideration than several other classes now admitted to the allowance. After all, the allowances I ask for are temporary and I can conceive of no reason why these poor subordinates should be excluded from the scope of this benefit. I therefore hope that the Government will accept the resolution."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, the question as regards village servants was considered as long ago as 1908 and it was then decided that compensation for dearth of food should not be given to village servants, because they stood in a different position from that of other officers of Government. In the first place, they have, many of them, lands of their own, not perhaps all, but many of them have lands. And so far as they have lands, and are able to raise their food supplies, they do not suffer from a rise in the price of grain, rather they gain by it. They are not in fact whole-time servants entirely limited to their salary. They have other sources of income, and on that account it was that the Government have adhered to the position that they should not be included in the scope of this concession. We all know that the pay of these servants is low and that it has not been increased on account of the great rise in prices, and we recognize a certain amount of hardship which is involved in their case. But I will ask the Council whether they would be prepared to face the expenditure which would be involved in such a proposal as to give them a war allowance. I will tell the Council that even to give them Rs. 3-8-0 each per annum would cost Rs. 50 lakhs, which would swallow all possible progress in all other directions. Rupees 50 lakhs of recurring expenditure would stop all our progress. Much as we should like to give them more, I am afraid we cannot afford it. The Presidency cannot afford more. This lakh of rupees which the Honourable Member has asked for in the resolution would give them nothing more than 4 annas each. In these circumstances, I cannot recommend the acceptance of this resolution, much as I should like to see something done."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Your Excellency, the subject is one of very great importance. I quite realize the financial difficulty facing us in solving this problem; but at the same time to keep these people on this low pay is an enormous mistake. It tempts them to all sorts of corruption. It is quite true that the village munsifs have got lands, but speaking from my experience of the southern districts, I do not think the karnams as such own lands; I think most of them do not own lands. As regards the vettis and other petty labourers, they also have not lands from which they can be said to get grain. Therefore that argument that these people own lands may apply to village munsifs, but not to karnams, vettis

(Mr. Ranga Achariyar ; Mr. A. S. Krishna Rao ; [5TH FEBRUARY 1919.
Sir Alexander Cardew ; Mr. Siva Rao.)

and other petty establishment. The argument suggested by the Hon'ble Sir Alexander Cardew, namely, that they have their own lands and get their own grain, would not apply to the case of cloth, which again is a necessity to the poor people. The value of cloth has gone up by leaps and bounds and therefore looking at it from that point of view, they are in need of relief.

"As regards the illicit gratification that they receive, it is a well-known fact. All experienced revenue officers know the emoluments which the karnams and the village munsifs get from the mirasidars and land-owners. A time must come for the Government to put a stop to it. Now, if I may say so, they are conniving at it. It is a well-known fact. Of course the revenue officers are not able to take steps to put this down with a high hand; they wink at it, because their pay is low. If we increase their pay, there will be more honest work and there will be less of fleecing the poor ryots.

"Again, as regards the contention that they are not full-time labourers, I think it is again a mistake, having regard to the numerous duties which they have to perform. They have work not only in connexion with the collection of land revenue, but they have to attend on officers who tour through these parts almost every day; the officers of the salt department, the forest department, the police department, the revenue department, the medical department, of every department, who have to tour through these parts have to indent upon this establishment and their time is well taken up with Government work. It is not correct to suppose that they are not full-time servants. I do not think they have time to attend to their own private affairs, if they do their work properly. I therefore think a good case is made out and the Government will have to examine this problem with greater care and show more sympathetic consideration towards these petty village officers."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, the Hon'ble Sir Alexander Cardew in his closing remarks informed this Council that something might be done to improve the lot of village officers, though he did not give any indication as to the direction or manner in which it might be done."

The Hon'ble Sir ALEXANDER CARDEW:—"I expressed simply a pious wish or hope."

The Hon'ble Mr. A. S. KRISHNA RAO:—"If it is only a wish, I hope that he will not be merely satisfied with the expression of a wish but will do something substantial. I have been trying to find out whether a reasonable increase of their emoluments would involve an expenditure of so much as Rs. 50 lakhs, which he has suggested to this Council as the possible amount which will have to be provided. I would request the Council to draw a distinction between the case of karnams and the case of vettis and ugranis which has been placed before this Council; because if we consider the case of all these officers together and if we consider the old history of their service and the possibility of their getting emoluments, it is likely that by this combination, all of them will be prejudiced. It is therefore better that we take account of the village menials like the vettis apart from the karnams themselves. It cannot be denied for a moment that when it is possible to make adequate provision for all other Government servants in the matter of this war allowance, some further progress can be effected in the matter of affording reasonable additional remuneration to these officers. In the Financial Statement presented to-day it has been possible to insert a provision of Rs. 13½ lakhs under the head 'police' for additional provision for enhancing the war allowance. May I ask if in the case of village officers, the same provision cannot be made; I would not confine myself to the question of one lakh which has been suggested. I am sure that the Hon'ble Mr. Sadasiva Bhat wanted to place before this Council the grievances of these village officers and wanted to point out the imperative necessity of making some provision to give them some war allowance, as in the case of other officers, not that he himself thought that one lakh is quite sufficient to do justice to all these village servants. So far as the vettis are concerned, they are about 30,000 and odd. Most of them get about Rs. 4 per mensem and in the case of persons who have been for generations getting Rs. 4 or even less, an additional remuneration of one rupee or a rupee and a half would be considered substantial. If their pay is increased by one rupee, it would come to about three or four lakhs so far as they are concerned. In the case of karnams, a different scale of war allowance to village servants as it has been possible to make in the case of police officers. I believe something will be done to improve their condition."

"The Hon'ble Sir Alexander Cardew looks at this question, I have no doubt, from the same standpoint as every one of us. He also feels that the lot of these village servants is very miserable. When he did not find it possible to make a provision, he could only express a pious hope that their lot should be improved. But in this year when we have taken permission to utilize a surplus of Rs. 70 lakhs, the question is whether it is not possible to do something to relieve their misery. From the discussion in the last few years it is clear that over and over again their grievances were brought to notice, but that owing to the huge expenditure involved the Government were not able to do anything for them. Sometimes we felt the force of their objections and found ourselves unable to press this matter. But now, we can make an attempt to do something, the war being over, and the circumstances being favourable."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I strongly sympathize with the Honourable Mover of this resolution. I have been trying for a long time to do something to ameliorate the condition of these village officers. More than once, I tried to bring up resolutions in regard to the increase of their salary and about the grant of batta and travelling allowance

5TH FEBRUARY 1919.] (Mr. Siva Rao ; Mr. Rama Ayyangar.)

to them; but in those days when there were war conditions, there was a stringency of finance, and I felt myself that in those circumstances, I should not press the resolution. But now at least when the stringency of the war finance is no more, the unfortunate lot of these village officers especially the vettis, the nirgantis and the talaiyaris, may be favourably considered. It is undoubted that they are overworked and it is also undoubted that they fulfil a most responsible office.

"The grounds urged against the grant of batta and travelling allowance, against all allowances of that kind, and against an increment in the salary do not hold good. One ground is they are not whole-time servants and the other ground is that they hold lands. As pointed out by the Hon'ble Mr. Ranga Achariyar, the vettis and the talaiyaris and most of the karnams do not own any lands. As the Hon'ble Sir Alexander Cardew mentioned, the only difficulty is one of finance, how to find the money to satisfy the needs of these numerous village officers. Some solution must be found and something done to provide for the grant of an allowance to the vettis, the nirgantis and the revenue talaiyaris. I do not know why the Honourable Member has not included the revenue talaiyaris while he has included police talaiyaris. There are two classes of talaiyaris, the police talaiyaris and the revenue talaiyaris. The revenue talaiyaris deserve commiseration at the hands of Government. If the Government are not prepared to extend this benefit to the karnams and headmen, it may be extended to the vettis, the talaiyaris and the nirgantis at least."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, I think there has been a little want of accuracy in the matter of the statements that have been made in connexion with this proposition. The proposition requires that one lakh of rupees be provided for payment of war allowance to karnams, vettis, etc. Practically it is not raising the other question of a permanent increase of salary. Again the question of Rs. 50 lakhs suggested. I am not able to follow either. The police talaiyaris as per the memorandum at page 15 of the Financial Statement have been brought under this head and are to be granted this allowance. Their number and the amount appears at page 107 of the Civil Budget Estimate which shows that about 35,000 servants of that class will be remunerated as per the proposals already made, and the Rs. 37 lakhs already provided include the payment to these talaiyaris. But a distinction is made, the servants coming under the three pages 39, 42 and 43 of the Civil Budget Estimate, drawing lower pay are sought to be excluded. We find on page 39 karnams, assistant karnams and village accountants, all coming to about 22,000 people. On page 42, we find village munsifs, triune officers and monigars and vettis, together making up about 48,000 people. On page 43 also we have got similar other people and their number comes in all to about 12,000. I find that the total number of these servants that will have to be helped like this will come to about 84,000. We have already made a provision for about 35,000 of these people and we are keeping out the 80,000 or 85,000 people that I refer to. I say if these people are brought under this list, we will not have to make any extraordinary allowance. Even if it is to be Rs. 2, the expenditure will be only about Rs. 1½ lakhs per mensem. What we have been doing is, we have been adding to our balances up till now in the hope that when times permit, they might be utilized for the purposes which we have been fighting for; but owing to the peculiarity of our Province, about Rs. 35 lakhs or Rs. 40 lakhs out of the Rs. 201 lakhs is to be drawn now towards the payment of war allowances. Nobody grudges it, because everybody feels that these low-paid poor people deserve help, and the Government have felt that the police talaiyaris come under that class of poor people who have to be helped. We know who these talaiyaris are. They are the relations of the vettis. We find the police side is opposed to the revenue side. We find 84,000 of these people. You will find that in every village there are a few people who work under the police that get the extra remuneration of war allowance, while the rest of the poor people will be left without a similar allowance. My Lord, it looks strange. It is not a matter of giving permanent help. It is a question of giving war allowance. I do not think it would look very proper for the Government to help one set of officers working under the same category while the other set of officers is left without help. We all know what is the rise in prices, and all of us absolutely agree with the Government in giving this allowance to the poor people. I do not see why this class of people should be kept out of this war allowance. The Hon'ble Mr. Sadasiva Bhat has not exactly calculated the amount and therefore put it as one lakh. That would give one rupee each to the 85,000 people I refer to. The remaining 34,000 people are already paid as per the proceedings of the Government. It would not be proper to give less to these people than what is given to the talaiyaris who are working under the police officers. It would be very proper to give these people as much as is given to these talaiyaris and it would work out to about 3½ lakhs, if we give them Rs. 2, Rs. 3 and Rs. 4 per annum. If 37 lakhs can with the consent of the Council and the Government be drawn for the purpose of paying war allowance only to a very small percentage, say .001 of the population of this Presidency or even less there is no reason why the rate-payers' money to the extent of Rs. 3½ lakhs should not be drawn for the purpose of helping a similar class of officers. It cannot be contended that all karnams own lands. For the matter of that, it may be contended that people drawing Rs. 35 and Rs. 50 in various departments of Government own lot of property. I have no doubt that very many sons of rich people are working in the Revenue Department drawing less than Rs. 50. The argument that the village headmen and karnams ought not to be given any allowance on the ground that they own land would not apply, because the war allowance in the case of clerks in the various departments applies to all people rich or poor. If you only take statistics amongst people who draw Rs. 20 to Rs. 50 more than half the people would own a large amount of landed property and would be getting a war allowance. That is not the criterion.

(Mr. Rama Ayyangar; Mr. Ramanuja Achariyar; [5TH FEBRUARY 1919.
Mr. Davidson; Sir Alexander Cardew; Mr. M. Ramachandra Rao.]

Therefore, my Lord, it would not be consistent or proper to make a distinction, and draw differences when it is a question of one set of officers as opposed to another, especially when the Government find it necessary to extend this benefit to village talaiyaris. Really the Government will not be committing themselves to much expenditure by helping these people. They will be absolutely free from blame; otherwise they will be considered unjust. We have already another Bill for consideration in respect of the hereditary rights of village officers. In these circumstances, my Lord, it would not be proper that the war allowance should not be allowed to them. They are working very hard in maintaining correct accounts of the Revenue Department. I request the Government will see their way to make a provision for these people also."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"Your Excellency I find no provision made forwar allowance for police talaiyaris. I would like to know where the Honourable Member finds that."

The Hon'ble Mr. L. DAVIDSON:—"It is on page 5 of the Financial Statement."

The Hon'ble Sir ALEXANDER CARDEW:—"The resolution relates to Rs. 1 lakh, for payment of war allowance to karnams, vettis, ugranis and not to monigars or headmen or village munisifs. Opinions have been expressed by several Honourable Members who are in favour of limiting it to village servants, the talaiyaris, the vettis and so on. Of course, these village servants are not prohibited from having employment under others; they are not prohibited, at the time of cultivation from adding to their income by doing work under any other employer. But the Government quite recognize that the rise in prices must necessarily put considerable pressure on those who have not got land and who have not got time to carry on other occupations. We know that in some parts of the Presidency, Kurnool and Kistna, there has been considerable difficulty with the village servants. We have had in some cases to increase their pay. Conditions vary all over the Presidency and the pressure is greater in some places than in others. The question which the Council has to put before themselves is: is this so urgent a matter that they are prepared to curtail the expenditure in other directions? I submit these figures with some hesitation, because they have been hastily compiled. As far as I can see, there are 68,000 village servants; and to give them Re. 1 per mensem each would cost something over Rs. 8 lakhs. Surely the bill is very large indeed. To give Rs. 3-8-0 per mensem which is the maximum which has been given to anybody, would cost Rs. 30 lakhs. If the Honourable Member wants to do it, let him raise the amount mentioned in the resolution and let him suggest that Rs. 30 lakhs should be struck off from some other head. There is no use in moving for one lakh. I do not think it is a very practical suggestion. I do not see how we can find in the coming or current year Rs. 8 lakhs much as we should like to do it. The only suggestion I may throw out is that we might ask the Board of Revenue whether they can, by taking some special action, in regard to the darkhast rules, assist village servants to obtain lands under those rules. I do not say it will go very far, but it seems the only resource unless the Council want to take Rs. 8 lakhs from some other head. We cannot take it from the balances. We have already got permission to take Rs. 73 lakhs from that source. This will have to be cut off from some other head. But I cannot recommend this somewhat radical step. The only thing I can recommend is, it is really a case deserving sympathy and we shall find some means to meet urgent cases. I am quite ready to ask the Board; I do not know if it will lead to much. Otherwise, the resolution is useless. In other words I am afraid that for the present we must try to go on as we are. It is really a question of market price. The State get the people to accept the employment. I am ready to make a reference to the Board of Revenue if the Honourable Member is prepared to accept that as a small instalment. We shall consult the Board on the whole subject."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"May I say a word? The Hon'ble Sir Alexander Cardew has suggested that there may be difficulties in adjusting the budget with reference to the Rs. 8 lakhs which will be the cost if we give Re. 1 per mensem to each of these low-paid servants. Perhaps it may be possible to deal with this subject from the item of Rs. 11 lakhs for unforeseen contingencies under 32. Miscellaneous. Therefore there is a reserve in the hands of the Government which if it is not used for any other purpose may be diverted to this purpose. There seem to be two or three resolutions which suggest a curtailment of the expenditure. One of them is with reference to the Royapetta hospital. If that resolution is accepted, or if the taking over of it is put off for a year—I do not think it is mature for Alexander Cardew suggested assignments of land. We are really working backwards. We began with the enfranchisement of the village service inams and we are going back to some extent to adopt the principle of giving back the lands."

The Hon'ble Sir ALEXANDER CARDEW (interrupting):—"Not as inams."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"At any rate, to secure to them the advantage of having a piece of land which they can cultivate. This question of giving them some allowance is one which deserves the sympathetic consideration of the Government. I trust it will be possible to find the necessary money. I do not know whether the war allowances fall entirely on the Provincial Government. If it is so, it is better to undertake a revision of the salary of the village servants. For ten years the subject has been coming up with regard to one class of village servants after another, and the amount required is now 50 lakhs

5TH FEBRUARY 1919.] (Mr. M. Ramachandra Rao; Mr. Chidambaranatha Mudaliyar; the President; Mr. Sadasiva Bhat; Sir Alexander Cardew; Mr. Rajagopala Achariyar; Mr. Davidson.)

because the subject has been put off far too long. Let us take one class of village servants after another slowly; let us provide for the talaiyaris, the nirgantis, and then the karnams, monigars and village headmen. Anyway we recognize the difficulty of finding money. When so many public servants get some kind of help in these critical times, it is not right that these people should be forgotten."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"Your Excellency, I quite sympathize with the object of the resolution, and I am sorry that the Government have been unable to take any practical steps in the direction of improving the condition of these people. I should think, as the Hon'ble Mr. M. Ramachandra Rao has put it, that the suggestion of the Hon'ble Sir Alexander Cardew for the assignment of land is really a step backward, and I wish to sound a note of warning that such a step should not be taken in the best interests of the public at large."

His Excellency the PRESIDENT:—"There does not seem to be much difference between the views of Honourable Members and of the Government. It is not practicable without consideration to take so large a sum as Rs. 8 lakhs here and now distribute it among any class. It is not that we are opposed to the method of distributing the money which comes from that to people who are just as poor as those whom we wish to help. The Hon'ble Sir Alexander Cardew has proposed, on behalf of the Government, to the Honourable Member who moved this resolution, having in view the very varied conditions of the Presidency and of the different districts—I do not think any of us is familiar with all the conditions in each district in this Presidency—the Hon'ble Sir Alexander Cardew has offered, on behalf of the Government, that the Board of Revenue would be asked to consider the whole matter. I think myself that it is a very genuine effort to meet the Honourable Gentleman. I can assure him that the Government are not less moved by a sense of sympathy with the difficulties of these people than himself. I really think that he might agree to that offer made by the Hon'ble Sir Alexander Cardew. It will certainly advance the matter and it will enable the Government to have a clear view of the matter. I would suggest that it is a good method of meeting the difficulty."

The Hon'ble Mr. K. SADASIVA BHAT:—"I wish to suggest that possibly when all the resolutions are disposed of, we would be in a position to see whether the Government can save about Rs. 8 lakhs for the purpose of giving some special allowance, whether it is one rupee or two rupees to vettis and village menial servants. I do not press the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

1. Refunds and Drawbacks.

The Hon'ble Sir ALEXANDER CARDEW:—"I introduce 'Refunds and Drawbacks'. I do not think it requires any remarks."

6. Stamps, V. & 7. Excise, 10. Income-tax.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I beg to introduce the heads, 'Stamps, Excise and Income-tax'."

IX. & 11. Forests.

The Hon'ble Mr. L. DAVIDSON:—"I beg to introduce the head 'Forests.' In introducing that head, I have to make replies to one or two inquiries for information. The Hon'ble Mr. Ramachandra Rao Pantulu has asked for particulars of the provision made in the budget for the improvement of the water-supply in reserved forests. I have ascertained from the Board of Revenue, which gets copies of the detailed district budgets, that a specific provision to an aggregate amount of Rs. 10,500 has been made for 15 out of 30 odd forest districts. There are no details given in the budgets of the other districts; the Board presumes—I have no doubt, rightly—that the provision for that purpose is included under the general head 'other works.' The Board roughly estimates that there may be a provision of Rs. 20,000 in all, but that is only a guess."

"The Hon'ble Mr. Ramanuja Achariyar comments on the fall in the net surplus and states that this requires full explanation. The best explanation I can give of the large fall in the anticipated surplus is to refer to the published Forest Administration Reports for the two years ending 30th June 1916 and 30th June 1917. They do not cover exactly the same period as the statement in the budget, but they correspond roughly to it. These reports which have been laid on the Editors' Table explain the successive increase in these two years of Rs. 6.64 lakhs and Rs. 6.37 lakhs, or Rs. 13.01 lakhs in all under the head of 'surplus.' Those two years were abnormal. I propose to read from the relevant paragraphs of the Board's summary, which is contained in paragraph 32 of its Proceedings printed in the Government Order of the 10th January 1918 which was laid on the Editors' Table. Referring to the financial results of the year that paragraph says:—

"The gross revenue was Rs. 47.79 lakhs and the expenditure Rs. 27.84 lakhs, leaving a net surplus of 19.95 lakhs, the highest yet on record. This surplus was distributed over all the circles and was higher than that of the previous year by Rs. 6.64 lakhs. This result is partly

(Mr. Davidson ; Mr. M. Ramachandra Rao.) [5TH FEBRUARY 1919.]

due to rigid economy and the postponement of necessary expenditure owing to the war and also to an increase in the revenue from sandalwood, to the leases of *Cassia auriculata* and *Cassia fistula* which had not been sold for five years and also to the sale of reserved forests which had been given up. The expenditure on "A. Conservancy and works" increased from Rs. 10.98 lakhs to Rs. 11.89 lakhs and that on "B. Establishments" by Rs. .85 lakhs. As soon as favourable conditions return, a much larger expenditure will be necessary under both these heads.

"That is the explanation of the abnormal surplus in 1916-17. The following passage taken from the report of the next year which was laid on the Editors' Table a few weeks ago with a Government Order dated the 31st December 1918 explains the large surplus in that year; paragraph 22 of the Board's summary says:—

"The financial results of the year are noteworthy. The gross revenue realized during the year amounted to Rs. 54.16 lakhs, an increase of Rs. 6.37 lakhs over last year. This increase was chiefly due to the high prices of sandal, the sale of teak from the Nilambur plantations, the manufacture of hay for the army, the sale of forests no longer considered worth preserving in the South Arcot and Trichinopoly districts, and the high prices realized for tanning barks.

"The expenditure under "A. Conservancy and Works" increased from Rs. 11.89 lakhs to Rs. 13.34 lakhs and that under "B. Establishment" rose by Rs. 10.361 and the total expenditure under both the heads amounted to Rs. 29.20 lakhs. The net surplus amounted to Rs. 24.97 lakhs, compared with Rs. 19.95 lakhs of the last year. This surplus is the highest yet recorded but represents an unhealthy state of things, as all but the most urgently necessary expenditure was postponed. A good many officers are absent on military duty, and thus the efficiency of the department and the development of the forests has been retarded. This is an inevitable result of the war. Receipts have also been abnormally high, owing to the sale of forests and the great rise in the value of sandalwood and other produce. After the war, an increase in expenditure and a temporary decrease in revenue must be anticipated as a considerable capital outlay will be necessary to develop the forests."

"I need only add that the surplus in the budget for 1919-20 of Rs. 12.11 lakhs is in excess of the average of the five years ending with 1915-16 by Rs. 1.14 lakhs, notwithstanding the substantial additional expenditure explained in paragraphs 25 to 27 of the Amended Draft Financial Statement, which includes special items of outlay on deferred but necessary development (to the amount of 2.96 lakhs as detailed in paragraph 25), on the salaries of officers returning from military service and on war allowances, as also a provision of 1.25 lakhs for the partial reorganization of the controlling staff and subordinate establishments in accordance with sanctioned schemes; the introduction of the scheme in one case has been hitherto deferred owing to financial stringency; the other scheme we have definitely put before the higher authorities, and we hope it will be found possible to introduce it during the coming year. That completes all I have to say."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, I should like to make an inquiry. The budget under forests provides for the pay of the Chief Conservator for nine months in the coming year. I should like to know whether it is proposed to reduce the number of members of the Board from 4 to 3—because I find on page 71, provision is made in the coming year for the continuance of all the members of the Board of Revenue— or whether it is proposed to employ a Chief Conservator in addition to the Forest Member of the Board."

The Hon'ble Mr. L. DAVIDSON:—"That is a question in regard to which a final decision has not been arrived at."

RESOLUTION RE PROVISION FOR IMPROVING THE WATER-SUPPLY IN RESERVED FORESTS.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO then moved the following resolution:—

"IV. This Council recommends to the Governor in Council that a sum of Rs. 50,000 be provided in the budget estimate for 1919-20 under XI for the improvement of the water-supplies in reserved forests and that a corresponding reduction be made under 45. CIVIL WORKS—Civil Buildings."

In doing so, he said:—"Your Excellency, the resolution standing in my name refers to the question of water-supply in reserved forests. In regard to this matter, I moved a resolution in this Council in 1914 and I quoted at length the report of the Forest Committee which recommended greater expenditure on the conservation of water-supply in reserved forests. It was pointed out by that Committee:—

"At the time when most of the present grazing areas were reserved, it was definitely laid down that one of the chief reasons for levying of fees was the necessity for improving as well as for protecting the grazing grounds. But as far as the Committee has been able to discover for the last twenty years practically nothing has been done in the way of improving them. The Committee would therefore strongly recommend that a considerable sum should be spent annually on the extension of grazing facilities and the improvement of village grazing grounds, especially in the way of improving water-supplies."

"This was in 1914. Since then, I brought this subject up again to the notice of the Government by way of interpellation and resolution, and it was stated to me last year, some

5TH FEBRUARY 1919.] (Mr. M. Ramachandra Rao ; Mr. Davidson ;
Mr. Ramanuja Achariyar ; Mr. Suryanarayana Rao ;
Mr. Marjoribanks.)

time at the end of last year, that a sum of Rs. 3,000 was spent on the improvement of water-supplies from 1914. From the statement made by the Hon'ble Mr. Davidson today I am very glad to note that during the coming year Rs. 20,000 is proposed to be spent for the improvement of water-supplies. The object of this resolution is to provide for continuous attention to the improvement of water-supply which is absolutely necessary in the interests of the numerous cattle owners who send their cattle for grazing. When I suggested that Rs. 50,000 must be provided for, I had no definite idea that in the coming year, some amount of expenditure was to be incurred for the purpose I had in view. I trust that the Board of Revenue and the Government will be able to increase the amount and provide as much as possible for the improvement of the water-supply in forests. I do not wish to press the resolution."

The Hon'ble Mr. L. DAVIDSON:—"I understand the resolution is withdrawn. I need only say that in the final paragraph of the Forest Administration Report to which I referred particular attention was drawn to the debate in November in connexion with the resolution moved by the Hon'ble Mr. Narasimha Ayyar on this subject."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE REDUCTION OF EXPENDITURE UNDER 11. FOREST.

The next resolution which stood in the name of the Hon'ble Rao Bahadur V. K. Ramanuja Achariyar was as follows:—

"V. This Council recommends to His Excellency the Governor in Council that the estimate of expenditure under 11. FOREST be reduced by 1.25 lakhs which represents the additions proposed in paragraph 27 of the Financial Statement."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"Having heard the Hon'ble Mr. Davidson I do not propose to move this resolution."

The resolution was not moved.

RESOLUTION RE PROVISION FOR OPENING A FOREST SCHOOL IN THE AGENCY TRACTS.

The Hon'ble Mr. A. SURYANARAYANA RAO:—"Your Excellency, the resolution that I have to move runs as follows:—

"VI. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 25,000 be added under IX. FOREST to open a Forest school in the Agency tracts and a corresponding reduction be made under 45-B. CIVIL WORKS."

"I confess this resolution is not very happily worded. I do not mean that a forest school should be opened in the Agency tracts. I would have it 'for the Agency tracts', or 'in the vicinity of Agency tracts.' I am not very particular with regard to the locality; but I am particular that a forest school should be opened somewhere in the Northern Circars. I see from page 60 of the Civil Budget Estimate that a provision has been made for stipends for rangers and deputy rangers deputed to the Forest Training College and also provision for a vernacular training school. I would suggest that this school may be opened somewhere in the Northern Circars somewhere in Koraput or somewhere in the Ganjam district which possesses a lot of forests. It would be very difficult for men who live in these parts to go all the way to Coimbatore to learn the elementary principles. I do not say that a College should be opened all at once; but a school might be opened now so that men might be trained as foresters, forest guards and forest rangers. And for this, I think that these persons need not go all the way to the Coimbatore college. If we have educated subordinates, certainly the forests would improve and as it is a productive agency, in course of time, we will realize considerable income. I have no doubt that what is spent on this school will be recovered in the shape of return from forests. I therefore commend this resolution for the consideration of Government and the department to provide, if not Rs. 25,000, at least Rs. 8,000, for a training school in the Northern Circars."

The Hon'ble Mr. N. E. MARJORIBANKS:—"Your Excellency, the Honourable Member's suggestion is to have a school, as I understand it, for the training of foresters and forest guards somewhere in the Circars. As a matter of fact, there is a school held every year in the northern circle. Up to the year before last it was held in Kurnool; last year, it was held in Ganjam and in the current year also it is proposed to hold it in Ganjam. This school is for the training of foresters and forest guards and lasts for six months and so far as the Board is aware, so far as we have been able to ascertain from the Conservator, there has been no case of any application which has been received and has been refused. So in the circumstances, I do not quite understand what is the want that the Honourable Member wishes to fill."

(Mr. Suryanarayana Rao; Mr. Marjoribanks; the President; [5TH FEBRUARY 1919.
Mr. Rajagopala Achariyar; Mr. Ramanuja Achariyar.]

The Hon'ble Mr. A. SURYANARAYANA RAO:—"Your Excellency, I would include rangers also in addition to foresters and forest guards. I would like to have permanent schools instead of an itinerant school, one at Ganjam, one at Vizagapatam and one at Kurnool."

The Hon'ble Mr. N. E. MARJORIBANKS:—"As regards the suggestion to include rangers, I would suggest that the course of training for rangers is of a very much more advanced description than that required for foresters and forest guards. We could not undertake to give the training required by an officer of a ranger's position except at a college. A school would be quite inappropriate for the training of a ranger."

"As regards the alternative suggestion made to multiply vernacular schools, it is really a matter of demand. We find that one school is quite sufficient and it would be waste of time of the instructors and of money to have schools in several districts in the same circle. In the year before last, there were no candidates at all, so that one school is quite sufficient to serve the existing demands. I may say that it will cost only about Rs. 2,500."

His Excellency the PRESIDENT:—"Does the Honourable Gentleman wish to press the resolution?"

The Hon'ble Mr. A. SURYANARAYANA RAO:—"I do not press the resolution. I hope that the Government would be pleased to do something for the Agency tracts."

With the permission of His Excellency the President, the resolution was withdrawn.

X. & 12. Registration.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I introduce the head 'Registration'."

RESOLUTION RE ADDITIONAL PROVISION FOR THE REVISION OF PAY OF SUB-REGISTRARS.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I beg to move resolution No. VII. It runs as follows:—"

'VII. This Council recommends to His Excellency the Governor in Council that a provision of Rs. 22,800 be added under 12-B. Registration—District Charges—for revision of pay of Sub-Registrars in the first three grades and that the same amount be deducted from 32. Miscellaneous—Miscellaneous and unforeseen charges—Reserve provision at the disposal of Government—5 lakhs.'

"I now find that the figure, Rs. 5 lakhs, has been raised to 9 lakhs. I find from the Civil Budget Estimate that the number of sub-registrars in the first grade is 24, in the second 36 and in the third 115. There is a large number in the third grade and a correspondingly smaller number in the first two grades; and the result is that many sub-registrars are unable to rise to the first or the second grade. They either die or retire. I therefore propose that the total number of appointments, 175, be re-distributed thus: first grade 53, second grade 60, and I ask this Council to add this amount under Registration and take that figure from the Government."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I quite admit that we have to re-organize the cadre of sub-registrars. But the reason why I object to committing the Council just now to these details proposed by the Hon'ble Mr. Ramanuja Achariyar is this: In connexion with the Public Services Commission's recommendation, we had a communication from the Government of India, dealing mainly with district registrars. We have answered that reference and we have proposed a substantial improvement in the position, prospects, salaries, etc., of the district registrars. That has gone up to the Government of India and, under the rules, we have to wait for a period of three months before we bring it into operation. A scheme about sub-registrars has also come up from the Inspector-General, and it is lying over for the other thing to be disposed of, because it is more convenient; because the maximum pay of the sub-registrar has to be fixed with reference to the minimum pay of the district registrar. The Public Services Commission recommended a minimum of Rs. 200 but we have put it at a somewhat higher figure. We have to re-organize our sub-registrars after knowing how the district registrars will stand. I may assure the Honourable Member that no avoidable delay will take place in the matter. As soon as the other thing is a revision which will be beneficial to the officers that are concerned, I hope to effect it, if brought into operation in the next official year, cannot be much and the money needed for re-appropriation; but the full scheme will come into operation only the year after that."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"Your Excellency, I accept the assurance. As the matter is under consideration, and will not be lost sight of, I withdraw the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

5TH FEBRUARY 1919.] (Sir Alexander Cardew; Mr. Davidson;
Mr. Ramanuja Achariyar; Mr. Ranga Achariyar.)

XII. & 13. Interest.

The Hon'ble Sir ALEXANDER CARDEW:—"I introduce the head 'Interest'. Neither the revenue nor the expenditure is open to discussion. Nothing is to be said about it."

18. General Administration.

The Hon'ble Sir ALEXANDER CARDEW:—"I also introduce the head 'General Administration'. On that, there is an inquiry by the Hon'ble Mr. Ramanuja Achariyar regarding the provision made on page 68 for an Additional Secretary, an Under Secretary and a Deputy Collector. As regards the work these officers have to do, I would first draw the Honourable Member's attention to the press communiqué which was issued last June. That communiqué stated that they would be employed on work connected with the war principally, and the main subjects connected with war were Recruitment and Publicity Board, Indian Defence Force Board, Military Transport, trading with the enemy and by hostile foreigners and ship-building. In addition to these matters, which were directly concerned with the war, the new department also dealt and still deals with the question of priority certificates and civil supplies and matters concerning the economic condition of the Presidency, prices, wages, trade, mining and industry. Since the armistice and the cessation of recruitment, the Revenue (Special) Department has taken over certain additional subjects connected with the industrial development of the Presidency, namely, Agriculture, Co-operation and Fisheries. It also deals with forests as has been mentioned in paragraph 36 of the Amended Draft Financial Statement. It is stated there that it has not been possible to abolish this Secretariat, because there is still much work to be done connected with demobilization, winding up of enemy concerns and so on. Meanwhile, the question of converting it into a development Secretariat dealing with the branches of administration concerned with the development of Industries, Agriculture, Fisheries, Forests and other resources of the Presidency is under consideration, and no definite decision has been arrived at. The provision is made in case it is decided to maintain it."

19-A. Law and Justice—Courts of Law.

The Hon'ble Mr. L. DAVIDSON:—"I introduce the head '19-A. Law and Justice—Courts of Law'. There are one or two inquiries to be answered. The first is from the Hon'ble Mr. Ramanuja Achariyar who asks with reference to the lump provision of Rs. 82,000 appearing at the foot of page 77 of the Civil Budget Estimate. He asks what is the number of Courts of Subordinate Judges and District Munsifs to be made permanent, what is the regrading proposed, and when this will be effected. The answer is that this matter is still under correspondence with the higher authorities. All I can say is that the Local Government have proposed to make permanent 25 of the temporary courts now existing, namely, 11 sub-courts and 14 district munsifs' courts. With regard to the question of regrading the proposed distribution is—"

Sub-Judges--			District Munsifs--		
First grade	6		First grade	34	
Second grade	8		Second grade	36	
Third grade	15		Third grade	36	
			Fourth grade	33	

Whether these additions and scheme of regrading will be sanctioned by the higher authorities, I cannot say. Until that sanction is received no change can be effected."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I had some figures like these, and the amount comes up to Rs. 40,000; but this provision will give Rs. 80,000."

The Hon'ble Mr. L. DAVIDSON:—"I do not know how the Honourable Gentleman's figure was arrived at. But Rs. 82,000 is the actual result."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"Does it include establishment?"

The Hon'ble Mr. L. DAVIDSON:—"The sum of Rs. 82,000 was arrived at after a detailed examination by the Finance Department. This was the outcome of the detailed examination of the proposals in the event of the scheme being sanctioned. I am quite ready to discuss the matter with the Honourable Member in detail afterwards."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"May I supplement that question, by another? Whether the question of increasing the pay of Subordinate Judges and District Munsifs is also under consideration?"

The Hon'ble Mr. L. DAVIDSON:—"I do not think any increase of pay was proposed in this scheme. It is merely a re-distribution of the grades."

"The next inquiry is by the Hon'ble Mr. Ramachandra Rao who asks for particulars and details of the lump provision shown at the end of paragraph 40 of the Amended Draft Financial Statement. The first is Rs. 30 lakh under the anticipated increase for additional process-serving establishment. This does not represent any new scheme; but it is a customary entry which you will find in successive budgets. The object, I think, is to make provision for revisions in establishment which the High Court may, from time to time, find to be necessary during the year. The Honourable Member is probably aware that the High Court has statutory powers

(Mr. Davidson ; Mr. Venkatapati Raju ;
Mr. Ranga Achariyar.) [5TH FEBRUARY 1919.]

to effect such revisions subject to the confirmation of the Government. We generally accept the proposals of the High Court in this matter as they are carefully worked out in the light of ascertained requirements. But there must be an item in the budget to cover such expenditure arising in the course of the year.

"The second lump provision referred to by the Hon'ble Mr. Ramachandra Rao is Rs. 82 lakh which has been mentioned in connexion with the scheme of making permanent additional Sub-Judges and District Munsifs and regrading. This Rs. 82,000 is intended to meet the cost of the scheme for six months and not for the whole year. The Hon'ble Sir Alexander Cardew rightly reminds me that the redistribution affects all grades and incidentally improves the pay of men now in the lower grades.

"There remains the third provision Rs. 73 lakh for a revision of the pay of clerical establishment in mufassal courts. This is part of a large scheme which has been sanctioned recently by the Secretary of State. It has not been possible yet to work out the actual details of distribution under the various heads of the budget. It may, however, interest Honourable Members of this Council if I say that the principal items in the scheme were as follows:—Firstly, an increase in the pay of Saishtadars of District Courts from Rs. 150 to Rupees 150—10—200; secondly, the division into two grades in equal numbers on Rs. 50 and Rs. 60 per mensem respectively of the posts of head clerks in District Munsifs' Courts instead of the existing grades on Rs. 40 and Rs. 50 in which the posts are unequally distributed; and thirdly the regrading of clerks drawing a salary of Rs. 35 per mensem and less in District Courts, Sub-Courts and District Munsifs' Courts."

RESOLUTION RE PROVISION FOR A UNIFORM RETAINING FEE FOR MUFASSAL GOVERNMENT PLEADERS.

The Hon'ble Mr. B. VENKATAPATI RAJU :—"I beg to move :

'VIII. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 18,360 be added to the expenditure head 19-Ab. Law officers for providing the uniform retaining fee of Rs. 100 to the 25 mufassal Government pleaders and the corresponding reduction be made under 45. CIVIL WORKS.'

"Your Excellency, my suggestion in this resolution is that all mufassal Government pleaders should be paid Rs. 100 as retaining fee instead of Rs. 15, 25, 35 and 50 also. Generally I am averse to increase of expenditure on any account, but as there is so much lavish distribution on account of increased allowances, I do not see any reason why some provision should not be made for the payment of these men. The Government pleader in the mufassal prosecutors—some of them are both public prosecutors and Government pleaders—are paid Rs. 25 a day, whereas in Bengal they are paid Rs. 35 a day. The present retaining fee was introduced years back, and some revision is now required and no additional reasons are necessary approve of it, if not immediately, some time hence they would see their way to increase their remuneration and give a uniform fee to all and not Rs. 15 to one, Rs. 20 to another, Rs. 25 to another and so on."

The Hon'ble Mr. L. DAVIDSON :—"Your Excellency, this is a very small matter. The proposal is not a new one; in fact, I think it has been twice raised in this Council or suggested by interpellations, once in September 1912 and once in September 1916. On both those occasions the Government declined to take action on the ground that there was no reason to suppose that the existing scale of fees failed to attract the best men. The Honourable Member says it was a long time ago that the scale was fixed and a revision is now required. That would be a sound argument if it were not, as I believe it is, still the case that the scale does attract the best men. There is plenty of competition for the posts of Government pleaders, and it must be remembered that the retaining fee is not remuneration for work actually done. The object is to secure for Government the first claim upon the services of the best local vakils available. I believe that object is secured. Incidentally the holder of the post, who, be it remembered, is remunerated in fees for work actually done, benefits materially in status and prestige question of supply and demand, and I do not think it is incumbent on the Government to consider the question of an enhancement in the scale, which as far as we know is sufficient, in addition to other inducements, to bring the best men forward as competitors for the post of Government pleader. I think, Sir, there is no alternative but to oppose this resolution on the ground that there is no proved need for the enhancement of the scale."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"Your Excellency, I am not sorry that the Government are opposing this resolution. I would rather be for the abolition of any retaining fee in the shape of salary. By paying a retaining fee, the Government seek to get a hold on the gentleman who is often the leader of the Bar. Let there be no fee at all; let him be paid by the cases. I am not at all for this proposition. I would rather abolish the whole retaining fee."

[5TH FEBRUARY 1919.] (Mr. Venkatapati Raju ; Mr. Davidson ;
Mr. Ramanuja Achariyar.)

The Hon'ble Mr. B. VENKATAPATI RAJU :—"Your Excellency, I quite agree with the Hon'ble Mr. Ranga Achariyar that instead of losing for our public service our able men, the posts might be abolished; but the Government want to restrain them from attending political meetings and taking part in them. The Hon'ble Mr. Davidson says that this is a matter of supply and demand. At any rate, for the expression of that policy, I don't mind if my proposition is rejected; because if supply and demand is to be the rule and public servants are to be had at the market rate, if we can secure the best men and we can get the most efficient men at a lesser cost, the whole administration may be worked at 50 per cent less cost. If that is the policy to be adopted with regard to the Indian Civil Service, I shall be quite happy to withdraw the resolution."

The Hon'ble Mr. L. DAVIDSON :—"I am afraid I cannot follow the Honourable Member in regard to the question of demand and supply into the region of the services generally. As he admits the validity of the ground for the rejection of this resolution, he may surely drop it."

With the permission of His Excellency the President, the resolution was withdrawn.

XVI-B. & 19-B. Law and Justice—Jails.

The Hon'ble Mr. L. DAVIDSON :—"I beg to introduce the head 'Law and Justice—Jails'. There is one inquiry under this head received from a familiar source, the Hon'ble Mr. Ramanuja Achariyar. It relates to the head 'dietary charges' at page 91 of the Civil Budget Estimate. He quotes the entry of Rs. 5 lakhs and he mentions the number of prisoners as 12,075 and then proceeds to calculate the diet cost per head as Rupees 41-6-6 per annum or about Rs. 3½ per mensem. He asks if this figure is correct. I do not question the Honourable Member's arithmetic. The Finance Department says his figure is correct and I have no doubt it is so. If he will refer to the second edition of the budget, he will see that the whole allotment has been raised from Rs. 5 lakhs to Rs. 5½ lakhs. What we are chiefly concerned with is the initial entry. That is based upon the average daily population or the average cost of diet in the three years 1915 to 1917. The additional half a lakh is made on account of the latest figures supplied by the Inspector-General of Jails. I suppose the idea underlying the inquiry is that the provision under diet is much below what would meet the cost of the supply of a reasonable diet."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—"Yes."

The Hon'ble Mr. L. DAVIDSON :—"If so, I would invite the attention of the Honourable Member to the diet charges given in successive financial statements and also the comparative figures for a long series of years. In 1917 the average annual cost for all classes of prisoners was Rs. 38, a figure which is below Rs. 40."

XVII. & 20. Police.

The Hon'ble Mr. L. DAVIDSON :—"I introduce the head 'Police'. There are no questions under that head."

RESOLUTION RE REDUCTION OF EXPENDITURE UNDER POLICE.

The Hon'ble Mr. B. VENKATAPATI RAJU moved the following resolution :—

'IX. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 10 lakhs be reduced from the expenditure head 20. POLICE by economising the service charges.'

In doing so, he said :—"Your Excellency, my resolution for the reduction of police charges is one of those resolutions for ventilating grievances, because we find an abnormal increase in the expenditure on police from time to time. In order to bring it prominently to the notice of the Government and to show our dissatisfaction with the piling up of this expenditure on police from year to year and to show that it requires some halt, I was obliged to move this resolution that a sum of 10 lakhs be reduced from the police expenditure by bringing it to the old figure of 1917-18. In 1917-18 Rs. 117 lakhs was the amount spent and in the present year Rs. 136 lakhs, out of which about 13½ lakhs is intended to cover war allowances. We know that this department is indispensable to secure the peace of the country, and as Lord Amthill has stated in this Council as President that we must increase the expenditure on education, because education means moral advantage, we have to safeguard the Police department because it looks after the watch and ward of the people. We know they are watching; I do not know that they are warding. We see that there has been an increase of 300 per cent during the last 16 or 17 years. I can quote figures; but I am afraid the Hon'ble Sir Alexander Cardew might get up and say 'we do not want to discuss what was spent some time back.' I want only to place the amount actually spent some time back and what is spent now to show the utter disparity of expenditure on this account, and to show whether the Government cannot agree with us and reduce the expenditure. With that object, I shall quote the figures and not with the object of discussing the general policy of police administration."

(Mr. Venkatapati Raju ; Mr. Davidson.)

[5TH FEBRUARY 1919.]

"In 1895-96 we were satisfied with 45 lakhs. In the next year, 1896-97, it went up by 1 lakh, that is we spent 46 lakhs.

"In 1898-99, the famine year, we spent Rs. 45.95 lakhs.

"In 1905-06, we spent Rs. 61.42 lakhs.

Because there was the police re-organization, therefore we increased expenditure from 50 lakhs to 60 lakhs. That is where we were in the year 1905-06. At that time, when they wanted to introduce the police re-organization, they said about Rs. 37½ lakhs would, not only meet intermittent charges but also commutation charges. The present figure is Rs. 132 lakhs. Thirty-seven lakhs were proposed to be introduced on account of the police re-organization, of which 15½ lakhs was granted by the Government of India. We must cry a halt to this tremendous expenditure. It is true that during this period there was an increase of expenditure under education which is absolutely essential. Whatever amount is spent on education is so much good to the country and the people. But the amount spent on police must be regarded not as a benefit to the people as suggested in the present financial statement, because it is stated we are taking so much money from year to year and piling up balances, we ought not to hoard these for the future, but we must give back a portion of it for the benefit of the people from whom it is realized. But as a matter of fact, the amount now given is not giving benefit to the people. It is only for the benefit of a fractional number of persons in this service who are given allowance by spending about Rs. 37½ lakhs. We are taking money from 40 millions of people, but only half a million people are benefited. My suggestion is there must be a special inquiry and also some pronouncement made by the Government as to how far we are justified in this expenditure. Are we to go on for an unlimited time, because from Rs. 50 lakhs, we have come up to Rs. 135 lakhs? Next year out of this amount, probably Rs. 13½ lakhs might be dropped, but are we going to spend at the rate of Rs. 125 lakhs and go on extending it without any limit? It is ruinous expenditure and it will never benefit the people and it is not essential to spend so much. My suggestion therefore is that some method should be adopted to reduce the expenditure to a proper figure instead of piling up so much amount."

The Hon'ble Mr. L. DAVIDSON:—"I find it rather difficult to follow the Honourable Member into the sphere of general criticism of this expenditure on the Police department. I thought that we might perhaps have some specific suggestion for economy under particular heads, but I do not think he has put forward any. In one sense, his resolution raises a definite issue within the meaning of Rule 12 (b), because he does ask for a clear cutting off of ten lakhs from the Police budget. But for practical purposes the issue is anything but definite. He really asks the Government to carry out a roving inquiry for the purpose of effecting economy under all the different service heads of the budget. The Council will, I think, agree with me that this is not the proper time for embarking on any such inquiry. We are dealing with the figures of the budget, which have to go up for sanction almost at once. We have to provide for the establishment of a department, the organization of which has grown up year by year and must be carried on, unless and until after full inquiry scope for retrenchment is proved to exist. No such proof could possibly be obtained within the short interval of time when this budget has to go up for sanction to the Government of India. All I can say is that for a good while past, particularly during the stewardship of the Financial Department by my Honourable colleague Sir Alexander Cardew, it has been the usual practice to subject the proposals for additions to the Police department to the most rigid scrutiny. Both Mr. Gillman and I have found it a matter of extreme difficulty to persuade the Finance Department to help us to carry out improvements in the Police department which we thought very necessary. There has been no lack of scrutiny in regard to the proposals for increased expenditure on that department. If this ten lakhs which the Honourable Member asks us to strike off from the budget were eliminated, it could possibly come only from the single head of the provision of Rs. 13½ lakhs for war allowance. The Council will agree with me that it would be invidious to subject the lower-paid subordinates of the Police department to a forfeiture of that description while other departments are allowed to draw a war allowance. If you eliminate that item of Rs. 13½ lakhs, the Honourable Member's proposal is tantamount to a reduction of expenditure of Rs. 120 lakhs, all of which has been allocated to charges actually being incurred from day to day. Surely it is not a practical proposition to strike off or to cut down running charges on an important public department by Rs. 7 or 8 lakhs regardless of consideration as to in what particular head the cut should be made. I do not think, Sir, that any general review of possible economies, at this stage, would result in practical advantage. The Government have no alternative but to oppose the Hon'ble Mr. Venkatapati Raju's resolution."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, I could have easily pointed out that all these additional appointments might be dropped and a reduction should be made. I did not want to press for the abolition of, for instance, the additional Commissioner in Madras or any other appointment. I wanted to avoid a detailed discussion, because I wanted to give a blank sheet for the Government to find some means of economising the expenditure. I expected the Government to state whether we have to proceed at this rate for ever: because accepting as the Hon'ble Mr. Davidson says, that we are spending every pie, the question is whether it is useful or absolutely necessary and these are to continue in this way for ever. Every year we are increasing the expenditure by Rs. 2 or Rs. 3 lakhs and this excess is met out of the income from land revenue. Are we to take the revenue we are raising for meeting

5TH FEBRUARY 1919.]

(Mr. Venkatapati Raju ; the President ;
Mr. Rajagopala Achariyar ; Mr. Littlehailes ;
Mr. Krishna Rao.)

the increased expenditure under Police? I know it is very difficult to curtail expenditure at one stretch. If we can come to an understanding that we should not go beyond a certain figure, and if attention is paid to a reduction of expenditure, I will be satisfied. Otherwise, the people would be complaining that an unnecessarily large amount is being spent on police which serves no useful purpose for the amount we spend on it. I do not press the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

His Excellency the PRESIDENT:—"I may perhaps be allowed to point out to the Honourable Gentleman that I share the fault with him in this matter, because the resolution of the character he has proposed in his speech is not appropriate for this meeting at all. If I had been able to gather from the wording of the resolution that he wished to provoke a general discussion on the question of the expenditure on police, I should have been obliged to rule his motion out of order on the ground that it would be more appropriate to another meeting and not this meeting which is merely a meeting for the settlement of the finance in the Budget. Probably, it will be convenient for this Council now to adjourn for luncheon. Before I do so, may I ask them to give a little thought as to their probable convenience in regard to the course of business. I will ask them before we adjourn what is the best course in regard to our business. It is a pretty heavy agenda, and we have before us two Bills, the Insect Pests Bill and the Madras Corporation Bill. It is just a question as to how we should regulate our sitting. I will ask them whether we should not sit on Saturday or should go on continually till we finish. I do not know how long the resolutions will take. After that, we propose to take up the Bills, first the Insect Pests Bill which will not take more than two or three hours, and then the Corporation Bill which may take three days or even more. The Council will now adjourn for luncheon till quarter to three."

The Council then adjourned for a short interval and re-assembled at 2-45 p.m.

XVIII. & 21. Ports and Pilotage.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I introduce the head 'Ports and Pilotage'."

XIX. & 22. Education.

The Hon'ble Mr. R. LITTLEHAILES:—"I beg to introduce the head 'Education.' The Hon'ble Mr. Ramachandra Rao has asked for additional information; he asks for a statement of applications from all the local bodies for provincial grants for educational purposes. This statement could not be prepared in the time at our disposal. He asks what are the circumstances under which the Victoria College at Palghat is to be taken over by the Government. The college is to be taken over by Government at the express request of the municipal council, as they say it is not within their limited means to meet the large expenditure for efficiently maintaining a college and a high school out of municipal funds."

"He asks for the progress made in the publication of the Tamil Lexicon and what further expenditure may be expected from Provincial funds. The progress made has been reported in G.O. No. 4, Home (Education), dated the 2nd January 1919. So far as the expenditure of Provincial funds is concerned, one lakh was originally sanctioned by Government and the payment of that has been spread over the intervening period between 1912 and the present time and Rs. 33,500 remains to be paid. Rupees 20,000 is included in the budget for 1919-20; the balance will be required in 1920-21 and no further expenditure is likely to be required from Provincial funds."

RESOLUTION RE PROVISION FOR THE APPOINTMENT OF ADDITIONAL ASSISTANT INSPECTORS OF SCHOOLS IN THE PROVINCIAL EDUCATIONAL SERVICE.

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I have the honour to move—

'X. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 29,400 be provided for the appointment of eleven additional assistant inspectors of schools of Provincial Educational Service and that a corresponding reduction be made under 45. CIVIL WORKS—Civil Buildings.'

"It will be seen from the details in the Civil Budget Estimate that there are fourteen assistant inspectors in the Provincial Educational Service, one in the first grade on Rs. 400, one in the second grade on Rs. 300, six in the third grade on Rs. 250 and six in the last grade on Rs. 200. There are eleven other sub-assistant inspectors working as assistant inspectors in the various districts of the Presidency, though in this detailed statement that fact is not separately shown. We find under the head of Inspection fourteen assistant inspectors shown. This resolution suggests that there should be eleven additional assistant inspectors in the Provincial Educational Service which will involve an additional expenditure of Rs. 29,400. The effect of it will also be that the eleven sub-assistant inspectors who are doing work as assistant inspectors will be relieved of this duty and they will be available for inspection

(Mr. Krishna Rao ; Mr. Littlehales ; the President.) [5TH FEBRUARY 1919.]

work. I drew the attention of the Council by means of an interpellation at the meeting held in August last to the necessity of maintaining the distinction between the two classes of assistant inspectors which has been maintained since the reorganization in 1909. I draw the attention of the Council to the fact that while they are performing the same duties it is quite desirable that the other assistant inspectors should also be in the Provincial Educational Service with the status incidental to that position instead of in the subordinate service. I am aware that there has been a large scheme for improving the inspecting agency, both male and female, under the consideration of the Government for several years, but that it has not been possible to give definite effect to it or give it any definite shape all these years. This question of the controlling agency is referred to in the quinquennial report ending 1916-17 and this is what is stated in the report of the Director of Public Instruction : ' With the continuous expansion of education, considerable even under the present exceptional circumstances, and with the more rapid diffusion of education which the restoration of peace and of more normal financial conditions will bring, a further strengthening of both the male and the female inspecting agency will become imperative. The numerical increase in schools alone is a serious consideration. The multiplication of schools must, if the schools are to do good work, be accompanied by adequate provision for their supervision. There are, however, other considerations. Not only is the quantity of education increasing but also the complexity of the problems which it presents. The quality and suitability of the education imparted have to be considered. Further over the existing and the additional staff which will be necessary careful control and guidance will be required ; but even as it is the Circle Inspectors have not time enough to study thoroughly the problems of elementary education in urban and rural areas and to control and guide their subordinates. Most of their time is devoted to the inspection of secondary and training schools and to office work, and they are unable, with all the will in the world, sufficiently to keep in touch with other educational activities and tendencies and to co-operate with other departments. Such being the circumstances of the case proposals were in 1914 and 1915 submitted to Government for the reorganization respectively of the male and the female inspecting agencies. Later on at the meeting in August last it was stated in reply to a question put by me that proposals for the female inspecting agency were under consideration but not in respect of the male inspecting agency.

" It will be found, so far as this question of supervision is concerned, it is a question regarding which there is no dispute whatever. The number of elementary schools has been increasing with great rapidity, and even at the end of 1916-17 it was found that there were nine inspectors who had within their jurisdiction 360 secondary schools and 54 training schools and there were 23 assistant inspectors who had jurisdiction over 360 secondary schools along with 54 training and 28,867 elementary schools. I am placing before the Council this problem so far as the supervision of elementary schools is concerned. That number went further when we came to last year. The number of elementary schools has increased in that year with the result that the number of elementary schools for males at the end of 1918 was 29,848 and for girls 1,852. It will be found from the Amended Draft Financial Statement that the Government have been able to make additional provision for the expansion of elementary education and to allot about Rs. 6 lakhs for that purpose and that a scheme has been sanctioned whereby about 1,000 more elementary schools are to be opened both in rural and urban areas. It is, therefore, high time that adequate arrangements should be made, pending final orders upon the reorganization scheme which may take some time for sanction, for the effective supervision of elementary schools.

" It will be stated ' there are sub-assistant inspectors who are doing work as assistant inspectors ; why do you unnecessarily ask for additional assistant inspectors for that purpose ? ' It will be remembered that sub-assistant inspectors are in direct charge of various circles and are expected to exercise supervision ; and if Assistant Inspectors are to exercise proper supervision it is necessary that their status should be improved and that they should be drafted into the Provincial Educational Service and should not be persons belonging to the cadre of sub-assistant inspectors. Though I am not in possession of full information as to the details of the scheme which is in contemplation for improving the inspecting agency, at the meeting held in August last I wished to know whether the Government would publish the scheme ; but I got a reply that the Government were not prepared to do so. The Government have been making some changes pending final orders on the reorganization scheme. I would suggest that without prejudice to the final conclusions this small reform may be effected, by improving the status of assistant inspectors and making them supervise these largely increasing elementary schools efficiently and satisfactorily. With these words I commend this resolution."

The Hon'ble Mr. R. LITTLEHAILES :—" Your Excellency, as is well known, the future arrangements for the inspecting agency and their cadres are still under consideration and nothing can be said at this stage as to what will be the future organization of the inspecting agency, its cadres and the grading of Inspectors and Assistant Inspectors. The Honourable Mover of this resolution has adduced arguments which in the main tend to show that it is of imperative urgency to increase the supervising agency, but that is a point that does not come on till the next resolution."

His Excellency the PRESIDENT :—" If I may supplement what the Hon'ble the Director of Public Instruction has said, the real truth is that we cannot move in this matter until we have the orders of the Government of India on the major scheme. That is the real truth, and

5TH FEBRUARY 1919.]

(The President ; Mr. M. Ramachandra Rao ; Mr. Krishna Rao ; Mr. Suryanarayana Rao ; Mr. Littlehales.)

technically it might really be possible to disallow discussion on this point because it is intimately bound up with the major scheme. For myself I think it is better to allow it to lie over without prejudice. We are really forced to that position."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—" My Lord, I see that the next resolution deals with the entertainment of four Inspectors of Schools. May I know from the Hon'ble the Director of Public Instruction whether that portion of the establishment proposed for next year is not bound up with the major scheme which is now before the Government of India ? The budget does provide for an increase of the Inspectorate of a different kind. What my Honourable Friend really proposes is to increase the assistant inspectors, and it seems to me the argument applies equally to it."

His Excellency the PRESIDENT :—" It is true, but we must not press it too far. Does the Honourable Gentleman wish to divide the Council ?"

The Hon'ble Mr. A. S. KRISHNA RAO :—" No."

His Excellency the PRESIDENT :—" There is no unwillingness to consider the matter but really we cannot undertake to do so at present."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE PROVISION FOR FOUR ADDITIONAL CIRCLE INSPECTORS FOR EDUCATION.

The Hon'ble Mr. A. SURYANARAYANA RAO :—" The resolution that I beg to move runs thus :—

' XI. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 60,000 allotted towards expenditure for additional four Circle Inspectors under 22-B. be deducted and the sum added to the unallotted expenditure.'

" I invite your Excellency's attention to page 35* of the Amended Draft Financial Statement. I notice that under 22-B. ' Inspection ' in the budget for the year 1919-20 for the appointment of an additional Inspector of Schools Rs. 13 lakh is provided ; for the addition of four Inspectors' circles Rs. 23 lakh ; and for the appointment of twelve additional sub-assistant inspectors Rs. 24 lakh, making a total of Rs. 60 lakh. This is a new expenditure which is introduced for the first time in the present budget. I respectfully submit that the budget shows that a large increase has been sanctioned in the number of elementary schools and certainly a larger amount of inspection is wanted. But there is no emergency now for adding four Circle Inspectors at a cost of Rs. 23 lakh. In all these matters we must see that the subordinate agency is strengthened, and we must see that elementary schools are properly inspected. It is only after the subordinate establishment is well strengthened that we might well look to the superior agency. The superior agency and the higher schools can take care of themselves, and I do not think such a detailed inspection is necessary in the case of those schools. I think the proposal can very well wait till next year, and I appeal to the Government that this amount may not be spent this year, because the scheme is under consideration, for I notice on page 4 of the Director's report that ' the subordinate agency was already strengthened as a temporary measure pending the issue of orders on the scheme for the strengthening of the inspecting agency which is now under the consideration of the Government. ' The inspecting agency is about to be strengthened and I have no doubt that the whole scheme will be placed before the Council, and the Council will then be in a position to submit their views on the subject. The Hon'ble Mr. Krishna Rao has told us, that the Government were asked whether they would be pleased to place the scheme on the table and the Government were not in a position to do so. Unless the scheme is placed before us, we are not in a position to see how the whole thing will work. I therefore move that this provision be deleted from the budget."

The Hon'ble Mr. R. LITTLEHAILES :—" Your Excellency, I wish just to raise a technical point at the start, which is that the resolution is for the deletion of the provision of Rs. 60,000 made for four additional Circle Inspectors while as a matter of fact only Rs. 23,000 is allotted."

His Excellency the PRESIDENT :—" That is a correction which the Council should bear in mind."

The Hon'ble Mr. A. SURYANARAYANA RAO :—" I confess the resolution is not happily worded. It was intended to apply to the whole of Rs. 60,000."

The Hon'ble Mr. R. LITTLEHAILES :—" This is a matter of urgency. It is well known that the work of the Inspector is in the main inspecting secondary schools and supervising and organizing the work of education in the whole of his districts. The Inspectors are over-worked. The Honourable Mover of the previous motion has already read a statement to this effect from the quinquennial report ending 1916-17. That is a very valid argument in favour of the provision which has been made in the budget. The Honourable Mover of this resolution desires to have this deleted because he considers the inspection of elementary schools is more important. I may submit, Sir, if that is the argument it ought to go towards the strengthening

(Mr. Littlehailes ; Mr. Suryanarayana Rao ; [5TH FEBRUARY 1919.
the President ; Mr. Yaqub Hasan.)

of the cadre of Sub-Assistant Inspectors who have the majority of actual inspecting work to do in these schools. So far as the Circle Inspectors alone are concerned, we have had the present number for a good many years and it is absolutely necessary to have an increase. We have had an increase of 40 per cent in the strength of pupils attending secondary schools since 1913. We have had no increase whatsoever in the number of Inspectors. I need not detain the Council to emphasize the argument that the department is fully convinced of the urgent need of the appointment of additional Circle Inspectors. That is the prime need of the department. It is very undesirable to have this provision deleted."

The Hon'ble Mr. A. SURYANARAYANA RAO :—" Your Excellency, the resolution No. X provides for the appointment of 11 additional Assistant Inspectors. This resolution asks for the deletion of the provision for four additional Inspectors. It has been pointed out by the Hon'ble Mr. Littlehailes that the number of Circle Inspectors has remained the same for several years and therefore the number has to be increased. He says that the inspection agency of schools who can inspect the schools. I cannot understand why we should have four additional Inspectors. I think the two are inconsistent. If we are going to have one, the second can be deleted. If the Hon'ble Mr. Krishna Rao's resolution is accepted and 11 additional Assistant Inspectors are appointed, it is still more necessary that my resolution should be accepted by the Government. I do not think that we want both Circle Inspectors and additional Assistant Inspectors. When we have the whole scheme before us, we can consider how many Circle Inspectors and additional Assistant Inspectors we may have. But till the scheme has matured, I think this expenditure may be omitted altogether."

His Excellency the PRESIDENT :—" I am reluctant to add anything to what the Honourable the Director of Public Instruction has said, because he has said everything that can be said. It is not permissible for us to go back and discuss resolution No. X. As a matter of fact resolution No. X involves not only the addition of additional Assistant Inspectors but the reorganization of the whole grade. In that sense it may be differentiated from the resolution we are now discussing. The point is simply this: The department is spending a certain amount upon secondary education and we are not getting the full value of that money without the inspecting agency. The Honourable the Director of Public Instruction has pointed out that since 1913, I think he said, 40 per cent has been added to the number of pupils in the secondary schools. If the department is to get full value for the money spent on educating these scholars, really it is in the opinion of the department essential that there should be for the time being at any rate an addition to the staff of the inspecting agency, and I cannot do otherwise than advise the Council to accept this provision. In the current year only 17 secondary schools and 49 model schools have been opened. At present the Inspectors are overworked. If we are to get the full value of the money the department cannot do better than advise the appointment of these Inspectors. Does the Honourable Member press the resolution ?"

The Hon'ble Mr. A. SURYANARAYANA RAO :—" No."

His Excellency the PRESIDENT :—" The Honourable Member will realize that this is a perfectly genuine and moderate demand that the department has made."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE GRANTS-IN-AID TO THE VANIYAMBADI MUHAMMADAN EDUCATIONAL SOCIETY FOR THE ISLAMIA COLLEGE.

The Hon'ble Yaqub Hasan Sahib Bahadur :—" I beg to move—

'XII. This Council recommends to His Excellency the Governor in Council that the provision of Rs. 15,048 for the College for Muhammadans, Madras (temporary), under the head 22-C. be omitted and that an additional provision of Rs. 15,000 be made under the head 22-G. EDUCATION—Grants-in-aid—Teaching grant to Colleges—General, to be paid to the Vaniyambadi Muhammadan Educational Society for establishing Islamia College in connexion with its Madrasa Islamia.'

"The Government College for Muhammadans for which Rs. 15,048 are provided in the Financial Statement has come into existence in sudden and mysterious manner. In the Financial Statement that we discussed in this Council in March last a lump sum of 75 thousand was provided for the improvement of Muhammadan education including 'grants to a Muhammadan College.' This referred of course to the Usmania College for which His Exalted Highness the Nizam had sanctioned a monthly grant of Rs. 1,000.

"There is a difference between a Muslim College and a College for Mussalmans. One is a national institution managed and maintained by the Mussalmans themselves in which students are trained on Islamic lines under Muslim influences in Muslim surroundings, and Koran, Hadis (traditions) theology and Muslim history form part of the curricula of the studies. Government sympathised with the movement for the founding of the Muslim College and we are grateful to Mr. Stone, who, I am glad, has been knighted recently, for the valuable help he gave in the initial stage of the scheme. Unfortunately dissensions arose in the managing body of the Islamia High School at Vaniyambadi in connexion with which the college was to be

5TH FEBRUARY 1919.]

(Mr. Yaqub Hasan.)

established. The obvious course for the Government to adopt at such a juncture was to try to bring about reconciliation between the two warring elements in the managing body. There have been instances of more serious quarrels at Aligarh and Lahore in the managing bodies of the Muslim Colleges, but Government always intervened as peace-makers and restored harmony. I had personally appealed to your Excellency to take similar course. Your Excellency was at one time prepared to act on this request and with a view to give your Excellency free hand to arrange matters satisfactorily I even offered to resign the secretaryship of the Usmania College Board. This is what I wrote to your Excellency on the 18th June 1917 :—

"Allow me to thank you most heartily for the warm interest you have shown in the establishment of the Usmania College at Vaniyambadi and the kind efforts you are making for a satisfactory settlement of the differences that have unfortunately arisen. I beg to repeat what I have already told your Excellency that should my resignation of office as Secretary to the Board of the Management be in any way useful in bringing about an amicable arrangement that will ensure the placing of the institution on a stronger and more stable basis and secure the hearty co-operation and financial support of all the parties concerned, I shall, indeed, be quite willing to tender it to the Board at its very first meeting. I will do this most cheerfully, as the one thing I was longing for all these years is the establishment of a college for the advancement of education among my co-religionists. But the careful thought and consideration you have bestowed on this subject and the generous and sympathetic manner in which you propose to deal with it, will I am sure result in bringing the college into existence under more happy auspices than would have been the case otherwise."

"But your Excellency, for reasons best known to yourself, did not take any steps to carry out your original intention. In reply to Sir Stone's letter of the 21st June I wrote to him on the 24th as follows :—

"I am surprised that His Excellency the Governor has thought it fit to change the attitude he had taken in the matter of the Usmania College. When I had an interview with him at Ootacamund on the 13th instant, I understood distinctly that he had resolved to help the movement with a view to have the Usmania College established at Vaniyambadi in July next and to make it the best equipped and most efficient institution possible. He told me that the Government owed it to His Highness the Nizam that the object of his generosity should be realized in the way he would naturally desire it. He assured me that the Government would help the Usmania College with funds and place on the board of management additional educationists who would help in making the institution the best of the kind. His Excellency at the same time said that something might be done to conciliate the other party who were opposing the movement. I offered to resign the secretaryship in order that His Excellency's scheme of reconciliation might be carried out. His Excellency also told me that he would send for the three leaders of the Islamia party and tell them that the Government was resolved to help the Usmania College and ask them to set aside all personal considerations in the same spirit as, His Excellency was good enough to observe, I was prepared to do. His Excellency as well as myself felt sure that this scheme was bound to succeed and I proceeded to carry out my part of it. I had informed His Excellency at the same interview that with your approval I had made all the necessary arrangements for starting the Usmania College early next month, and His Excellency did not think there would be any need for disturbing them. I gave His Excellency on the 18th instant when he came to Madras my undertaking in writing. His Excellency again expressed his intention of meeting the Islamia party at an early date with a view to bring about the compromise. Since then I am not aware of any new developments that have led the Government to change their attitude. If His Excellency had acted on his original proposal and has seen the Islamia party I am sure the object in view would have been attained. Without any attempts in that direction it cannot be said that there is no prospect of any immediate restoration of harmony. If the Government do not think that they can grapple with the situation they may leave it to the Board to meet it as best as possible. The Board is bound to carry out the purpose for which it has been constituted. If, however, the Government think that they have not had sufficient time to arrive at a definite conclusion as to their attitude towards the Usmania College, its establishment may be postponed for a year, although all arrangements have been made for the accommodation for the college classes and the lodging of the students, necessary furniture has been made and a good staff can be appointed from among the numerous applications already received. Applications from students are also pouring in in response to the notice I had sent to all the eligible students of the year."

"At the particular request of Sir Stone the Usmania College Board in its meeting held on the 2nd July 1917 resolved 'that, in view of the fact that the arrangements for opening the college were very far from completion the Board is of opinion that the opening of the college be postponed till July 1918 and that meantime all necessary steps for securing this object be taken.'

"Very soon after this your Excellency made up your mind that Madras would be a better place for this college than Vaniyambadi. Your Excellency called half a dozen Mussalmans at a few hours' notice to the Government House on the 19th of July 1917 and got your Excellency's premeditated resolution subscribed to by the majority of those present. Two press communiqués followed in which the Government sympathized with the desire of the Muslim community to have a college of its own but at the same time made the community understand that the 'Government have decided that any financial aid which they are able to promise to the advancement of this branch of Muhammadan education shall be given towards the establishment of a college in Madras.'

(Mr. Yaqub Hasan.)

[5TH FEBRUARY 1919.]

"After having indicated their attitude (in such unmistakeable terms) as to the location of the college the Government ought to have left the matter to the Usmania College Board to do the needful. Your Excellency did not allow the President or the Secretary of the Board to negotiate with His Exalted Highness the Nizam but carried on the correspondence yourself. We are quite in the dark as to what passed between the two Governments and what decision was eventually formed by His Exalted Highness the Nizam in respect of the monthly grant of Rs. 1,000. We can only surmise that he has refused to transfer to a college in Madras what he had specifically granted to the community at Vaniyambadi in appreciative furtherance of the great work it had already done there. I referred to this question in the budget meeting of last April, but Sir Stone was not in a position then to tell me definitely what would be the fate of the Usmania College scheme, and yet within two months the Government from the hills arranged to open the college in connection with the Madrasa-i-Azam in a most precipitate manner. I repeat what I had written to Mr. Stone in the letter I have quoted above:—

"Please allow me also to state that if the Government intervention results only in frustrating the scheme of the Usmania College which has not been launched without a good deal of consideration it will do great harm to the community—harm,—which cannot be counterbalanced by any scheme for advancing Muhammadan education which Government may see fit to launch on their own responsibility."

"The college that Government have started can never prove to be as useful to the community as the national college founded and maintained by Mussalmans is bound to be. I say this for the following reasons:—

"(1) No satisfactory arrangement can be made in a Government College for the compulsory teaching of Koran, Hadis, theology, Islamic history, etc.;

"(2) Religious discipline and Islamic manners and etiquette cannot be enforced;

"(3) Islamic culture cannot be imparted in an institution with the help of the staff which is not responsible to a Muslim management; and

"(4) Healthy traditions cannot be built up and public interest and enthusiasm cannot be created about an institution in the fortunes of which the community is not closely and keenly interested."

"It will be a waste of money for Government to equip and maintain a college in an efficient and up-to-date condition for Mussalmans in the town of Madras where the Government Presidency College is close at hand to serve the same purpose. There can never be any special feature in the Umdah Bagh College to attract Muslim students to it in preference to the Presidency College or for the matter of that to the Christian College. On the other hand a new disability is created for the Mussalmans by the establishment of this college and that is that Mussalmans will not be admitted in the other colleges of Madras and they have to be content with the second or third rate teaching of the Umdah Bagh College."

"Another disadvantage is that Mussalman students are denied the benefit of healthy competition with the bright Hindu fellow students. In the school stage of education we cannot help having separate schools and classes for Mussalmans on account of the vernacular but no such difficulty exists in the upper secondary and college classes. Hindu boys are freely admitted in the higher forms of the Vaniyambadi Islamia School and it was intended to admit Hindu students in the proposed college too."

"I therefore beg to urge upon the Government to give this matter their earnest consideration while there is yet time to retract the steps they have hastily taken. The college has not yet been affiliated to the University and can be given up in favour of a better and more acceptable scheme. If the Government persist in maintaining this college they will block the way for another Muslim college to come into existence. In the first place considering the small number of Muslim students two Muhammadan colleges will be too many and the University will not allow a superfluous institution to be established in competition with the Government College. Large amount of money and labour has been spent in making the Madrasa Islamia of Vaniyambadi the centre of Muslim learning and culture in this Presidency and great hopes were entertained about its becoming one day the Aligarh of the south. The active sympathy and munificent support of the great Muslim Prince His Exalted Highness the Nizam was enlisted on its behalf with that end in view. The inconsiderate, though of course well meaning action of your Excellency's Government has put a check, I hope only a temporary check, on the ordered progress of that institution. I appeal to your Excellency once more to remove this embargo that has been placed on our one solitary national institution in this Presidency and give it a chance to develop on the lines its founders have thoughtfully laid down for it. I understand that the managing body of the Vaniyambadi Madrasa has resolved last year to raise it this year to the status of a second-grade college. In this resolution I beg of your Excellency to transfer the amount earmarked for the Umdah Bagh College to Vaniyambadi as a grant-in-aid for the Islamia College to be established there in connection with the Islamia High School. It will arouse the interest and the enthusiasm of the community afresh and stimulate them to further educational activities to attain the new goal the Government will be placing before it. It may even be possible for the community to regain the sympathy and patronage of His Exalted Highness the Nizam by making their own efforts worthy of such generosity. Like God, Princes and Government help those who help themselves. We want your Excellency to help us in our attempts at self-help in the matter of education and not to kill this spirit in us by setting up to do for us what we are prepared to do for ourselves. The Muslim community had great expectations from the sympathetic attitude your Excellency had adopted towards Muslim education in general and the Vaniyambadi Madrasa in particular ever

5TH FEBRUARY 1919.]

(Mr. Yaqub Hasan; Mr. Littlehailes;
Mr. Narasimha Ayyar; the President; Mr. Aziz-ud-din.)

since your visit to that institution at my personal invitation. Let not your Excellency's career in this Presidency end in an act which can mean a death knell of the cherished hopes and aspirations of the community in the matter of their projected national college."

The Hon'ble Mr. R. LITTLEHAILES:—"Your Excellency, the college for Muhammadans in Madras was opened to meet a recognized public demand for a college for Muhammadans, a demand which was expressed freely throughout the whole Presidency. The resolution that has been now proposed is to close down this existing college and to pay over the funds allotted for its maintenance to an educational society which has as yet not started a college. So far as the University and so far as the department of education are aware, no scheme has been formulated for starting a new college or for its maintenance in a state of efficiency. I do not enter into the arguments of the Honourable Mover of this resolution regarding the site on which the single college for Muhammadans, which is all that he thinks is needed to meet the present requirement of the University, should be; but I think it would be a retrograde step if the college that has already begun were now to be closed. It is a college for Muhammadans to meet the demand of the Muhammadans. It is not intended to compel all Muhammadans to go to it. That is not the intention of the Government. Muhammadans will be free to attend any other college as they have been accustomed hitherto. But there is a certain section of the community which desires a college for Muhammadans pure and simple, and the Government have met that demand, and the existing provision in the budget is merely for the continued maintenance of the college."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"May I ask for information as to whether the apparent implication in this resolution is correct? Evidently a grant of Rs. 15,000 for the college at Madras seems to imply that Rs. 15,000 or some other grant that will be required for the development of the Vaniyambadi Muhammadan educational institution would not be forthcoming. Is there any basis for the idea that if the Vaniyambadi Educational Society should make an application for starting certain classes and the department should consider that there is no objection to their being started the money would not be forthcoming from the general grant-in-aid provided already?"

His Excellency the PRESIDENT:—"I do not know whether the Hon'ble Mr. Littlehailes can say whether there is any application."

The Hon'ble Mr. R. LITTLEHAILES:—"There is no application. It is useless to make budget provision until an application is made."

The Hon'ble Khan Bahadur MUHAMMAD AZIZ-UD-DIN SAHIB:—"With your Excellency's permission I should like to say a few words in my individual capacity as a member of this House. I am not prepared to make any lengthy speech in reply to the long written speech of the Hon'ble Mr. Yaqub Hasan, but I am bound to say this much, that the whole Mussalman community is very grateful to your Excellency for establishing a college for them in Madras. The question as to the location of the college was very carefully considered by your Excellency and in that conference the Hon'ble Mr. Yaqub Hasan was also present. The Hon'ble Mr. Justice Abdur Rahim was very strong on the point that Madras was the best centre for the Muhammadan college. The local Mussalman press expressed its grateful thanks to your Excellency for the location of the college in Madras. It is unnecessary for me to narrate the grounds which induced your Excellency to establish it in the town of Madras in preference to any other place in the Presidency. The Hon'ble Mr. Yaqub Hasan has repeated the ancient history connected with the Usmania and Islamia Colleges and he has ventured even to remark that, when dissensions arose at Vaniyambadi on account of the unauthorized and ill-considered action of the Hon'ble Mr. Yaqub Hasan, your Excellency's Government or your Excellency was not pleased to reconcile the two parties there. As far as I could see, it was impossible for the Government or anybody else to bring about any reconciliation at Vaniyambadi. Even as matters stand now, I think that it is not possible to bring about a reconciliation there. This very morning the leading Mussalmans of Vaniyambadi came to me and begged me to speak against the resolution of the Hon'ble Mr. Yaqub Hassan. It was no doubt unfortunate that the Vaniyambadi people did not accept to associate their intended college with His Exalted Highness the Nizam. That, I consider was a political blunder, but for all that the Hon'ble Mr. Yaqub Hasan has to thank himself a great deal. I do not understand why the Hon'ble Mr. Yaqub Hasan has thought it fit to call the Government College in Madras a temporary one or to say that no grant should be made to it. That is a college which has come into existence as a matter of fact. It is progressing and is appreciated by the Mussalman public. The idea of the Hon'ble Mr. Yaqub Hasan running back again to the name of the Islamia College when he once so much asserted himself against it passes my comprehension. I do not know what changes have taken place since then. All that I know is that the dissensions among the Mussalmans of Vaniyambadi are now almost the same as they were when the apple of discord was thrown there by the rather ill-thought of action of the Hon'ble Mr. Yaqub Hasan, who had no business to go to Hyderabad and to entreat the authorities there to give a certain name to the college without consulting those who were responsible for all the financial assistance they were prepared to give to the Islamia Madrasa at Vaniyambadi or to the proposed Usmania College. It was most unfortunate that the name of His Exalted Highness the Nizam was at all dragged in. But for all that mistake the Hon'ble Mr. Yaqub Hasan was responsible. If he had only consulted the donors and the Mussalmans of Vaniyambadi before he undertook his trip to Hyderabad, I do

(Mr. Aziz-ud-din ; Mr. Yaqub Hasan.) [5TH FEBRUARY 1919.]

not think all that trouble would ever have seen the light of day. However, as matters stand, the Mussalmans of Southern India are most grateful to your Excellency for having established a college for them in Madras. As to all those ideas of a National college and matters connected with it I think it is premature now to discuss them. The college has been started, and I am sure as it is going on, it will, develop and the future government will do for its development all that may lie in their power. If objections are started the moment the college is started, that will be prejudicial to the interests of the college.

"I am taking this opportunity on behalf of the Mussalmans of Southern India for all that your Excellency has been pleased to do to advance the cause of Mussalmans. Several lower secondary schools have been established throughout the Presidency. Mussalman boys have been sent to England with the help of the Government and now the Government college in Madras is an accomplished fact. Everything is progressing in the right direction, and I hope that the resolution of the Hon'ble Mr. Yaqub Hasan will not be accepted.

"One thing which the Mussalmans of Vaniyambadi requested me to do is to ascertain from the Hon'ble Mr. Yaqub Hasan what has become of the Rs. 25,000 which His Exalted Highness the Nizam gave for the College at Vaniyambadi. They want, in case the Hon'ble Mr. Yaqub Hasan is earnest about the advancement of the education of Mussalmans, that that amount, in case it stands in his name, may be made over to the Government College in Madras."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Your Excellency, the Hon'ble Mr. Littlehales has said that this college was brought into existence in response to the demand for a Muhammadan college. The demand was for a private Muhammadan college. That demand was recognized by the Government and in the two press communiques that I have quoted, it was stated that the Government sympathised with the demand of the Muhammadans, and whatever help they could give towards that college would be given by the Government if it was established in Madras. That itself shows that the College was to be a private college and that the demand was for a private college. The Government recognized the demand for a private college. There was no demand that the Government should establish a college. When the Government have established this college, they have done it on their own responsibility without any demand for it; at any rate it is not in response to that demand to which the press communiques referred.

"Then it was said that there was no other college started, and as far as the University was concerned there was no scheme for any other college. It is unfortunate that Sir J. H. Stone is not here. Mr. Littlehales succeeded him lately and he does not know the past history. But your Excellency knows there were two schemes before your Excellency. There was the scheme of the Islamia College and the scheme of the Usmania College and the Government chose to support the Usmania College scheme. That scheme was supported till April last. The Government corresponded with His Highness the Nizam with a view to transfer the grant of Rs. 1,000 from the college in Vaniyambadi to the college in Madras. That itself shows that all along it was a private college that the Government wanted to help. Of course, the Government at the same time tried to bring it under their own control for reasons known to themselves. In those days there was very much in the air about students taking part in politics, and the Government perhaps felt that if the college remained in the hands of persons who took interest in politics the students might be led astray, and if the college were founded in Madras it would be under better control and under the direct eye of the Government. Whatever reason it was, it was a private college which the Government wanted to bring under their own control, and there was never any mention of their starting a Government college. Because that grant of the Nizam was withdrawn, it was thought that Government had gone too far to recede. There were two schemes. The Islamia College they discouraged and they encouraged the Usmania College. Now that the Nizam's grant to the Usmania College was withdrawn the Government started a college in Madras without consulting the community. That college was started when the Government were on the hills. All of a sudden the college was started, and it cannot be said that it was a considered action on the part of the Government. In my speech I have characterized that action as inconsiderate. At the same time I have given your Excellency's Government credit for good intentions. They intended that our education should prosper, and I have myself in my speech expressed the gratefulness of the community for that.

"The Hon'ble Mr. Littlehales has said that they have started a college but they do not compel students to go there. Compulsion can be brought about indirectly. One student went to the Principal of the Madras Christian College and was told that this year he would not admit Mussalman students because it would be unfair to the Muhammadan college. Two second year students were brought over from the Presidency College against their will. The Presidency College refuses to admit students who take up subjects which are provided for in the Umdah Bagh College. If that is not compulsion, I do not know what compulsion means. What is the distinguishing feature between the Umdah Bagh College and the Presidency College? Both are Government colleges, and only secular education is arranged for and there is nothing to attract Mussalman students to the new college simply because it is called a Muhammadan college. If there were a Muhammadan college under the control of Muhammadans with Mr. Justice Abdur Rahim as president, there would have been great enthusiasm throughout the country and many people would have come forward and subscribed several thousands of rupees. The Hon'ble Mr. Justice Abdur Rahim got promises and expected to raise about two lakhs. All this money is lost to our education. The Government could not ask us to pay that money to the Government college. In one of the press communiques the Government

5TH FEBRUARY 1919.]

(Mr. Yaqub Hasan.)

have stated that Muhammadans would show their generosity in order to enable the first steps to be taken. Was it for the purposes of the Government college that Muhammadan generosity was asked for and not for a private college?

"The Hon'ble Mr. Aziz-ud-din chose to say something on this subject. His position in this Council is very peculiar. He is an official and he often speaks on behalf of the Government, but somehow or other when some Muhammadan question comes up he takes up his individual capacity and begins to speak on behalf of the community as if he represented that community in this Council or anywhere else. He chooses to say things which are not in keeping with the true facts of the matter. For example he now tells us that a body of Vaniyambadi Mussalmans asked him to oppose this resolution. The Mussalmans who went to him must be really most foolish people when they asked him to oppose the very thing that I was going to do for the sake of Vaniyambadi Mussalmans. They have got Rs. 70,000 for a college. The other day they negotiated for the purchase of a building in order that the income might be utilized for the college. Last year they wanted to start an Islamia college and they opposed the proposal to start the college here. I am trying to make it possible for the Islamia college to be started there. If the Government college becomes permanent, this Islamia college would not be started because two colleges would not be allowed. I am helping these very Muhammadans of Vaniyambadi who want this college to be started. If this resolution is thrown out and this college becomes permanent, the very object of the Mussalmans who went to the Hon'ble Mr. Aziz-ud-din will be thwarted. Here the Hon'ble Mr. Aziz-ud-din comes in as the representative of these Muhammadans and tells us that he opposes the resolution on their behalf. They may as well say, 'save us from such a friend.'

"Then he says dissensions exist still in Vaniyambadi. It takes two people to make a quarrel. In Vaniyambadi dissensions existed because there were two parties. One party has retired—the party who had to do with the Usmania college. I have not taken any part in Vaniyambadi affairs for the last one year and a half nor my friend Mr. Kalami who was associated with me in this matter. He has not gone there for two years. The dissensions do not exist now, because there are no two parties. How dissensions can exist even now passes my comprehension. If there are any Mussalmans there who do not like me personally, that does not mean that there are dissensions about the college or school there. Then he says it is impossible even to-day to reconcile these two parties. No reconciliation is necessary as there are no two parties existing.

"Then he accuses me of going into the ancient history about the Usmania college. But he himself goes into it. I went into the history as far as it referred to this matter, as far as it helped this resolution. But he goes into that ancient history and rakes up the quarrel about the name of His Highness the Nizam being given to that college. That is a different matter altogether. It does not arise at all out of this resolution. Whether I went there with or without the permission of the people is a different matter. I do not want to go into it. It will suffice to say that many officials of the Government helped us in that scheme. It was that scheme which His Highness the Nizam accepted on the recommendation of some friends of the Muhammadan community, and it was only lately when other people who posed as friends came mund about this matter, I said that the Hon'ble Mr. Aziz-ud-din was interfering in this matter and if he continued to do so he would spoil the whole thing. I find now that the scheme has been frustrated on account of the kindly interest that the Hon'ble Mr. Aziz-ud-din took in the matter of Vaniyambadi. That was not his concern and he ought not to have interfered in it. What he did in connexion with it has been responsible for the mischief that has arisen. Your Excellency you will recognize from the tone of my speech that I was very humble in my request. I appealed to Your Excellency in the most pleading manner I could command that I wanted everything that was controversial to be kept out. I did not want any heat to be introduced into this discussion. As I have said, we are grateful to Your Excellency for all that you have done for the community in the matter of our education. I want Your Excellency's career not to end without that beneficent work that Your Excellency has undertaken to do in connexion with this coming to fruition. Unfortunately something has occurred to upset the even tenor of that educational scheme. This college, I sincerely believe—the Government college—is not so very necessary for the promotion of my community's education as a college maintained by Muhammadans. When the decision that Your Excellency arrived at about the location of that college was come to, it is true that some people hailed that decision with pleasure and in the Mussalman press it was endorsed, because the Usmania college was in view and not the Muhammadan college which the Government have started. If the Hon'ble Mr. Littlehales had said that if the other scheme of Vaniyambadi matures at a later date and it was represented to the Government that they wanted the Islamia college to come into existence, then the Government would reconsider the matter and would not stand in the way of the Islamia college coming into existence, I would have felt satisfied. There is no doubt that in my resolution there is a technical flaw, that is to say, a grant cannot be given to a college that does not exist. But the Government college is a temporary one. I did not use the word 'temporary', but I quoted the language of the Civil Budget Estimate. That word temporary was not my word. The Hon'ble Mr. Aziz-ud-din thought I called it temporary and he wasted so many words over it. That is not my word. It is stated here and it is temporary so long as it is unaffiliated. I understand that an application has now been made for its affiliation. All that I want is not to get that college affiliated, but to continue to teach the students they have taken in and allow them to appear as private students according to the regulations of the

(Mr. Yaqub Hasan; Mr. Pittendrigh; the President; [5TH FEBRUARY 1919.
Mr. Ranga Achariyar.]

University, and next year probably you may reconsider the matter and consult the Muhammadan community and the Vaniyambadi Educational Society that has done so much for the education of Muhammadans. If Your Excellency concluded after consulting the community that they prefer the college to be maintained by the Government and not by Muhammadans or the Vaniyambadi Society, then Your Excellency's Government may come to that decision and on that decision the Government and the Muhammadan community may act. But before they do that, this college should not be affiliated and should not become a permanent institution. Once it becomes a permanent institution, the Educational Society will have to give up all their aspirations and all the noble aims that they have concerning their institution. That will be doomed to remain a high school and it will become parochial in its character. It will lose its character as a school for the whole Presidency, and the students who go there from all over the Presidency will cease to go there because they will find that this school will remain only a school and will never become a college. I appeal to Your Excellency once more not to destroy this scheme of a national college for Muhammadans that they have taken nearly twenty years to build up.

"One word more, Your Excellency: Reference was made to the 25,000 rupees grant which His Highness the Nizam has already paid for the Usmania college. That amount was paid for the building and equipment of the proposed Usmania college and the monthly grant of Rs. 1,000 was promised to be paid when the college came into existence. That amount is invested as a deposit in the Madras Bank as resolved by the Usmania College Board, of which the Hon'ble Mr. Justice Abdur Rahim is the President and the Director of Public Instruction is also a member. Sir J. H. Stone was a party to that arrangement. With reference to that there is a letter from Mr. Glancey, the Finance Assistant Minister of Hyderabad, saying that that amount is to be paid to the Board of the college that is to come into existence in Madras. That itself shows at any rate that Mr. Glancey is not aware that there is no such board and no such college as he has in view. This college is a different thing. Last time the board resolved that the wishes of His Highness the Nizam should be ascertained as to the disposal of the 25,000 rupees, and as soon as they are ascertained, that amount will be disposed of as His Highness directs. At the same time the Hon'ble Mr. Justice Abdur Rahim at the last meeting appealed to Mr. Duncan and said that 'when the Government are going to spend so much money on the college why should they take this Rs. 25,000 also; let this 25,000 rupees go towards the scholarship fund for Muhammadan students.' And he said if that amount was left with him he would be able to get some more money and create good scholarship fund. Even after that I have received a letter from Mr. Duncan asking me to hand over the Rs. 25,000 with interest. I appeal to Your Excellency's Government not to press for the payment of that small residue that has been left out of the generosity of the Nizam, to the Government college. It may be utilized more usefully in the other way."

The Hon'ble the Rev. Mr. G. PITTENDRIGH:—"May I rise to a question of fact? I do not propose to enter into the discussion because I presume it is closed. But the Hon'ble Mr. Yaqub Hasan has made one statement which it seems to me requires explanation. He said that the Principal of the Christian College refused to admit Muhammadan students because they should be sent to the Muhammadan college. I think he must be under some misapprehension because there are a number of Muhammadan students in the junior Intermediate class admitted by Dr. Skinner. I simply mention it because in case the statement made in this Council should go forth without contradiction it would cause misapprehension."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"I saw Dr. Skinner at his house. I took the student and I asked him to admit him into the college. He said—why not I take this boy into the Muhammadan college and why should he come to the Christian College? And he told me what I repeated in my speech, that because that college was opened he thought it was fair that these students should go there. The fact that there are some students in the Junior class of the Christian College does not show that all those who sought admission got admitted. There are some subjects which are not taught in the Muhammadan college; perhaps in those subjects they may have been admitted; and this boy that I took had taken a subject which was taught in the Muhammadan college, and still Dr. Skinner was good enough to admit him as a special case in the Christian College."

His Excellency the President:—"Does the Honourable Gentleman press the resolution?"

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Yes."

The Hon'ble Rao Bahadur T. Ranga Achariyar:—"I wish to know whether the Government have definitely committed themselves to any policy with reference to the Educational Society."

His Excellency the President:—"What does the Honourable Gentleman mean?"

The Hon'ble Rao Bahadur T. Ranga Achariyar:—"Whether they are prepared to encourage that society in case they open a college."

His Excellency the President:—"The Government cannot answer hypothetical questions of that kind. The Hon'ble the Director of Public Instruction has stated all the facts, and we will now take the division."

The resolution was put and lost.

5TH FEBRUARY 1919.] (Mr. Rama Ayyangar; Mr. Littlehailes;
Mr. A. S. Krishna Rao.)

RESOLUTION RE GRANT TO THE MADURA MUNICIPALITY FOR PROVIDING SITES AND BUILDINGS FOR MUNICIPAL SCHOOLS.

The Hon'ble Mr. K. RAMA AYYANGAR:—"The resolution which stands in my name runs thus:—

'XIII. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 85,218 be provided for the acquisition of sites for municipal schools and for the construction of buildings for the same to be granted to the Madura Municipality and that the same be met from the provision for school buildings or by a corresponding reduction under the head 45-B.'

"This relates to the correspondence between the Director of Public Instruction and the Madura Municipality in respect of the number of primary schools that they maintain there and propose to extend in course of time. The amount that I refer to covers the acquisition of sites for four schools and buildings for six schools. The municipality maintains about 17 schools, some for girls and some for boys, some for Panchamas and some for Muhammadans. The Government have been communicated with by the municipality and in that communication they give exactly what they propose to do with a view to introduce schools in the various parts of the town so that boys may have the chance of attending school with the view of getting all the school-going population into these schools for primary education. The scheme has been submitted to the Government and a printed memorandum also. They propose to open 40 schools. They do not propose to ask the Government to help them immediately. The present proposal is to acquire four more buildings for four more schools and to put up buildings for six more primary schools. If the acquisition of sites is put off, the price of land in Madura increases steadily, and unless they are acquired as early as possible, the price may become much more prohibitive. As it is they cost a fairly large sum. In these circumstances my request is that this small fraction of the total scheme they have before them may be considered especially in a year of this kind when about Rs. 8 lakhs of expenditure has been added under the head of grants for buildings. It includes buildings for secondary schools also. The portion relating to elementary education will be about Rs. 4 lakhs. I beg to submit that I do not want that the scheme of the other municipalities and other boards should not be considered; but I contend that this municipality which has set a scheme before itself and proposes to expend money for the maintenance of these schools may be given this non-recurring grant so as to bring it under the category of bigger municipalities in the Presidency. It is second only to Madras. If compulsory education be introduced in any place next to Madras, it will be in Madura. As I said they have spread it over a number of years and the grants can be given in small bits. They have prepared plans and estimates, and I understand in respect of two of them they have been approved by the Sanitary Engineer also, and four others are modelled on the plan of the Goripalayam school which has been approved by the Government and has also been constructed. In these circumstances I hope that the Government may view this proposal with favour and help the municipality."

The Hon'ble Mr. R. LITTLEHAILES:—"Your Excellency, the crux of this matter rests on the fact that although the educational budget is large relatively to other budgets, yet the funds are limited, and the needs of the Madura Municipality will have to be considered with reference to the needs of other local bodies. I may mention that in the years 1917 and 1918 subsidies for building elementary schools to the amount of Rs. 40,000 out of a total of just a little over Rs. 1,64,000 for the whole Presidency were awarded to the Madura Municipality. That indicates that the needs of the municipality have not been neglected or ignored by the Government in the past. There is no fear that they will be ignored in future."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I do not want to press the resolution."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE PROVISION FOR THE ESTABLISHMENT OF A SECONDARY SCHOOL FOR GIRLS AT NELLORE.

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I have the honour to move:—

'XIV. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 5,000 be provided under 22. EDUCATION for the establishment of a secondary school for girls at Nellore and that a corresponding reduction be made under 45. CIVIL WORKS—Civil Buildings.'

"I do not think it is necessary for me to say much in support of this resolution, so long as it is admitted that with the greater advance made in this Presidency in the matter of female education it is necessary to make adequate provision for imparting secondary education in the case of girls. It will be found that steady progress has been made and at the end of 1917-18 we find the number of schools for non-European girls increased by 153; but while public institutions showed an advance of 171, private schools decreased by 18. The total strength of these institutions increased by 7,700. It is high time that every district in the Presidency is

(Mr. A. S. Krishna Rao ; Mr. Siva Rao ; the President ; [5TH FEBRUARY 1919, Mr. Littlehailes ; Mr. Narasimha Ayyar.]

provided at least with one secondary school for girls. If I have brought this specific proposal with regard to one district in particular, it is necessary for me to point out that with the gradual spread of female education and with the interest which is being shown in that matter, though the progress is not so rapid as we could wish, it is necessary to make arrangements for opening secondary schools in every district. I have prominently brought up the case of the Nellore district because I know that during the last four or five years representations have been made for the establishment of secondary schools for girls, and that the district has shown sufficient advance in the matter of female education. We find that at the end of 1917-18 the number of public institutions, non-European schools, elementary schools in the district were 10, 6, and 52 in the three groups and the number of elementary scholars in each group about 1,500. That is fairly good progress though there is scope for much better progress in that direction. It will certainly improve the quality of education if arrangements are made for opening a secondary school. I am sure that the object is one with which the Government are in sympathy. I only request that a provision should be made in the next budget."

The Hon'ble Mr. P. SIVA RAO :—"I have got a similar resolution. I may be allowed to say a word."

His Excellency the PRESIDENT :—"Yes."

The resolution which stood in the name of the Hon'ble Mr. P. Siva Rao was as follows :—

'XV. This Council recommends to His Excellency the Governor in Council that an additional sum of Rs. 8,000 may be provided for in the budget for opening a secondary school for girls in the Ceded districts and that a corresponding reduction may be made under 45. CIVIL WORKS.'

The Hon'ble Mr. P. SIVA RAO :—"Your Excellency, mine is a similar resolution to open a secondary school for girls in the Ceded districts. I am aware, Your Excellency, that the Government have got the best interests of female education at heart. Even in the current year they allotted a lump provision of Rs. 53,000 for the development of female education in the Presidency, out of which a fair proportion must go towards starting four secondary schools for girls. For some reason or other none were started in the current year. The location of three schools seems to have been settled—one at Masulipatam, one at Cuddalore and one at Mangalore. In the next year's budget only Rs. 14,000 has been provided for the opening of three schools and in the lump allotment it is stated that 1.53 lakhs has been allotted for female education. I do not see why the fourth school should have been dropped in the coming year. I only want that it should be taken up. It is time enough that one should be located in the Ceded districts. As to the precise place, it may be opened at Bellary or preferably at Anantapur. This request was made last year and even in the present year I made the request. If for any reason it is not found possible to start a secondary school all at once, I strongly appeal to Your Excellency's Government to start a middle school in the Ceded districts. A small beginning may be made. Surely there is need for four or five secondary schools for girls in this Presidency. For these reasons I commend this resolution for the acceptance of the Council. Probably the scheme is under consideration for opening one secondary school at each district headquarters."

The Hon'ble Mr. R. LITTLEHAILES :—"Your Excellency, there is no need to provide additional funds in the budget for this purpose. We have a scheme which the Honourable Movers of these two resolutions already know and the scheme includes all these places: Nellore and also the three Ceded district centres which they have mentioned."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"Is it all at district centres?"

The Hon'ble Mr. R. LITTLEHAILES :—"It includes one school in Kurnool, one in Bellary and one in Anantapur, which are Ceded districts. The question that we have to take up departmentally is where the demand for these schools is greatest and where the need shows itself most. That is a matter in which our inspecting officers must be consulted. All I can say is that the scheme exists and no budget provision is needed. We have all that is needed and due attention will be paid to the needs of the places mentioned."

The Hon'ble Mr. P. SIVA RAO :—"I beg to withdraw the resolution."

The Hon'ble Mr. A. S. KRISHNA RAO :—"I also withdraw my resolution."

With the permission of His Excellency the President both the Honourable Members withdrew their resolutions.

RESOLUTION RE INCREASE OF PAY TO THE TEACHERS IN THE SECONDARY SCHOOLS IN THE PRESIDENCY.

The Hon'ble Mr. P. SIVA RAO :—"Your Excellency, my next resolution stands thus :—

'XVI. This Council recommends to His Excellency the Governor in Council that a sum of 2 lakhs may be provided for in the budget under the head of 22. EDUCATION for raising the pay of the teachers in the secondary schools in the Presidency and that a corresponding reduction may be made under the head of 45. CIVIL WORKS.'

5TH FEBRUARY 1919.] (Mr. Siva Rao ; Mr. Littlehailes.)

"Your Excellency, this is a very old question. This resolution discloses a very acute grievance on the part of teachers both in elementary schools and secondary schools. As regards elementary schools, I am glad to say that the Government have solved it in a way and in the coming budget they have provided for a small increase in the pay of elementary teachers both in the case of boys' schools and girls' schools. But I am sorry to note that absolutely nothing has been done for improving the pay and prospects of teachers in secondary schools. In November last I moved a resolution before the Council which was in these terms: 'This Council recommends to His Excellency the Governor in Council that early steps may be taken to raise the salaries of the teachers in the elementary and secondary schools'. As I have already stated, the difficulty in the case of the elementary teachers has been solved to some extent. It is a notorious fact that the teachers in the secondary schools are under-paid; the salary that is now paid to them does not attract the best talent. In that connexion when I moved this resolution I drew the attention of this Council to the speech of His Excellency the Viceroy at the conference of Directors held in January 1917. Therein His Excellency said: 'We want, as I said lately in Calcutta, to raise the status of the teaching profession, to make it a calling with prizes which will induce men to enter it as a life profession'. I also referred the Council to what was stated in the 'Indian Educational Policy' issued in 1913. It is stated there that in the case of secondary teachers the policy of the Government of India is 'introducing a graded service for teachers of English with a minimum salary of Rs. 40 per mensem and a maximum salary of Rs. 400 per month'. I also quoted what was stated in the report on the Indian Constitution Reforms: 'Educational wastage is everywhere excessive and analysis shows that it is largely due to under-payment and want of proper training in the case of teachers'. What was stated by the then Director of Public Instruction in the quinquennial report was also quoted: 'Provident funds are rare, the scale of salaries is often inadequate, promotion is limited, and the management is not always satisfactory'. A memorial also has been submitted to the Government by the Council of the Association of Headmasters in which they have narrated the scales now in force. They quote statistics, and then state: 'From statistics collected by the South India Teachers' Union, we have information as to the salaries of 298 L.Ts. employed in various classes of schools scattered in different parts of the Presidency. Sixty of these are headmasters of complete secondary schools in receipt of salaries of Rs. 100 a month and above. Three of the 60 headmasters are on Rs. 100 a month; 16 receive between Rs. 100 and Rs. 125; 19 between Rs. 125 and Rs. 150; 3 between Rs. 175 and Rs. 200, and two Rs. 200. Of the remaining 238 L.Ts. only 55 get Rs. 100 or above, the others remaining on lower salaries than Rs. 100'. And then they propose the following salaries: for a headmaster Rs. 150 to Rs. 300, other L.Ts. Rs. 90 to Rs. 140, for pandits Rs. 35 to Rs. 55 and so forth. I understand that that memorial is still pending consideration at the hands of the Government."

"The Government sanctioned a scale for the new schools they started, the new secondary schools started in the Presidency. The Council is aware that some middle schools were raised to the status of secondary schools in the course of that year and then a uniform scale was provided under that scheme. The headmaster gets Rs. 125 and the assistants are started on a uniform pay of Rs. 80 rising to Rs. 100. It is time that something were done to improve the pay and prospects of these teachers. I would suggest that a small beginning be made next year, and large subsidies may be given to local bodies to increase the salary of the teachers in their employment. As regards the Government schools, there is no difficulty whatever. They may raise their salary at once. Some modest scale might be adopted. For the present I shall even be satisfied with the scale which the Government have recently sanctioned, and in the case of private schools liberal grants-in-aid may be given earmarked for the purpose of raising the salary of teachers in their schools. It has been done in Bombay. If the ordinary grant is not sufficient, a supplementary grant may be made in the case of deserving schools; and one-third or even half of the ordinary grant may be given mainly for the improvement of the salary of the teachers. That has been done in Bombay. There are so many grants for building purposes, for equipment and so on. Some special grant for raising the salary of teachers may be made, I am aware that the Government of India made a recurring grant of Rs. 4 lakhs for raising the pay and for the training of these teachers; but I am sorry to see that no portion of this grant has gone towards raising the pay of the secondary school teachers. Your Excellency, I think it is high time that something should be done in the matter. When I moved the last resolution, the then Director of Public Instruction was all sympathy with the resolution, though he was not prepared to go the length I suggested in the resolution. I wish that some allotment should be made for the purpose in the next budget."

The Hon'ble Mr. R. LITTLEHAILES :—"Your Excellency, various steps which I need not specifically enumerate have been taken to raise the pay of the teachers in secondary schools. The salaries of teachers in several secondary schools under local bodies or Government have been revised and proposals for others are under consideration. But the main body of our secondary school teachers are in aided institutions, which employ roughly speaking three out of every four teachers employed in the Presidency. If we are to accept this resolution, we shall find ourselves in a difficulty in the application of the Grant-in-Aid Code. The fundamental principle of our Code is that we pay one-half the net cost of maintaining secondary schools and whenever the management of a school has addressed the department with a suggestion or proposal that it is prepared to increase the pay of the staff, then the Government and the department have invariably been sympathetic and paid half the additional net cost. But the trouble lies with the management who are not, as a rule, prepared to meet half the additional

(Mr. Littlehailes ; Mr. Siva Rao ; Mr. Venkatapati Raju.) [5TH FEBRUARY 1919.]

expenditure. The question of revising the existing provision in the Code has been just referred back to the Director of Public Instruction in a Government Order of the 25th January, and I shall have to examine the question of alterations in the Code which is bound to include such a question as the one raised here, and it is possible that something may be found possible to aid these teachers who are really in need of an increased scale of salary. But nothing can be promised except that the matter will be investigated. In view of the fact that the question is just about to be re-considered, I do not suppose the Honourable Member will wish to press his resolution."

The Hon'ble Mr. P. SIVA RAO:—"I wish to say a few words in reply. It is certainly true that most of these secondary institutions are managed privately, but the Hon'ble the Director of Public Instruction has said that if they are prepared to raise the salary, let them do so and the Government will be ready to pay half the cost. But even that half the cost the managers cannot afford to bear. It is just the same concession which is shown in the case of dispensaries started in rural areas. For instance the Government have offered to pay half the cost of a new dispensary opened in rural areas. How many local bodies have taken advantage of it? Only very few. Because they are not able to bear even half the cost. The result is even if the concession is shown, they take very little advantage. As I said, as has been done in Bombay some grant may be earmarked for the purpose specially. We have building grants, teaching grants, equipment grants. Let there be some grant for private schools for the purpose of enabling them to raise the salaries of teachers. In the case of schools under public management, the local bodies should be liberally helped in this matter. I do not think this was one of the matters referred to in the Government Order of the 25th January. I have to refer to it later on in another connexion. I do not think this is one of the matters that are discussed in that Government Order. Anyhow the Director of Public Instruction assures us or gives out the hope that this matter will be sympathetically considered, and that is all that I wish should be done. I have therefore no further wish to press the resolution."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE REDUCTION OF SCHOOL AND COLLEGE FEES.

The Hon'ble Mr. B. VENKATAPATI RAJU moved the following resolution:—

'XVII. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 1,35,150, i.e., 25 per cent of the present school and college fees revenue shown in XIX a, b, c, d, be deducted and that the provision under 45-B. CIVIL WORKS be reduced by the same amount.'

In doing so he said:—"Your Excellency, my proposal in this resolution is to reduce the existing scale of fees in Government colleges and other institutions, technical and professional, by 25 per cent. I need not dilate once more in this Council upon the necessity of reducing the fees. That question I have raised and discussed threadbare. I know perfectly well the attitude of Government; they say that the institutions should be made self-supporting and therefore no encouragement should be given by reducing school fees. Then it was pointed out that the spread of education stopped on account of the high scale of fees levied in the institutions. We are not considering what steps we have to take with reference to the deduction of fees in other than Government institutions. because if we once agree to reduce the fees in Government institutions, it is very easy to secure a reduction in other institutions belonging to private bodies. But the question is whether it is desirable to maintain the fees at this high rate or whether it is desirable to reduce it. I have calculated that by the reduction the Government might lose Rs. 1.35 lakhs which is a small sum as compared with the amount which is provided for being spent on education. This will afford additional facilities for a large number of students. The high rate of fees is counterbalanced in other institutions by providing scholarships to a great number of poor students whose means are limited and who are unable to continue their study, but for some scholarships. But in these institutions we have not got even that advantage of having scholarships to keep pace with the demand of poor students who are men of ability but have not got the means of obtaining collegiate education. If the Government think it is necessary to raise the standard of fees to prevent boys who are otherwise unable to cope with the study for higher education because higher education is a luxury which could be secured only by those who can afford, who have the means to secure that education—if that is the policy, then we differ from that policy. We cannot discuss now that question. If you want to keep the fees at a high figure in order to see that persons who are unable to cope with it do not bother themselves with higher education and such of those poor people as have got the ability and as come to prominence in the lower classes are not to be given encouragement—if that is the policy I respectfully submit that is not the correct policy, because we must secure the wider spread of education to the largest number of people; it is not for us to say whether the students should go and take advantage of higher education. It is a fact known to everyone of the councillors that most of the people are unable to continue higher grades of study on account of the high fees and also on account of the cost of going to a different place because they have no institutions in the locality where they have their parents. As definite recommendations are wanted, I have made this important definite recommendation that one-fourth of the existing fees may be reduced to give help to the poor students."

5TH FEBRUARY 1919.]

(Mr. Littlehailes ; Mr. Venkatapati Raju ; Mr. Narasimha Ayyar ; the President ; Mr. Sadasiva Bhat.)

The Hon'ble Mr. R. LITTLEHAILES:—"This resolution is, I submit, extremely vague in its application. The Council is asked to recommend that a sum of Rs. 1.35 lakhs, that is, 25 per cent of the present school and college fee revenue, be deducted. The vagueness is evident to any one who endeavours to ascertain how we are to reduce the fees by Rs. 1.35 lakhs. Is the reduction to take place on a uniform scale throughout or is the reduction to take place partly in one direction and partly in another, 50 per cent in one direction and 10 per cent decrease in another?"

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I said an all-round reduction."

The Hon'ble Mr. R. LITTLEHAILES:—"I do not think the resolution can be discussed. The policy of reduction of fees has been thoroughly threshed out in this Council and on the present occasion we are only concerned with the disposition of the available funds and we cannot discuss with any value or with any fruitful result the reduction of fees when the policy of reduction of fees has not been accepted."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"May I know what is meant by the reference to the fact that the policy of reduction of fees has been rejected?"

The Hon'ble Mr. R. LITTLEHAILES:—"May I explain? I merely meant to say that the Honourable Mover of the resolution had already spoken on a previous occasion and made his suggestion at a previous meeting at which it was not accepted."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I do not know if I was exactly present at that meeting and, I believe, it would not be ultra vires at this meeting to come to the conclusion that a reduction of fees is desirable, taking the present circumstances into consideration. The whole question is whether we should have a reduction of fees. The Hon'ble Mr. Littlehailes thinks that the discussion was so recent that it is unnecessary to raise it again. I will, however, say this, that the matter is one which is worthy of consideration by the Honourable Members of this Council, because we have repeatedly heard complaints that education is made increasingly costly and if any little effort can be made, by the reduction of 25 per cent or by some other method, it is worth while making it. Therefore there is something to be said in favour of the resolution."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, the Hon'ble the Director of Public Instruction says he does not agree, and the Government do not propose, to deviate from the policy once adopted. Still I press for a division on this resolution, because on principle we wish that there should be a wider spread of education at less cost to the students. I have suggested there should be a 25 per cent reduction in the school fees; where the present fee is Rs. 100, it must be reduced to Rs. 75. Because one definite mole has to be suggested I have suggested this, not that I am enamoured of this percentage. I still pray Your Excellency that a division may be taken."

His Excellency the PRESIDENT:—"If I might say so, though I have admitted this resolution, the Honourable Gentleman would be better advised to bring it forward on another occasion. As regards the general principle of the reduction of fees, the difficulty which the Hon'ble the Director of Public Instruction has mentioned is a real one. We are now dealing with the figures in this particular budget, and unless we have a plan according to which we could reduce the fees, no reduction of fees can be made in this budget. It is a practical difficulty to which the Hon'ble the Director of Public Instruction is quite correct in drawing attention. The resolution is general in its terms. I am not quite sure whether I have not gone too far in admitting it in the order paper. In this matter of the financial discussion we must have definite proposals. Apparently the Honourable Member brought this forward on a previous occasion, and we have discussed it on the present occasion, but at a later period he will have a chance of bringing it forward when the general principle of the reduction of fees to be carried out may be brought forward and then the Government can set to work on a plan or decide to work out a reduction. That is all that can be said on the present occasion."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I do not press it, Your Excellency, though I am not satisfied."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE ADDITIONAL PROVISION FOR BOARD SECONDARY SCHOOL BUILDINGS.

The Hon'ble Mr. K. SADASIVA BHAT:—"I beg to move—

'XVIII. This Council recommends to His Excellency the Governor in Council that an additional provision of Rs. 16,000 be made under 22-E. EDUCATION for Board secondary school buildings and raising the status of the Karkal Board middle school, and the same be met by a corresponding reduction under 45-B.'

"In the first place I wish to beg Your Excellency's leave to state that I did not intend to ask for a provision for Board secondary school buildings generally in the Presidency, but I intended to ask for help for secondary school buildings in the South Kanara district. I beg leave to be permitted to add the words 'as a grant to the South Kanara District Board' or 'in the South Kanara district.'"

His Excellency the PRESIDENT:—"I hardly think these words are necessary."

(Mr. Sadasiva Bhat; Mr. Littlehailes;
Mr. Siva Rao.)

[5TH FEBRUARY 1919.]

The Hon'ble Mr. K. SADASIVA BHAT :—" I put this resolution down, because I learnt that applications for grants to the extent of Rs. 16,000 had been sent by the South Kanara District Board in connexion with secondary school buildings in South Kanara. About Rs. 6,000 for the Karkal Middle school for rebuilding it and about Rs. 10,000 for the extension of the new high school in Udipi and the newly sanctioned middle schools in our district. I learn that the applications could not be sent in time before the Finance Committee met or before the preparation of the Financial Statement, and I was anxious that if the proposals should come up for consideration and should be taken up this year, there should not be any objection that there was no budget allotment for these proposals. Therefore it is I put down this resolution.

"With regard to the raising of the status of the Karkal school, that was a proposition which was unanimously recommended both by the taluk board which is managing the school and by the South Kanara District Board. I understand that the matter is under consideration and that the department have asked the district board to state whether any guarantee could be given for the maintenance of the high school classes in Karkal. I know as a matter of fact Rupees 10,000 have been promised by the people to the district board provided the fourth form is opened in the beginning of the next school year. I am therefore anxious that the Board should be in a position to accept this generous offer made by the people and that the Government should be able to find the funds for opening the fourth form class in the Karkal Board Middle school. This is a small sum and I hope that whether specifically these different items that I refer to are included in the budget or not, money should be found for them in the course of the year."

The Hon'ble Mr. R. LITTLEHAILES :—" Your Excellency, I may just mention that there is no need to make a separate budget provision for this Rs. 16,000. We have already provided in the budget a large amount for giving subsidies to local bodies for the construction of schools and the Honourable Member's request will be noted for consideration by the Government."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE GRANT OF SCHOLARSHIPS TO INDIGENT PUPILS IN SECONDARY SCHOOLS.

The Hon'ble Mr. P. SIVA RAO :—" Your Excellency, this resolution stands thus :—

'XIX. This Council recommends to His Excellency the Governor in Council that the allotment under 22-G. EDUCATION—Grant-in-aid—may be increased by Rs. 40,000 to provide for the grant of scholarships to indigent pupils in secondary schools up to 10 per cent on the rolls in accordance with the recommendations of the Educational Conference of 1916 and that the same may be met by a corresponding reduction under the head of 45. CIVIL WORKS.'

"Your Excellency, this is a very old question. In 1916 the Director of Public Instruction was instructed to summon a conference of officials and non-officials for the purpose of discussing certain questions bearing on the Grant-in-Aid Code and the recommendation that was unanimously arrived at in that conference was : 'For the purpose of granting fee concessions to indigent pupils of marked ability, expenditure by managing bodies on scholarships up to a limit of ten per cent of the fee income, reckoned at the standard rates, be considered as legitimate expenditure for the purpose of assessing the grant that might be paid to a school, provided that the scheme for the award of scholarships or fee concessions has received the approval of the Director of Public Instruction.' That was the recommendation made in February 1916. It was pending consideration before the Government since then. In May 1917 I brought up the resolution. On the assurance of sympathetic consideration by the then Director of Public Instruction I made up my mind to withdraw it. Then I brought it up again; I waited for some time, nearly a year, and I brought it forward in March 1918. Then the Hon'ble Mr. Stone was pleased to say that he had recommended to the Government that in calculating the standard rates and the grants admissible 10 per cent should be disregarded in order to provide scholarships to indigent pupils. I had very high hopes that on the strength of the recommendation of the then Director of Public Instruction the scheme would be carried into effect. Again it was pressed from time to time, and on the 25th January 1919 a Government Order seems to have been issued by the Government vetoing that recommendation of the Educational Conference. The reasons given by them are these. The first reason given is : 'The Government observe that under the existing rules about 85.5 per cent of the possible pupils are already eligible for half-fee concessions.' I do not know how these figures are arrived at. In paragraph 8 they say : 'the original list of backward classes according to the Grant-in-Aid Code of 1880 contained only twelve classes. By repeated augmentations the list in the present Code now contains 132 classes, forming nearly 55 per cent of the population.' There they state 85 per cent, here they state 55 per cent. I do not know which is correct. But whatever it may be, under the present system there are concessions shown to Muhammadans, Uriyas and backward classes. They provide for half rates being levied from these people. There is absolutely no concession shown in the case of indigent pupils of marked ability unless they belong to the backward classes. I need not detain the Council with a definition of backward classes, but it is highly

5TH FEBRUARY 1919.] (Mr. Siva Rao; Mr. Ranga Achariyar; Mr. Littlehailes;
the President; Mr. Rama Ayyangar.)

necessary that indigent pupils, deserving pupils whose needs are scanty, should be helped in a matter like this. In the same Government Order it is stated : 'Effect can most suitably be given to it by a system of scholarships which will attract the best material into secondary schools. But the Government are unable to accept the view that a uniform ratio applied to each school irrespective of varying conditions and requirements is the most appropriate method.' They also say that if they fix a maximum 10 per cent all at once, probably the local bodies would abuse the discretion that has been vested in them; they will go on making reckless concessions. So far as that fear is concerned, it seems to me unfounded. There is no reason to be afraid that local bodies would make an indiscriminate use of this discretion. Local bodies will have power to sanction scholarships up to ten per cent, and the Government may take it for granted that the local bodies will use the power properly. The Government put forward an alternative suggestion that effect can most suitably be given to it by a system of scholarships which will attract the best material into secondary schools. Whether the controlling power is in their own hands or whether they give it to local bodies is not a matter of very great concern. I am anxious to see that at least the scholarships should be enlarged instead of being limited by making a provision in the Grant-in-Aid Code. If the allotment under scholarships is raised by Rs. 40,000 in order to provide for all these schools, I shall be satisfied. Now there are scholarships also under the present scheme. The Inspector of each circle is given ten or twelve scholarships to be distributed among all the secondary schools. This goes very little way towards palliating the evil. I should be thankful if the Government are pleased to raise the allotment. Let them retain the control in their own hands. Let the Inspector distribute the scholarships. If an assurance is given in that direction, that the scholarships would be raised, I shall be quite content. I do not want the local bodies to be given power or private bodies to be given the power to sanction these scholarships. But if the need is kept in mind, and if the Inspector of Schools is to allot the scholarships liberally, that is all that I ask for. Then it is also stated that 'The Director of Public Instruction is requested to re-examine the whole question in the light of these facts and to submit further proposals for the consideration of the Government.' This discussion will be a sort of guide to the Director."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" Before the Director of Public Instruction replies to this resolution, I want to have some information with reference to paragraph 7 of this Government Order. There it is stated : 'The Government observe that, under the existing rules, about 85.5 per cent of the possible pupils are already eligible for half-fee concession.' I do not know if the Hon'ble the Director of Public Instruction is in possession of information to give to the House to-day as to the real percentage actually receiving half-fee concession. No doubt they may be allotable up to that limit, 85 per cent, but what is the actual percentage of pupils now receiving half-fee aid?"

The Hon'ble Mr. R. LITTLEHAILES :—" In the first place with regard to the question of the Hon'ble Mr. Ranga Achariyar the figures could not be collected within any reasonable time. Secondly with regard to the general question I do not know whether the Honourable Member wishes to press it. The question has been referred back to the Director in a specific manner and I do not know if any useful purpose will be achieved by a discussion of the subject on its merits now."

The Hon'ble Mr. P. SIVA RAO :—" I think the discussion will have its own value though I do not want to press the resolution."

His Excellency the PRESIDENT :—" What the Honourable Member has said will certainly be noted."

The Hon'ble Mr. K. RAMA AYYANGAR :—" Your Excellency, I only wish to point out that the way in which the question has been viewed in paragraph 7 of the Government Order is not the view that was taken by the conference. No doubt the Government have passed an order and sent it up for further consideration by the Director of Public Instruction. I only submit that the Government had already fixed certain standard fees which were found to be fairly very high. All that the conference recommended was that concession may be allowed on the principles to be laid down by the Director of Public Instruction to help indigent boys of real merit. Apparently the Government in the latter part say : 'They apprehend that, if the effect were given to the resolution, this proportion would be enhanced. Pressure would be exercised on each school to utilize to the full the suggested maximum limit of ten per cent, and regardless of the original intention the concessions would then be granted irrespective of the poverty of the parents or the capacity of the pupil. While fee concessions are a legitimate form of inducement in the case of elementary education until compulsion is introduced, in the case of secondary schools much greater regard must be had to the selection principle.' It is these observations which deserve to be modified. The real point is the inspecting officer or some other officer may be also allowed to pass the cases in which the management or the Principal may allow this reduction, but the general help that is needed is that in calculating the scale of fees, the full standard rate, this ten per cent may be allotted for this purpose. That would give a wide range for the boys in a particular area. It would be well to select areas at least and allow the principle as a whole. If it is to be decided on application in each individual case, I submit it will be impossible to arrive at a correct conclusion. In fact it will depend upon the various recommendations made. On the other hand, it is much better exercised by the Principal and the Inspector of the place who may be asked finally to pass the cases in which that recommendation is made or something like that. But, however, the principle that has been recommended by the conference, I submit, requires to be completely supported even at this stage by the Director of Public Instruction and the Government."

(Mr. M. Ramachandra Rao; Mr. A. S. Krishna [5TH FEBRUARY 1919.
Rao; Mr. Siva Rao; the President; Mr. Narasimha Ayyar.]

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—" My Lord, it is only this morning that I have been able to look into this Government Order which finally disposes of the recommendations of the Educational Conference which was called by the Government about three years ago. I think the Hon'ble Mr. Littlehales was the secretary of the conference. I was a member and I believe the Hon'ble Mr. Pittendrigh and the Hon'ble Mr. Rama Ayyangar were also members. It was the unanimous opinion of all the managers of aided secondary schools who were present at the conference that they should have a certain amount of discretion in awarding scholarships to those who resort to their institutions. That was a very old privilege which was taken away and they wanted that this should be restored and that due allowance should be made in the calculation of the fee income for the purpose of grants to secondary institutions. Now, my Lord, I must express my great disappointment at the conclusion to which the Government have come to in paragraph 7 with reference to that important question, because that was a question debated for a great deal of time, and, I recollect, with a great deal of warmth by the managers of secondary schools who were present at that conference. Therefore if the Hon'ble Mr. Siva Rao is willing to accept the alternative that is suggested here, namely, of raising the number of the scholarships, I must express my dissent. If this is going to influence the Hon'ble Mr. Littlehales in re-examining the question, I must say clearly that the view expressed at the conference is the only view that would be acceptable to the managers of secondary schools. The awarding of scholarships is entirely on a different footing. I do not think that was what the conference intended to recommend. This portion of the order is not relevant to the present inquiry, and it is not at all in consonance with the discussion which took place at the time. On the general question of awarding scholarships as suggested here, there would be no difference of opinion. Perhaps a suitable scheme would have to be evolved and the number of scholarships increased. That is on a different footing. The question of increasing the number of scholarships also formed the subject of discussion here, but that is on an entirely different principle. Therefore, my Lord, I must express my dissent if the Hon'ble Mr. Siva Rao is willing to convert his request into a request for more scholarships."

The Hon'ble Mr. A. S. KRISHNA RAO :—" I have a few remarks to make with reference to this resolution. Though this resolution deserves to be supported, a new point has been introduced in the course of the discussion which it is better to keep out of our minds for the present. The resolution suggests that the recommendations of the Educational Conference of 1916 should be given effect to, in so far as it suggested the grant of scholarships up to a limit of ten per cent; in other words to have it declared that expenditure can be legitimately incurred up to ten per cent for the purpose of encouraging indigent pupils. So far as that question is concerned, it is a matter in which the Government must enable the managing bodies to exercise their discretion in the best manner possible and to do it properly. The other question which has been introduced is not, I believe, quite relevant to the matter under discussion. It has been suggested that, though local bodies are not given discretion, still if scholarships are more liberally given by the Inspectors the purpose would be served. I myself have some objection to that course; but I do not think it is necessary to enter into any elaborate discussion of this principle, because the whole question is going to be reconsidered by the Director of Public Instruction. If this disagreement is not given expression to, it may be taken that others are also willing that Inspectors may be given a free hand and that the local bodies need not be given any discretion. I only wish that the recommendations of the Educational Conference are given effect to in the best manner possible. If, as pointed out in the Government Order, any safeguards are necessary to see that that power is not abused, let them be provided. It is urged that once this rule is passed, pressure may be brought to bear on the management to work up to ten per cent. If it is necessary to impose checks or safeguards, you may take precautionary measures to avoid such abuses; but do not take away the discretion from the managing authority."

The Hon'ble Mr. P. SIVA RAO :—" If the whole matter is to be reconsidered by the Government, I withdraw the resolution."

With the permission of His Excellency the President the resolution was withdrawn.

His Excellency the PRESIDENT :—" Before we adjourn, I should like to have some information as to the wishes of the Council. What we propose to do is to sit to-morrow and the day after and sit till 2 o'clock on Saturday and sit if necessary on Monday for the continuance of our business. If that is to the convenience of the Council, we will follow that course."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" There is an idea that we might have the whole of Saturday free on account of the big Bill."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—" The discussion of the City Municipal Bill may be commenced on Monday if the rest of the business is finished by Friday evening. We do not want to have the discussion on the City Municipal Bill before Monday in any event."

His Excellency the PRESIDENT :—" We shall see how we get on. We need not be too rigid."

The Council then adjourned till 11 a.m. on Thursday the 6th February 1919.

H. G. STOKES,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations, under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Thursday, the 6th day of February 1919.

P R E S E N T :

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.S.I., G.C.I.E., Governor of Madras—*Presiding*.
The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.
The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.M.
The Hon'ble Mr. L. DAVIDSON, C.S.I.
The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.M., I.S.O., O.B.E.
The Hon'ble Mr. L. E. BUCKLEY, C.S.I.
The Hon'ble Mr. A. Y. G. CAMPBELL, C.I.E.
The Hon'ble Mr. W. J. J. HOWLEY.
The Hon'ble Mr. W. HUTTON.
The Hon'ble Mr. R. LITTLEHAILES.
The Hon'ble Mr. N. E. MARJORIBANKS.
The Hon'ble Mr. J. C. MOLONY.
The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.
The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).
The Hon'ble Mr. H. G. STOKES, C.I.E.
The Hon'ble Mr. O. G. TODHUNTER.
The Hon'ble Mr. M. YOUNG.
The Hon'ble Mr. R. B. WOOD.
The Hon'ble Rao Bahadur T. RANGA ACHARIYAR Avargal.
The Hon'ble the Rev. G. PITTENDRIGH.
The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.
The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO PANTULU Garu.
The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.
The Hon'ble Mr. P. SIVA RAO.
The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.
The Hon'ble Mr. B. V. NARASIMHA AYYAR.
The Hon'ble Mr. K. SADASIYA BHAT.
The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.
The Hon'ble Mr. K. RAMA AYYANGAR.
The Hon'ble Sri Raja Rao VENKATA KUMARA MAHIPATI SURYA Rao Bahadur, Raja of Pithapuram.
The Hon'ble Mr. B. VENKATAPATI RAJU.
The Hon'ble Mr. K. CHIDAMBARAMNATHA MUDALIYAR.
The Hon'ble Mr. K. KUMARAN RAMAN KAVALLAPPARA MUPPIL NAYAR.
The Hon'ble Yaqub HASAN SAHIB Bahadur.
The Hon'ble Sir GORDON FRASER, Kt.
The Hon'ble Mr. J. H. THONGER.
The Hon'ble Sir FAIRLESS BARBER, Kt.
The Hon'ble the Most Rev. JOHN ABLEN, D.D.
The Hon'ble Mr. T. RICHMOND.
The Hon'ble Sir FRANCIS SPRING, K.C.I.E.
The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMUSTI NATUDU Garu.
The Hon'ble Raja Sri Ravu VENKATA KUMARA KRISHNA RANGA Rao Bahadur, Raja of Bobbili.
The Hon'ble Dr. T. M. NAYAR.

(Mr. Yaqub Hasan ; Mr. Littlehailes.) [6TH FEBRUARY 1919.]

RESOLUTION RE INCREASED PROVISION UNDER BUILDING GRANTS FOR THE GOVERNMENT MUHAMMADAN SECONDARY SCHOOL, GEORGETOWN.

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Your Excellency, I have the honour to move the following resolution:—

'XX. This Council recommends to His Excellency the Governor in Council that the provision of Rs. 3,13,000 for building grants under the head 22-G. Education be raised by one lakh to provide buildings for the Government Muhammadan Secondary School, Georgetown, and some of the Government Muhammadan elementary schools in the City of Madras and the same be met by a corresponding reduction under the head 45. Civil Works.'

"Your Excellency is aware that there is an incomplete secondary school for Muhammadans in Georgetown, which has no building of its own. Last year I moved the Government to give this school the building which has subsequently been utilized for the housing of the Students' Club. The building in which the school is now located is very small and it has no room for some of the classes which are being held in the veranda; there is no room certainly for expansion. Nowadays a suitable building is considered a *sine qua non* for a school and it is strange that a Government school, of all others, should continue to remain in a hired building. The Madrasa-i-Azam which is now located on Mount Road was suffered to remain in a hired building for about half a century. I hope that will not be the case with the building of this school. Besides this school there are several elementary schools maintained by Government for Muhammadans in the City of Madras, none of which has a building of its own. Government schools used to be the model schools for municipalities and for private bodies to copy, but in the matter of buildings I find that the reverse is the case in this city. The Corporation has provided buildings for its elementary schools, whereas the Government have not provided any building for the Government elementary schools. Thus the Corporation has taken a march over Government in this respect, and I hope that the Government will lose no time in remedying this defect. There was a time when the putting up of a suitable building was taken up in hand before a school itself was established. I remember the late Director Dr. Bourne put up several buildings for elementary schools before the schools themselves were established. I ask in this resolution for one lakh of rupees to be allotted for this purpose. Of course, the whole amount will not be spent in the course of the year on the secondary school building because there is no plan to go upon. It will take some time, but still if this amount is ear-marked for this purpose, steps may be taken to acquire a site and some money will be spent on acquiring it and the remaining money may be utilized for some of the other elementary schools for Muhammadans, or at least sites may be purchased for them in the course of the year. What I want is that the Government should take up this matter seriously in hand; they must have a building programme and they should spend one lakh every year till the building programme is completed. I find in this budget that a sum of about Rs. 6 lakhs was provided as grant for elementary school buildings and a sum of Rs. 3 lakhs was provided for buildings for secondary schools, but afterwards that amount was reduced to Rs. 3,85,000 in the one case and Rs. 2,50,000 in the other case and these two amounts are kept aside as grants to local bodies for schools. I would suggest that, instead of reducing the grant under this head, the original figures may be restored, at any rate rupees one lakh may be allotted for buildings as far as the schools that I am speaking about are concerned. It is immaterial to me where this money is to be got from, all that I want is that one lakh be provided. To meet the rules and regulations I have provided that this money may be taken from Civil Buildings; but if the Government are willing to spend this money on Muhammadan schools they can surely find some way of finding money and I have no objection to it. With these words I commend the resolution for the acceptance of the Council."

The Hon'ble Mr. R. LITTLEHAILES:—"Your Excellency, I think I had better explain the position to the Honourable Mover. It is under the head 22-G. that the Government set apart a certain sum of money which ought to be spent as grants-in-aid to aided institutions. All Government institutions are under the Public Works Department and they are built by the Public Works Department and provision is made in the Public Works Department budget for the construction of new Government institutions. The proposal now if accepted would have exactly the opposite effect to that which is desired by the Honourable Mover of this resolution. That being the case, Sir, I think it is unnecessary for me to enter into what has been done by the department and into what is being done by the department for the construction of buildings and the advancement of education for Muhammadans."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Your Excellency, as I said in my speech it is immaterial to me whether this allotment is got from this head or from that head. It is only a technical point that the Hon'ble Mr. Littlehailes has raised when he said that the amount allotted under Public Works Department head for educational buildings cannot be interfered with. What I aim at is that these schools which are Government schools should have buildings, and if there is anything in the resolution which could be amended so that this object is attained I am willing to amend it. All that I want is that one lakh of rupees should be spent in acquiring sites in the course of the year for buildings to be proceeded with."

6TH FEBRUARY 1919.] (The President; Mr. Yaqub Hasan; Mr. Krishna Rao; Mr. Littlehailes.)

His Excellency the PRESIDENT:—"The Honourable Gentleman is in error in putting down a motion which does not further the object he has in view. We are obliged in the Council to consider the motion which he has presented and which has been admitted and put on the paper. The motion on paper as pointed out by the Honourable the Director of Public Instruction will have the reverse effect of what he wishes. His speech has been directed not really to his motion but to another matter. That other matter is simply this, that he desires that as soon as may be practicable Government Muhammadan schools should be installed in Government buildings. That is what he really wants, that permanent buildings should be erected for the purpose. With that purpose, I may say generally that the Government are in sympathy and we are making some progress in that direction, but until plans and estimates have been prepared and until actual schemes can be put before the department, we cannot ask the Finance Department for the money. I hope he will rest content with that assurance. The motion that is put down will take the money away and prevent that being done."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"If I had said in my resolution that 1 lakh should be provided for this purpose it would perhaps have been alright. But as the Government are in sympathy with my object I have no objection to withdraw the resolution."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE INCREASED ALLOTMENT FOR SCHOLARSHIPS TO MUFASSAL STUDENTS.

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I am asked to move the two resolutions standing in the name of the Hon'ble the Raja of Ramnad:—I beg to move the following resolution:—

'XXI. This Council recommends to the Governor in Council that a sum of Rs. 75,000 be added to the allotment made under 22-H. Education for giving scholarships to mufassal students pursuing collegiate course, and a corresponding reduction be made under 32-E. Miscellaneous (Miscellaneous and unforeseen charges).'

"This resolution is intended to afford additional facilities for poor and deserving students in the mufassal who find it difficult to pursue their studies in colleges. It is unnecessary for me to expatiate at any length to convince this Council that, with the increased college fees and the increased cost of living, it is not possible for persons of ordinary means to prosecute their studies in the college. For this reason brilliant young men in various mufassal districts in this Presidency are prevented from pursuing their studies and are forced to seek employment with very doubtful and uncertain results in the various walks of life. The problem for consideration is how best that situation can be got over and how best facilities can be really afforded to the deserving students for that purpose. Attempts made in this Council for the purpose of reducing college fees were not successful nor am I prepared to think that that would by itself solve the whole problem, because it is not the college fees alone which contribute to the increased cost of education but various other factors which have to be taken into consideration. One of the ways in which some facilities can be afforded to the really deserving students is by adopting this resolution and making some provision to enable deserving students to get scholarships for the purpose."

"This resolution suggests that a sum of Rs. 75,000 be provided for giving scholarships for mufassal students. The scheme is a very simple one and can be easily worked out, if funds are allotted for the purpose. If the scheme is accepted, it is possible to make provision for 10 students in each district getting a scholarship of Rs. 25 each, which will largely cover some of the important expenses attending collegiate education. With a scholarship of Rs. 25 for 10 students in all the 25 districts, there will be ample opportunity for 250 deserving students receiving the benefits of the collegiate education throughout the Presidency. I know this will necessitate increased expenditure in other directions—additional accommodation in colleges, and additional facilities for the purpose. I believe attempts are being made in various colleges to increase the accommodation and afford facilities for the purpose. If once this scheme is accepted it is not difficult to work out the details as to the manner in which it has to be carried into effect. It may be possible to appoint some sort of Selection Committees in each district consisting of the Collector, the heads of educational institutions in the district and also two or three leading gentlemen who will be in a position to appreciate the fitness and the capacity of the individuals and make a proper selection. I believe, my Lord, that if this provision is made much will be done to improve collegiate education in this Presidency. With these words I commend the resolution for the acceptance of this Council."

The Hon'ble Mr. LITTLEHAILES:—"Your Excellency, may I invite attention to the ambiguity of the wording of this resolution? We are asked to provide money for giving scholarships to mufassal students pursuing a collegiate course. We are not told where the mufassal students are to read, whether in Madras or in up-country colleges. We should draw a distinction between mufassal students who are living already in a collegiate centre and those up-country students who are not living in a collegiate centre. If we are to provide

(Mr. Littlehales; Mr. Ranga Achariyar; [6TH FEBRUARY 1919.
Mr. Rama Ayyangar.]

scholarships to be held in Madras, the question at once arises as to why there should be preferential treatment for Madras. Would not Trichinopoly, a large educational centre, demand its quota of scholarships? If these scholarships are to be held by students who are already living in a college centre, it is not quite clear why we should be asked to spend this large sum of Rs. 25 per mensem upon those students who are already residing with their parents in their own homes. I should like to draw attention to the immense advance that has been made in the budget provision for collegiate scholarships within recent years. For collegiate scholarships, Rs. 12,000 was the budget provision for scholarship in Arts colleges alone 16 years ago; it was Rs. 10,000 or Rs. 11,000 ten years ago. It was increased very much with the change in the regulations first to Rs. 13,000 and last year we spent Rs. 33,250 upon these scholarships. The Government have not been unmindful of the need of awarding scholarships and the prime factor that has to be taken into consideration when scholarships are to be awarded is that scholarships should be awarded only to those young men whom we have known to be brilliant. Now, sir, I take it that the brilliant young men are those who are capable of taking up the honours courses. We must assume that they are of that calibre. We already award an amount of money by means of which one-fourth of the total number of students reading in the honours classes are able to hold scholarships. The proposal to allot Rs. 75,000 additional would mean that 146 students in all would be able to receive scholarships while the total number of students in the Presidency reading in the honours courses is 134. The proposal would, therefore, mean the awarding of a larger number of scholarships than the total number of students reading in the honours classes throughout the Presidency. I think the Honourable Member may also take into consideration that scholarships are awarded by college authorities and further more there are university scholarships and there are special endowments, special provision being made by charitable bodies for awarding scholarships.

"Bearing this in mind it seems to me that the need for scholarships has been amply considered up to the present because, as I said at the start, our main factor as pointed out by the Honourable Mover himself is that we should have brilliant young men. Coupled with that we must have the added qualification that students cannot continue their studies without aid of some kind or another."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Your Excellency, I do not understand the Honourable the Director of Public Instruction to say that the required needs are met and that no students are turned away for want of funds. Whether all the deserving students that apply for aid get it, whether the funds provided are sufficient and whether the department finds it difficult to meet the demands for scholarship with the funds now provided—these are the points on which the Honourable the Director of Public Instruction should give information to the Council. The first portion of his speech was I regret to note a verbal criticism on the terms of the resolution and in the latter portion did he grapple with the substance of the resolution. I ask the Honourable the Director of Public Instruction to note the substance of the resolution. If Rs. 75,000 is too much why not give Rs. 60,000 or Rupees 50,000? I know, as a matter of fact, poor students with excellent certificate from Principals of Colleges and headmasters of schools are going round everyday begging for aid; as a matter of fact, there are several of these and we have to provide for dozens of students like that in the course of the year and I do think that there is need for brilliant young men being provided with means to carry on their education. If I understood the Honourable the Director of Public Instruction to say that all these needs are met I am afraid his information is wrong. I would therefore ask the Honourable the Director to sympathetically consider this question and not merely to criticise the terms of the resolution."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency; I wish to add a few words to the discussion. Two words have been tried to be defined—who are brilliant young men. It was mentioned these are the men that will go up to the honours course. The wording of the resolution is that it should be the persons pursuing the collegiate courses. I mean that the resolution apparently wants that at the stage of the Secondary School-leaving Certificate class it happens that many students have to discontinue their studies and naturally when they give up their studies they take to some employment and they are not able to further their prospects except in exceptional cases. I know, My Lord, many Christian students, many non-Brahmans have been compelled to discontinue their studies because of their inability to pay their college fees in the intermediate course also. Personal references are not necessary, but I know a case in which a brilliant Christian boy from Periyakulam had to be helped to join the intermediate class. There was no chance of his continuing his studies, his father being a pastor who was not able to maintain the big family that he had. The boy was a brilliant young boy and the American Mission College was not able to give him a scholarship and the people at Madura had to join to keep up the boy in the college. There are many other cases of that kind. I think the case of non-brahmans, brilliant boys, boys who are likely to have a bright future, often they had to stop away from the collegiate courses. A thorough inquiry into this matter will fully well reveal that there is an abundant necessity for a much larger provision than what has been asked for; if only the Government accept the principle that there should be an attempt made to find out brilliant students whose courses will be out off after the Secondary School-leaving certificate is given them and put them in colleges where they will be able surely to exhibit the symptoms of the brilliancy which has been suggested in the course of the discussion, it will be enough. Brilliant young student does not

[6TH FEBRUARY 1919.] (Mr. Rama Ayyangar; Mr. Siva Rao: the President;
Mr. Ranga Achariyar.)

mean that when he enters the honours course his brilliancy is proved. Even in the School Final Examination we find boys getting brilliant marks in particular subjects. It may be that in the previous places where they had not sufficient competition or they had not fine learning imparted to them by brilliant teachers, they look rather not quite fit to take up a brilliant course but by subsequent teaching or subsequent contact with the brilliant boys, the faculties of some boys are so much developed that in a short time, say with a two years' course in the intermediate class, the boys show a brilliancy and are able to disprove previous impressions. Therefore, My Lord, a careful attempt to select students, who would be absolutely unfit to continue their studies if left to themselves, but who after careful observation will be seen to exhibit symptoms of future good career should be made. The Selection Committee proposed in the course of the speech of the Honourable Mover will be able to exercise some amount of discretion to select the boys who will come under that category. I presume, My Lord, that it is now almost accepted by the Honourable the Director of Public Instruction in the course of the argument that he adopted that the Government are intent upon seeing that brilliancy is encouraged when otherwise it would stop away without further education. If this argument is granted, I think the provision that is asked to be made will be found to be too little if a serious attempt were made in each mufassal centre to select not very many but as it has been said to select only about 250 students in all the 25 districts we will find that there are a much larger number of students who deserve the scholarships and who will be able to prove to the satisfaction of Government that they have really been selected properly and their interest will be promoted so that really the worth of the country would advance. Those students will be able to add to the credit of the University by the studies that they make. Therefore I think it is a matter in which if the proposal is accepted we can select students in mufassal areas,—we are only proposing about 10 or 8 students for a population on an average of 2 millions and that is not a number which we will not get and it will be quite possible to find very brilliant students in a hopelessly poor condition in the school final course who will otherwise have to stop prosecuting their studies. I support this resolution."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I heartily sympathise with the object of this resolution. The only question seems to be whether the provision now made in the budget is sufficient to meet the needs of deserving but poor students who wish to pursue their collegiate course. Speaking of my own district, Ceded districts, I may say that many a student is cut off from college career because he has not got the means to pursue it; he can ill-afford to bear the heavy expenses of a college training. As regards the practical difficulties in working it out, I think the details may be left for subsequent settlement; difficulties as to whether the scholarship should be held in Madras or elsewhere or whether those residing in college centres should be given this scholarship or not these may be settled later on. But the principle of encouraging deserving but poor students ought to find recognition at the hands of Government. If Rs. 75,000 is too much the Honourable the Director of Public Instruction may propose some other suitable figure which will be sufficient for the needs."

His Excellency the PRESIDENT:—"I must remind Honourable Gentlemen, that we are not here to decide the principle. The Honourable Gentleman concluded by saying 'if the principle were accepted.' I must tell the Honourable Member and the Council that we are here to settle the figures. This is a meeting under our rules and regulations for settling the figures and we are not here to discuss generally the wisdom or the unwisdom of giving a scholarship. We have to settle the figure that is to be put into the budget for that purpose. We are bound to consider that. We have now before us a resolution that Rs. 75,000 should be added for that purpose. I must deprecate discussion going any further. I must deprecate also the remark of the Hon'ble Mr. T. Ranga Achariyar who understood the Honourable the Director of Public Instruction to say that every deserving pupil had a scholarship and that there are no more pupils deserving the scholarship. That is not what the Honourable the Director of Public Instruction said. The position is simply this; that the expenditure on scholarships during the last five years has grown double. That is the position. When we are dealing with the figures, we are dealing with a delicate machinery. We have to deal with Elementary, Secondary and College education. Considering all things up to the present moment there has been no sound or convincing reason for increasing the money for that particular purpose. With the general idea of helping deserving pupils, everybody is in sympathy. That is not the question before us. The question is how much money is to be put into this budget for that purpose. Government for the reasons given by the Honourable the Director of Public Instruction cannot advise the Council to increase the allotment at the present moment. We are under a great disadvantage in not having the Honourable Mover putting forward this motion. There is nothing to guide us as to why he wants the particular sum of Rs. 75,000. The Honourable the Director of Public Instruction has no option but to point out the meaning of the resolution or any ambiguity contained in the wording of the resolution. It is his duty and responsibility to do so, so as to inform the Council as to what they would be committing themselves to if they passed the resolution. My remarks apply very much to the next resolution also which also wants a total sum of Rs. 75,000, a lump sum. There is no information as to why that sum was taken or as to whether it was taken on any calculation of any number of students. Therefore I cannot advise the Council to accept it."

The Hon'ble Mr. T. RANGA ACHARIYAR:—"With reference to the general observations made by Your Excellency, I will explain all our difficulties in the matter if Your Excellency

(Mr. Ranga Achariyar; the President; [6TH FEBRUARY 1919.
Mr. Krishna Rao.)

will permit me. I quite see the force of Your Excellency's observation. But laymen as we are, unacquainted with the details of the department and exact requirements, Your Excellency may forgive us if we err on the side of extravagance. We want to bring to the notice of Government that the provision is not sufficient for the purpose. That is all that we can do. To expect us to go into the exact details would be throwing too much burden on non-officials as we are not in the inner Councils. I would therefore ask Your Excellency to consider that aspect of the question."

His Excellency the PRESIDENT:—"I will bear it in mind. The point is this; if we want to set out the general principles, they should not be debated at this meeting. I am far from limiting the discussion on these points. But what I want to point out is that we are tied down by the orders under which we sit. We are tied down to settle the figures and therefore any question of principle should be debated and settled at another meeting."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I am afraid the Honourable the Director of Public Instruction has been somewhat too technical in dealing with this resolution. He started by saying that there is an ambiguity in this resolution and that it is difficult to work it out. The wording of the resolution suggests that scholarships should be given to mufassal students pursuing the college course without specifying that they pursue their course in Madras or in any other college centre. It applies to every college centre, wherever these mufassal students might choose to pursue their studies. It is intended for the benefit of all students in the various districts. I may inform Your Excellency that I had information as to the object of the Honourable Mover of the resolution. The calculations I suggested are intended to provide ten scholarships for each of the districts at Rs. 25. This will work out to Rs. 75,000. Therefore so far as the resolution in itself is concerned, it does not commit itself to the amount given, viz., Rs. 25 or to any other question of detail. It does not specially refer to brilliant young men pursuing honours courses in regard to which the Honourable the Director of Public Instruction stated that the number will far exceed the requirements. The point for consideration is whether it is possible to provide Rs. 75,000 and whether it is desirable to provide Rs. 75,000 for the purpose. If it is not found feasible to provide Rs. 75,000 for the purpose of affording additional facilities for the scholarships, may I ask that some reasonable additional provision be made for that purpose? It is an alteration of the figures which is suggested. Might it not be possible to increase it to some reasonable extent? The attention of the Council has been drawn by the Honourable the Director of Public Instruction to the increased provision under the head of scholarships in colleges in general. We find that in colleges in general a sum of Rs. 27,000 was spent and in the revised estimate for 1918 we find Rs. 30,000; next year the same amount of Rs. 30,000 has been provided. Whatever may have been provided for that purpose, in previous years, in view of the circumstances of the last two or three years it must be stated that there has not been such a reasonable increase in the provision for scholarships as there should have been. Increase in 1917-18 and 1918-19 is about Rs. 1,500. It was Rs. 28,541 for 1917-18 and Rs. 30,000 is the amount provided for 1919-20. I would submit that if we are satisfied that the provision made does not meet the requirements of higher education in this country and some additional provision should be made, be it to the extent of Rs. 75,000 or any amount which may be found feasible, there is a proper reason for some increase being provided."

The motion was then put and lost.

RESOLUTION *RE* INCREASED ALLOTMENT FOR SCHOLARSHIPS TO STUDENTS PURSUING SCIENTIFIC AND TECHNICAL EDUCATION.

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I have the honour to move:—

*'XXII. This Council recommends to the Governor in Council that a sum of Rs. 75,000 be added to the allotment made under 22-H. EDUCATION for giving scholarships to students pursuing scientific and technical education, and a corresponding reduction be made under 32-E. MISCELLANEOUS (Miscellaneous and unforeseen charges).'

"I need not detain the Council long because the observations made by me with reference to the previous resolution apply with greater force so far as this resolution is concerned. If there is need for increasing the provision for scholarships for higher education there is much greater need for spending an additional sum of money on scholarships for scientific and technical education. I shall not detain the Council by referring to the various recommendations of the Industrial Commission. They are well known and I will not propose to detain the Council long.

"I only wish to point out that so long as we are satisfied that in the best interests of the country additional facilities have to be afforded to enable students to pursue scientific and technical education, additional allotment is necessary for the purpose. As to the figure of Rs. 75,000 it is worked out exactly in the same manner as it was worked out in regard to the collegiate education—to provide the 25 districts with ten scholarships at Rs. 25 per mensem. With these remarks I commend the resolution for the acceptance of the Council."

* This resolution stood in the name of the Hon'ble the Raja of Ramnad.

6TH FEBRUARY 1919.] (Mr. Littlehales; Mr. Krishna Rao; the President;
Mr. Narasimha Ayyar.)

The Hon'ble Mr. LITTLEHAILES:—"Your Excellency, we have a certain amount of provision for scientific education pure and simple in the ordinary award of scholarships to students who take up Chemistry, Physics, Biology and so on in the ordinary University course. For technical education we have a budget provision made in the College of Engineering, in the School of Engineering at Vizagapatam and in the School of Commerce at Calicut. There are the Government of India State Technical Scholarships and the Madras Government award scholarships tenable at the Victoria Technical Institute in Bombay and the local University awards scholarships. There are scholarships available at the Indian Institute of Science, Bangalore. In addition to that, under the head—Scientific and Miscellaneous department and the development of industries—the budget provision has been increased by Rs. 9,000 on the recommendation of the Finance Committee for the purpose of providing industrial scholarships for students. Sir, the object of this resolution has my entire sympathy. All I have to remark is that so far as I can gather the provision that is at present made is as much as can be advantageously utilized at the present moment."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency it may be put to vote."

His Excellency the PRESIDENT:—"I hope the Honourable Member is satisfied with what the Finance Committee have done."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I understand that the provision was made for the benefit of students going abroad. So far as this is concerned, it is not for students going abroad but it is for students studying in the country. Therefore it stands on a different footing."

His Excellency the PRESIDENT:—"The Honourable Gentleman is quite free to take his own course. It will be open to the Honourable the Director to assent to all the resolutions and to spend all the money and it will be much more agreeable to everybody concerned. It is all very well to say that Rs. 75,000 has been calculated on the basis of ten scholarships for each district of Rs. 25 each. That makes up the sum of Rs. 75,000. But that does not mean that the needs of the district have been carefully considered. Anantapur is put on the same footing as Vizagapatam. Rupees 25 is the existing amount of scholarship. I had hoped that the Honourable Member would have been satisfied with what has been done but I will however put it to the meeting. There is no difference of opinion as regards this matter. We should like to meet all the needs but the Honourable the Director believes that having in view the other necessities of elementary education, the needs of elementary and secondary education which we have been discussing, we are doing all that we can at the present time."

The Hon'ble Mr. A. S. KRISHNA RAO:—"If I understand from what the Honourable the Director has stated and what your Excellency has stated that, if the requirements of the situation would necessitate any further funds, they will be met, I have no objection to withdraw."

His Excellency the PRESIDENT:—"I have not said anything about that. We are settling the figures in the budget. The question is whether more is to be put into the budget. Government are unable to put any more money into the budget. I put the resolution to the Council."

The resolution was put and lost.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"May I ask for a poll?"

His Excellency the PRESIDENT:—"Certainly. Does the Honourable mover wish for a poll?"

The Hon'ble Mr. A. S. KRISHNA RAO:—"I have not asked for a poll but the rules provide for any member asking for a poll."

The poll was taken with the following result:—

For		Against	
The Hon'ble Mr. M. Ramachandra Rao.		The Hon'ble Sir Alexander Cardew.	
" " P. Siva Rao.		" Mr. L. Davidson.	
" " K. Rama Ayyangar.		" " O. G. Todhunter.	
" " K. Sadasiva Bhat.		" " A. Y. G. Campbell.	
" " K. R. Suryanarayanamurthi		" " R. Ramachandra Rao.	
" " Nayudu.		" " M. Young.	
" " B. Venkatapathi Raju.		" " L. E. Buckley.	
" " Yaqub Hasan Sahib.		" " N. E. Marjoribanks.	
" " A. Suryanarayana Rao.		" " B. B. Wood.	
" " A. S. Krishna Rao.		" " Aziz-ud-din.	
" " B. V. Narasimha Ayyar.		" " E. F. Barber.	
		" " J. H. Thonger.	
		" the Most Reverend John Aalen.	
		" Sir Francis Spring.	
		" Mr. Littlehales.	
		" " Hutton.	
		" " Howley.	
		" the Advocate-General.	
		" Mr. P. Rajagopala Achariyar.	
		" " H. G. Stokes.	

The resolution was lost, 10 voting for and 20 against.

(The President; Mr. Venkatapati Raju.) [6TH FEBRUARY 1919.]

His Excellency the PRESIDENT:—"The next resolution is covered by the resolution we have just discussed."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"This is for technical scholarships abroad."

His Excellency the PRESIDENT:—"Will you go on?"

RESOLUTION RE INCREASED PROVISION FOR ADDITIONAL TECHNICAL SCHOLARSHIPS.

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, the resolution which stands in my name runs as follows:—

'XXIII. This Council recommends to His Excellency the Governor in Council that the sum of Rs. 1,59,000 shown under the head of Miscellaneous—XXV. Revenue be earmarked and spent for providing additional technical scholarships by increasing the figure under 22-H by that amount and the corresponding reduction be made under the head of 45-B. Civil Works.'

"Your Excellency, as observed by the Hon'ble Mr. Ranga Achariyar we labour under certain difficulties in offering what is expected by your Excellency that we should give sound and convincing reasons without referring to any principle whatsoever by substituting one figure for another. When we want an additional sum to be provided, we must give certain reasons and that is the reason why I state that a special sum of Rs. 1,59,000 should be earmarked. At page 20 of the Civil Budget Estimate, the budget estimate from unclaimed deposits is given as Rs. 1,59,000. It is not an unusual course to earmark certain funds for certain purposes. There is in England the Whisky money for technical education. Instead of relying on the excise revenue here, I want that the revenue that ought to have gone to others, that does not properly belong to us but on account of the negligence of the parties who have not recovered that amount has gone to the Government, instead of such sum being thrown into the general expenses, it may be earmarked for a particular purpose. I think that is a good principle. When a fund is not legitimate source of income but is an accidental windfall from time to time, it might be utilized for the benefit of the people. When it is suggested whether it could be returned to the original depositors who are entitled to it it was said that when they neglected to recover the amount, we cannot hand over the amount to them. We are getting year after year about Rs. 2 lakhs or some such amount. My suggestion is that we should utilize that amount for sending students abroad to Europe and other countries, for industrial studies. I know that the Industrial Commission reported that additional facilities should be provided for scholarships. The only facility we enjoyed hitherto was provided by the Government of India at a cost, for students, of about Rs. 8,200 and during the last seven years, they were able to send about 200 students. On the advice and suggestion of the Finance Committee the Madras Government have provided for two more scholarships though in the mode of allotting it, there is a grudging concession because we notice at page 10 of the proceedings of the Finance Committee, paragraph 48:—"In answer to questions, it was explained that industrial scholarships to Europe were paid for by the Government of India and that no expenditure was made on this account out of Provincial funds. The difficulty so far has been to find suitable candidates. The Hon'ble Diwan Bahadur P. Rajagopala Achariyar explained that several of the men who had been trained had been failures." This is a most unfortunate statement. I do not know whether it is justified by facts. It continues:—"The difficulty of getting boys to go to the Bombay Technical Institute was also explained. It was decided to make provision for two scholarships of £250 a year for statutory Indians with passage money, or Rs. 9,000 in all, to be met from 'Unallotted'. When the Government neglected so long to provide technical knowledge to deserving persons in order to improve industries in the country, the sum allotted this year, Rs. 9,000 for providing scholarships, is too small, because at this rate we cannot have a sufficient number of teachers in order to impart the knowledge and learning to the various persons employed in the industries; and the figure I suggest would provide the total cost for sending 25 students and if we send 25 students every year for a period of ten years, we will be making a grand progress in the matter of technical education. Sending one or two men will not improve matters. Therefore I suggest that there should be a grant from this source. In the financial statement, Government state that when we are taking money from the people instead of keeping it there, it should be returned to the people. I would point out that this is an amount taken from the people not even in the shape of a tax, but only on account of their negligence. Let it be utilized by giving scholarships. We can provide for 25 scholarships for two or three years or for 75 students if we send for one year. In either way, if every year we can fall back upon this amount which we get from this source, it would be an easy way of securing a large number of technical scholarships. We have had sympathetic expressions from Government all along but we want them to materialise."

His Excellency the PRESIDENT:—"I understand that you wish to insert the word 'abroad'. You want technical scholarships abroad?"

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Yes, your Excellency."

His Excellency the PRESIDENT:—"The words 'for training out of India' are to be added after the word 'scholarships' in the resolution. The resolution would then read: 'This Council recommends to His Excellency the Governor in Council that the sum of Rs. 1,59,000

6TH FEBRUARY 1919.] (The President; Mr. Littlehales; Mr. Narasimha Ayyar; Mr. Thonger; Mr. Ranga Achariyar; Sir Alexander Cardew; Mr. M. Ramachandra Rao.)

shown under the head of Miscellaneous—XXV. Revenue be earmarked and spent for providing additional technical scholarships for training out of India by increasing the figure under 22-H. by that amount and a corresponding reduction be made under the head of 45-B. Civil Works.'

The Hon'ble Mr. R. LITTLEHAILES:—"Your Excellency, as I have already remarked, the budget provision has been made on the recommendation of the Finance Committee for an additional allotment for this object. Although I have every sympathy with the idea of training people for industrial work, training both in India and out of India, I consider, Sir, that the existing facilities for scientific and technical education are at present sufficient for the purpose."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, the answer given to the motion by the Honourable the Director of Public Instruction is surprising. Its brevity itself is most unconvincing. A lot of sympathy is professed for the object. The Honourable Mover pointed out that sympathy has to materialise itself on this occasion because we are discussing about rupees, annas and pies."

"The plea is not put forward that there is no money available in the budget, but the plea put forward is that we have put down something already for it. What is that sum? It is Rs. 9,000 and what is the object? It is for training people abroad. It seems ludicrous to suppose that Rs. 9,000 is sufficient for technical training abroad. The proposition has only to be stated that it is sufficient to be condemned. The name of the Finance Committee is used. The Finance Committee have to make various recommendations to make different allotments. They allotted Rs. 9,000 for this, because they had to deal only with the unallotted sums. We are not now in the Finance Committee, we are in full Council and we are concerned with the debate as to how much money could be found for this important purpose. We find under the head 'Miscellaneous' a pretty large sum is left in the hands of Government evidently for later allotment. What is asked for is only one lakh and if the Honourable the Director of Public Instruction had only stated that it would be possible to find the money later one could understand the situation. As it is, we have had a curt reply that the Finance Committee have set apart Rs. 9,000 and we should be satisfied with it. It is a most unconvincing reply. It is not a sympathetic reply. It is necessary to find funds and therefore let us vote for it."

The Hon'ble Mr. J. H. THONGER:—"I think there is a business aspect in this and it is a point which the Council has not taken into consideration. If the idea is to provide Rs. 9,000 for educational instruction in India and abroad, naturally it will not be sufficient. On the other hand, there are very good reasons for not increasing that sum at present. First of all, we are practically still in a state of war, every expense has increased, travelling expenses are enormous and living at home is very costly. If we are going to send students home for technical education at present, it may cost 50 per cent or 100 per cent more than in ordinary days. Therefore it may be adjourned. There is also the other reason. The only way of getting them home is to get them C5 certificate. What is the use of putting them in C5 which class will not get home till next year?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"The idea underlying this resolution appeals very largely to our minds. We are bound to make larger provision in future for technical and industrial education. I think if we accept the idea underlying this resolution of earmarking this particular money for this purpose, I think we will be preparing, although not for the present, but for the future. Although we are not able to spend it this year, this sum will be available for future use if we earmark it. I think the present difficulties should not stagger us in the way of appropriating this sum for this particular purpose. I do not know if there are any financial technical rules about it. I dare say there are; but if it is possible to do this, to earmark this sum for this particular purpose, that is providing scholarships not only for the coming year but for future years, we will have a store by. I think Rs. 1,50,000 every year will be of great use. Just as we are insuring against famine by providing funds, so also we may be insuring for technical and industrial education by earmarking this sum. If there are any financial rules which stand in the way I will ask the Government to do away with them, so that we may have a nucleus to start with, we may have a fund for students desiring to go abroad."

The Hon'ble Sir ALEXANDER CARDEW:—"The Honourable Member's idea on this point seems to be that while we provide a sum for the particular year for which the budget is framed it will be available for future years. This is impracticable. No amount can be provided in any one year unless it is believed that some one will turn up for the scholarship. As far as I understand, he says that this money is to be put in each year and the money each year is to lapse until some occasion arises for the expenditure. If there is a need in the year, we can provide for it. If there is no need, it will be contrary to principle to put money in the budget which will not be required. It is of course possible to put in a small sum each year."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, I would like to ask the Honourable the Director of Public Instruction for what purpose this Rs. 9,000 is put in the budget. So far as I have been able to see in the notes of the Finance Committee, stating that two scholarships are provided for, there are no details given as regards the exact line of

(Mr. M. Ramachandra Rao ; Mr. Ranga Achariyar ; [6TH FEBRUARY 1919.
Mr. Rama Ayyangar.]

study which it is intended to promote by these scholarships. The general idea I thought, of the Finance Committee, was that there must be some provision for stimulating technical and industrial education in view of the special circumstances that have arisen after the war. I do not know if when Rs. 9,000 could be budgeted, more could not be provided especially in view of the recommendations of the Industrial Commission who say that the only way of stimulating technical and industrial education is by sending students abroad. I do not know if the Hon'ble the Director of Public Instruction is right in saying that there is need for Rs. 9,000 and that there is no need for more. I should like to know whether there are any actual proposals for the utilization of this sum."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"The idea was mine. The Hon'ble the Director of Public Instruction was not ready with any cut and dry scheme. I suggested that there should be scholarships for students going to England. They said that it was difficult to get students to go. I suggested that at least two students might be sent."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"If the general idea of sending students abroad is accepted, the proposal of my Honourable Friend is to increase the Budget provision and to send more students abroad. As regards the Hon'ble Mr. Thonger's objection that there would be difficulties about getting passages, we recognize the difficulties, but the sooner we start on the lines recommended by the Industrial Commission, the better for us. If we have to wait till everything settles down, it will probably be five or six years before we would be able to send out students. Therefore, I support this proposal. I am really unable to appreciate the difficulty of the Government in this matter. I take it My Lord, that it is Your Excellency's Government's intention to promote technical and industrial education, and all that has been stated in that report goes to show that the sooner we start in that direction, the better. In view of the provision already made, the request for increasing the allotment in the budget seems to be perfectly legitimate."

The Hon'ble Mr. K. RAMA AYYANGAR :—"Your Excellency, I beg to point out that in this case, we need not be tied down as in the case of the proposal to grant scholarships to students for collegiate courses. The principle of action in this case will have to be that people conversant in this country with this particular kind of technical and scientific education and pursuits will have to be induced to send their best boys to England or other countries for technical education. My Lord, I can refer to one or two communities like the Sourashtra community, the weaving and dyeing community in Madura and some other communities may be pointed out like the blacksmiths community in Dindigul and Srivilliputtur and other places. They are almost experts in manual labour. From among these classes, by general notification people may be invited to undergo a general examination and persons may be selected and sent abroad for getting themselves trained in the higher pursuits of their particular technical or industrial branch so that they may be useful when they return, to improve the conditions of their community and also to improve the industry to which they are attached. Here, the field of choice will be much wider and I have no doubt that if it is a question of lace-making or the higher studies in dyeing or weaving, the Sourashtras of Madura, some of whom have now attained fairly high standard in ordinary literary education, will be able to compete and offer themselves to go abroad for getting themselves trained in the arts, in the scientific researches which will enable them to improve the condition of their community and the industry in which they are interested. Similarly I have no doubt that in the 21 districts of the Presidency, we can select people who have an inclination for particular pursuits which may be found by the Government to afford large scope for the improvement of that particular industry or scientific study. If these communities are chosen and if from amongst them, by open competition students are chosen and sent abroad, I have no doubt that each one of these technical subjects will receive the impetus which will ensure the progress of Madras in these scientific studies and which will really improve the economic condition of the people in general. That being the object of the present proposal, my Lord, there could be no objection to sufficient money being found for providing a certain number of students with the necessary funds for the purpose. I know it is a recurring expenditure which will have to be increased for some years, because if we propose to maintain a certain number of students, say for five or for seven years, because ordinarily for a fairly good knowledge to be attained by students, to be sent abroad, we will have to maintain them for a number of years and the recurring expenditure is likely to be increased, but the attitude of this Government is to say that enough money is provided for the advancement of technical and scientific education and when that is so, we have to make a start. What the Hon'ble Mr. Thonger said about the difficulties of passage cannot stand in the way of giving a start. If in two years it is found that less provision has to be made, we might make less provision, we can reduce the expenditure but in the first year, we will not be spending all the provision we make but it will take some years; so that the sum that is asked for does not provide for many, comparing the population of the Presidency and the various pursuits which might with advantage be recommended by the Government to be the subjects of study by these students. I beg to submit that something must be done to start with—this budget comes into operation only from April and probably the terms also will have to commence in July and a proper notification made by the Government now will enable the Government to utilize any amount of money that will be put in the budget for this purpose. We are only in the beginning of February and if we make ourselves ready to choose a certain number of persons, of course the Government will fix the

6TH FEBRUARY 1919.] (Mr. Rama Ayyangar ; Mr. Krishn Rao.)

standard of the boys, for ascertaining the qualification of the boys who will have to be sent out. If those standards are fixed and if the boys are forthcoming, it will not be proper for the Government to say that there are no funds. Suppose the standard of the Secondary School-leaving certificate is chosen; if there are boys available with the particular training for the particular industries who will take them up and who are prepared to go abroad and study, it will not be proper for the Government to say that there are no funds to send them. Even if we are going to utilize only part of the provision made in the budget, full provision will have to be made as we do in the case of other things. In view of the alteration of the rules relating to the discussion of the Financial Statement, the Finance Member has stated in his Memorandum that this has been done specially with a view to adopt the suggestions of non-official Members as far as possible and as far as feasible. This is a case in which a sum of money has been provided as has been pointed out and there is a lump allotment for industrial and technical education; there is about Rs. 11 lakhs of money kept by the Government for unforeseen charges so that in all, we have about Rs. 16 or 17 lakhs and the money that is sought to be ear-marked by the Honourable Member is only a small portion which is now merged in the general balances. In whatever way it is got, this money must be provided so that an assurance may be given to the people on the matter and I think the necessary notification might be sent out by the department calling for applications and for selections being made before the beginning of the next official year. Therefore, My Lord, this is a case in which the representation on the non-official side may be accepted with advantage and the first fruits of the change in the financial rules may be allowed to be enjoyed by this council. I submit My Lord, that this may be accepted."

The resolution was put and lost.

RESOLUTION RE PROVISION FOR FREE BOARDING HOUSES FOR SCHOLARS OF DEPRESSED CLASSES

The Hon'ble Mr. A. S. KRISHNA RAO :—"I have the honour to move :—

'XXIV. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 50,000 be provided under 22. EDUCATION for the establishment of free boarding houses in select places in the Presidency for the benefit of scholars of depressed classes and that a corresponding reduction be made under '45. CIVIL WORKS—Civil Buildings.'

"Your Excellency, the question of the education of the depressed classes including in that term the Panchamas has received continued attention for some time past and if I move this resolution it is with the full belief that unless steps are taken in that direction, much cannot be done to improve their condition and to improve their education.

"Before I offer a few remarks as to the necessity for the establishment of such free boarding houses it is but desirable that we take a retrospect of the advance made in the case of education of Panchamas during the last five or six years. It will be found in the quinquennial report from 1911-12 to 1916-17 that there has been an increase of about 1,910 institutions for the education chiefly of Panchamas. The number of institutions was 3,781 in 1911-12 and it increased to 5,691 at the end of 1916-17; and the strength of these institutions which was 100,881 at the end of 1911-12, increased to 158,593 at the end of 1916-17, an increase of 57,712 pupils. If you take into account the Panchama pupils alone in these institutions, it was 72,190 at the end of 1911-12 and it increased to 120,607 at the end of 1916-17, an increase of 48,417. This progress is and can be considered to be fair in that quinquennium. But when we take into account the progress made in the year 1917-18, we have a different story to consider. In the year 1917-18, that is the last year for which information is available, the number of institutions increased from 5,691 to 5,814, an increase of 123; the strength in these schools was 159,393 in 1916-17 and in 1917-18 it was 165,467, an increase of 6,874. Notwithstanding the increase in the number of schools intended for them by 123, and the number of pupils in these schools by 6,874, we find that the number of Panchama pupils alone increased only by about 71. It was 120,607 at the end of 1916-17 and 120,678 at the end of 1917-18. The number of schools increased by 123, the number of pupils by 6,874, but the number of Panchama pupils alone by only 71. Having placed these figures before this Council, I may remind the Council that there can be no denial of the fact that the people, generally, the municipalities and the local boards and the Government have been paying increasing attention to the question of the education of the depressed classes. That is a fact which cannot be denied or ignored. It must also be admitted that if any prejudice existed in the way of the admission of the Panchama boys for education, that prejudice has been waning. This is a fact which is known to everyone and which is also recognized in the report of the Director of Public Instruction for the year 1917-18. It is fairly acknowledged therein that the Hindu community is evincing greater interest in the matter of the education of these classes. There is one important cause which, it must be stated, has really obstructed the progress of education, and has made education neither real, nor useful and that is the poverty of these people. It is that aspect of it which I consider necessary to place before this Council to-day. You find in your own experience when you visit the Panchama schools, there are a number of cases in which there are no boarding houses or boarding places for their benefit, and the pupils are ill-fed and poorly clad and present a miserable appearance. If they are in that condition, can we really believe

(Mr. Krishna Rao ; Mr. Littlehailes.) [6TH FEBRUARY 1919.]

that they will have the real benefit of education and that they will improve by the education which is imparted to them in these schools? I can refer in this connexion to a very pathetic incident which was my own personal experience. It was on the 12th of December last, the Darbar day when all schools were instructed to have celebrations. It was usual for each individual school, to have all the pupils therein assembled on that day and to have some celebrations, probably some sweets and some festivities. On the last occasion, it struck me that so far as the municipal schools in Nellore were concerned, it would be better to take advantage of the opportunity, to bring all the pupils to a particular place so that the boys of all the schools may enjoy in common. There are two Panchama schools; and the headmasters of those schools went to me and pathetically requested that they might be excused from attending the celebration and that their pupils might not be asked to go there. They said 'we do not want to exhibit our Panchama pupils along with others; they have no clothes, they have no dress, they are ill-fed and they present a starving appearance. Do not insist on the attendance of these boys at that gathering. Please excuse us.' It was a pathetic story but with some inconvenience, some arrangements were made for their benefit and they were induced to come. Can we believe that if they are to be in that condition, a condition in which they cannot have proper food at home and proper clothing, they can really have the benefit of good education? I am sure not. If we find that persons of the depressed classes have been showing improvement, it is in places where there are schools under the management of Mission agencies, where there have been boarding houses and where arrangements have been made for their benefit. I would therefore suggest that this problem of the advance of Panchama education can only be satisfactorily solved if some arrangements are made in the immediate future for improving their condition and for establishing boarding houses for their benefit. It will be found that this aspect of it also was considered by the Department of Education in dealing with it in their report of the last quinquennium. After pointing out some difficulties and some prejudices in certain parts of the Presidency, and after referring to the general interest taken in the community it is stated that 'other difficulties in the way of progress are poverty and the want of teachers. Poverty proves a bar to education in two directions. The parent is naturally disinclined to send his child to school when his earnings may be of help to the family. On the other hand, if his son is sent to school, he often comes half-starved and benefits little from the instruction given.' That is the statement of the Hon'ble the Director of Public Instruction in the report. I have placed before this Council what was within my experience and what I believe would be within the experience of almost every Honourable Member of this Council.

"I do not think there can be any difference of opinion as to the object of this resolution. Every one will be satisfied at once that unless facilities are afforded, it is not possible to expect any improvement in their condition. The only question is whether it is feasible to take up this question and whether it is possible to make a provision in the budget for that purpose. That is the question with which I have to deal on this occasion.

"My Lord, I know that this question, if it is to be extended to all the schools in the Presidency all at once, may cost much more than what I have asked for in this resolution. I know that in working boarding houses in various parts of the Presidency, there are several initial difficulties to be contended against; but if Your Excellency's Government are satisfied that there has been increasing interest taken by local bodies in the development of the education of this community, I have every hope that the local bodies can be used as agencies for the purpose of establishing these boarding houses and maintaining them in a satisfactory manner. Government should come to their rescue and allot funds for that purpose, with whatever safeguards or restrictions that the Government may think fit to impose. It may not be possible to start these boarding houses all at once throughout the Presidency; but it is possible, I am sure, to start such free boarding houses in some selected places in the Presidency after considering the conditions of the locality, the number of persons who are likely to take advantage of these institutions and the agency which will gladly undertake that responsibility; and after taking steps in that direction in some selected places, the system can be gradually extended to other places as far as possible. It is with that object that I have considered it desirable to place this resolution before this Council to-day. I have asked for a budget allotment of Rs. 50,000 for this purpose. As soon as a scheme is made, a satisfactory scheme can be worked out by correspondence between the Department of Education on the one side and the local authorities on the other; when once it is understood that both of them have the cause of the depressed classes at heart and want to improve their education, there will be no difficulty whatever in working out a scheme which will satisfactorily solve this problem. With these remarks, I commend this resolution. I have not the slightest doubt that the Government would be in a position to allot some funds for this purpose, be it Rs. 50,000 or for an experiment being tried, Rs. 25,000. Some reasonable provision must be made in the coming year."

The Hon'ble the Most Reverend John Aalen seconded the resolution.

The Hon'ble Mr. R. LITTLEHAILES:—"Your Excellency, I feel I am voicing the sentiments of everyone when I say that we all have the object of this resolution at heart, that is to say the amelioration of the condition of the depressed classes. The difficulty lies not in sympathizing with the resolution, but in the practical application of our sympathy. The depressed classes have not, so far as I know, been carefully defined. We speak, in our ordinary code and rules, of the Panchamas and certain backward classes, as educationally backward classes; but the depressed classes of

[6TH FEBRUARY 1919.] (Mr. Littlehailes ; Mr. Narasimha Ayyar.)

this Presidency number at a rough estimate about 10 millions and the question that is opened before us is so immensely large that I do not think, Sir, I see any way out of the difficulty that has been presented before us of ameliorating their condition by this specific method. The department has always given every consideration in the award of grants to Panchamas and backward classes and I am certain that the Government are always willing to consider what can be done in that direction. But the problem appears to me at present to be one of offering facilities for education to these backward classes who are able to take advantage of them. The matter of depressed classes is being considered by the department and until the department has further time to consider it, I do not think that it has reached the stage yet when a specific budget provision can be provided for; as the Honourable Mover has mentioned, a great deal of correspondence is required between the Director of Public Instruction and the local bodies and I do not think that any successful settlement of the question can be come to in the course of the incoming year which would necessitate the insertion of the budget provision."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, on this resolution I expected that there would be something specific coming from the Hon'ble the Director of Public Instruction which would convince this council that this resolution should be negative. We have heard, *ad nauseam*, about the neglect of the interests of the depressed classes by various sets of persons, but the test has always been stated to be how far people are really coming forward to help the depressed classes out of their present lot of illiteracy. The question has always been, how much can be done and various apologists have come forward for the local bodies, for the Government institutions, and for various caste institutions to explain why much could not be done. I have had the pleasure of listening to one apology now from the Hon'ble the Director of Public Instruction, an apology for not doing more, and I must say that I am not convinced that the apology is satisfactory. There is a proposal now that we should start helping the depressed classes in a way that we have not done before. One particular way is chalked out now and that is providing for free boarding houses for such depressed classes as could be attended to within the sum of Rs. 50,000 during the budget year. I have not heard anything from the Hon'ble the Director of Public Instruction to show that this is a wild scheme or that the money is not forthcoming or that it will disturb the budget, that we will not be able to proceed further. The one objection which had some appearance of a ground in it was that correspondence would have to be maintained and this correspondence will go on not only during the rest of the present year, but during the major portion of the next year, that with our red-tapism we will not be able to get any scheme and therefore that no provision need be made. If that is so, I must say that this confession is sufficient condemnation of red-tapism and of our present methods and some drastic remedies must be adopted. The Honourable Mover pointed out that with very little correspondence, the scheme could be started. The Department of Public Instruction has got a great advantage in being more learned and has discovered a great many things about education. But on the simple question of finding out who the depressed classes are, who should be helped and in which way, the department has failed and we have now to trust local bodies to do it. Suppose to the Nellore District Board you hand over Rs. 10,000 or Rs. 5,000 and ask them to select five centres where they could give free boarding to Panchama boys to improve their education, rules as to funds have to be framed and other correspondence may be carried on for decades, but that is not such an essential pre-requisite that we should postpone the proposal if otherwise it is good. If this Council is going for this simple reason to reject the proposal, the Council will be open to attack by the poorer classes; they will say 'they will all talk nicely on platforms and in despatches, but when it comes to the true test of action, we find that their professions are only lip-deep; it is merely lip sympathy.' My own humble opinion is that it is much better that we do not lay ourselves open to such an attack. Apart from the question of attack or defence, let us consider whether there is anything serious that stands in the way of assisting Panchama education. The great block on the progress of education is the fact that there are so many millions who remain immersed in dense darkness and if we are going to suggest one slight way to get out of it, and if we are to be frightened by the correspondence which would stand in the way, I am afraid we do not deserve the name of business men. I am perfectly certain that correspondence of more than two or three months would be undesirable, and will prove that we shall lack in business habits. We can trust the presidents of various district boards to administer small sums with such supervision as the educational authorities can give. If there is the will, even red-tapism can give way. On this occasion I would earnestly entreat all Honourable Members here not to give way to this bogey of correspondence and veto this scheme. The other objection raised appears to be extremely departmental and technical and would not impress laymen. It is that the depressed classes are not defined. These terms have acquired a definite meaning. I am afraid even the term 'vegetable' cannot be fairly accurately defined. And yet vegetarianism is a fact. We people are apt to be too learned and may become unintelligible to ordinary people. The other objection stated was that the depressed classes number 10 millions and how can we do anything for them? It is undoubtedly true that the task is great, but is that a reason for giving up any scheme? If we can assist so many as two millions in the course of next year, we will have made an honest beginning. Else the ten millions are entitled to say 'your professions are great but your performances are poor'.

"There is a rather vague phrase of the Hon'ble the Director of Public Instruction that he does not see any way of improving these classes except by grants. Grants are well-known. Government are doing a great deal and private bodies have been doing a great deal so far as the

(Mr. Narasimha Ayyar; Mr. M. Ramachandra Rao; [6TH FEBRUARY 1919.
the President.)

past is concerned, but it is the future that has to be regarded because the past has really, after all is said and done, been a very poor performance. To add a word from my own personal experience, I must say in my attempts as chairman and as a public man to improve the Panchama classes and their status and education, I found that it was their grinding poverty that prevented my work. I wanted to go into the slums and tried to induce a few parents to send their children, but the Panchama was so wretchedly poor and the idea of sending a child five years old to school seems to be entirely out of his way. His idea is to keep the wolf from the door with the help of the child though the little child is practically naked without proper clothing. There are a number of obstacles which prevent him from sending the boy to school some of which would be removed by free boarding institutions. If a grant of Rs. 1,000 were to be placed at the hands of the Salem District Board, I can guarantee that you will find full value for every pie of your money; there will be no humbug, there will be no fraud; many councillors and many taluk board members will come forward with their real sympathy, not lip sympathy on the platform or in press communiqués. I hope the real sympathy of Honourable Members here in this Council which they have expressed any number of times would show itself in voting on this proposition."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, I wish the Hon'ble Mr. Littlehailes had made a reply which was more satisfactory than it was. He gave three reasons for not accepting this resolution. One of them is that before this resolution can be accepted, the exact category of the classes who would come within the term 'depressed classes' must first be settled. My Lord, the Educational Conference took some pains to elaborate a definition of these classes who come within that category of the backward classes and Your Excellency's Government have rejected the proposals of the Conference and have referred the matter back to the Director of Public Instruction. I take it that his statement amounts to this: till he completes his inquiry as suggested in the Government Order, he will not be in a position to accept any such motion. That is the first argument. Independently of any inquiry as to who should be regarded as depressed classes, it seems to me that the question may be tackled by applying this grant to the class known as Panchamas. In the Telugu country the Malas and Madigas and in the Tamil country the Pallas, the Paraiyas and the Chucklers are known to belong to this class. Under these circumstances, it seems to me that it is unnecessary to wait till this inquiry as to who should be regarded as backward classes is completed. My Lord, I have been to many mission boarding houses which are maintained by voluntary subscriptions and a great deal of good work is being done for the amelioration of this class and what is now asked for is if the various depressed classes societies which are doing a good deal of useful work and which are in charge of educational institutions are asked to undertake the question of boarding, then the question of the education of Panchamas will be much more easy. Apart from this, there are also local bodies and I do not see how it would be difficult to distribute Rs. 50,000 or any lesser sum among these two agencies which are now doing educational work, namely, the local bodies, and the various depressed classes societies and also the missionary bodies to whom also some relief might be afforded. As regards the desirability of undertaking boarding, it is unnecessary to say in support of the proposal. If a Panchama is allowed to keep his child without education, he would prefer to do so for the very simple reason that he would like his boy to supplement his own resources, he would like his boy or girl to be employed either in agricultural labour or any other kind of labour. The whole question of Panchama education is beset with very great difficulties and even if Rs. 50,000 is taken merely for the purpose of an experiment to see what can be done and how we can improve their position and how we can keep them in some degree of comfort, at the time they are in school, if it does not lead to anything else, it will be valuable experiment in attacking the question of Panchama education. I trust, Your Excellency, that this proposal to put down some amount of money for maintaining boarding houses for these unfortunate people will be received with better consideration than it has from the Government and if I may say so, any money spent in this direction will never be objected to; but, on the other hand, I believe that every Honourable Member of this Council would welcome any proposals in aid of these unfortunates. If we are merely to confine ourselves to an elaborate scheme of educational facilities, I do not think that we should be doing very much in furthering Panchama education. It seems to me that we must go further and make an exception not merely for providing educational facilities, but also some facilities for boarding during the period of education. It is unnecessary to discuss this at greater length.

His Excellency the PRESIDENT:—"Might I be allowed to say a word? There has been a debate on a subject on which there is no difference of opinion. We are all anxious to help the education of the depressed classes. We are having rather a controversial debate on a matter on which there is perfect agreement generally on principle in the Council, but the Hon'ble the Director of Public Instruction has unfortunately been obliged to adhere to the rules and regulations under which these discussions have to be carried out. He has been obliged to point out that there is no scheme put before this Government for the allotment of this money, that the resolution is quite general in its terms and that it proposes to lay upon the Government the responsibility which they never had to bear hitherto. Let us try and reconcile the differences which seem to exist. It may be an excellent thing to establish boarding houses for such children, but let me say this: the difficulty is not in defining the backward classes, but the difficulty is in defining the depressed classes. It is quite easy for missionary societies or charitable

6TH FEBRUARY 1919.]

(The President; Mr. Venkatapati Raju;
Mr. Krishna Rao.)

or voluntary societies of any kind when they wish to establish boarding houses for children in any particular locality,—it is quite easy for them to admit children whom they wish to admit. But when you want to lay that responsibility on the Government, then they have to be impartial to all localities and as to what children are to be admitted into such institutions. The Hon'ble Mr. Narasimha Ayyar's point of view is that district boards and local authorities should establish those institutions or other local authorities should establish such institutions and he said 'give the district board Rs. 1,000 and it will make a sound experiment on these lines'. I would ask the Honourable Gentleman how far this Rs. 1,000 would go towards paying the annual cost for a free boarding house for children of the depressed classes. Then the Hon'ble Mr. Ramachandra Rao makes quite an interesting suggestion that voluntary societies who are already doing the work should be helped. I think that is a very good and practical suggestion that voluntary societies, missionary and other societies should be helped so that they may be encouraged, but as a matter of fact they have been encouraged; such institutions are being encouraged. I do ask this Council—I am afraid it is a very dull and prosaic view—to remember that we have to settle how much sum of money is to be put into the budget this year. There is practically no scheme before Government under which this money could be spent. I am quite sure if any society will send up a practical scheme, an experimental scheme for the purpose, it will be considered most carefully and that will possibly be the best way of approaching a subject of this kind. Let some experiment be started which may prove successful and which will reveal to us the difficulties which any institution of the kind has to meet. That is the practical way of dealing with the question. Let us for a moment withdraw this resolution, there is really no detailed scheme for the application of money; we shall not magnify differences and make differences when no differences exist. There are a great many questions that have to be considered when you transfer efforts of this kind from the voluntary sphere to the Government sphere. It is quite a different matter to lay on the Government a duty of this kind. You will have to treat all parts and all people equally, and you will have to be fair. I venture most respectfully to lay these suggestions before this Council."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, there is no difficulty, so far as the application of this resolution is concerned, as to whom it is to be made applicable. We have taken it that it practically relates to the panchamas or the untouchables. Even in our own Presidency, when we refer to page 140 of the Civil Budget Estimate, we find, under the head of 'European education', boarding grants to children and grants to children in out-of-the-way places to the extent of Rs. 1,10,000. Therefore, we know how boarding grants are given for European boys. At the one end we have that class; now we shall go to the other end and give something to the panchama class. For the ruling class, we have provided; let us go to the other end and give to the panchamas some grant. How to provide grants, it is not difficult for the Secretariat to come to some understanding. If the intention is to provide something, a cut and dry scheme may be prepared in the Government office as to how best the budget grant may be utilized. I do not think that the Hon'ble the Director of Public Instruction will find it difficult to devise a scheme by which to provide free meals to panchama boys. The question is we must begin at one time or another, let us make a beginning now with the panchama boys."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, it has been suggested that so long as there is no difference in the object underlying this resolution and that so long as there is no ready scheme which can be worked out at once, it is not necessary to make a budget provision. Your Excellency will be pleased to notice that the idea of starting boarding houses and the method of working them is not a new one with which people are unacquainted in this country. Hostels have been established in various districts of the Presidency and are attached to various schools; and they are being worked in a satisfactory manner. The difficulty has been all along one of resources, one of ways and means, one of funds. If it is possible to find the funds, there can be no difficulty whatever in giving a start in various places. So far as the Hon'ble the Director of Public Instruction is concerned, his difficulty appears to be that much time is required for considering whether the Educational Department can take up this responsibility and for the Educational Department evolving a scheme which will be satisfactory. If the department is prepared to take up this work and start such boarding houses in some selected centres in the Presidency, it is, I believe, quite possible to have the necessary correspondence through the Inspectors and give it a start in the course of the next year. If for any reason it is believed that the correspondence between the Director of Public Instruction and the Inspectors, between the Inspectors and their assistants is likely to take much time, may I not ask that the necessary allotment can be made and the district boards may at once be consulted whether they can take up this task in suitable centres? I am quite sure that within the remaining portion of this year it will be possible for some of them to make up their minds and come forward with proposals; and in some cases a beginning can be made in that direction. I would, therefore, suggest, Your Excellency, that if for any reasons Government find it difficult to take up that heavy task without a very long inquiry, which cannot be completed till next year, some provision may be made and after consulting district boards funds may be allotted to some of them for giving a start to carry out this long-needed reform. I do not myself see that there would be any difficulties in carrying out this experiment. Several managers of schools are well acquainted with the system of starting boarding houses; and even the question of accommodation is not likely to cause difficulties, as hundreds of students are not likely to require accommodation. In the beginning they may be located in a rented house. It is very unfortunate that local bodies are not themselves in a position—by an examination of their

(Mr. Krishna Rao; the President;
Sir Alexander Cardew.)

[6TH FEBRUARY 1919.]

budgets, I say this—to give a start in this direction. An examination of the budgets sent by them shows that they find it very difficult to maintain the minimum balance and that they come forward to the Government with requests for money. Such is their unfortunate condition; and that is the reason why they are not in a position to make a beginning. If Government are pleased to make an allotment and help them, it will be possible to help the depressed classes. Even if it be only a few children who are helped, I think it will serve a useful purpose. As to the definition of depressed classes, I can inform Your Excellency that I have taken it in the sense in which it is used in the report of the Director of Public Instruction."

His Excellency the PRESIDENT:—"Is it depressed classes or backward classes?"

The Hon'ble Mr. A. S. KRISHNA RAO:—"I took it from the Quinquennial report, page 67. The heading is 'Education of backward and other special classes' and the sub-heading (a) is 'depressed classes'. Then they deal with the education of the depressed classes; they include under it the Panchamas, the Pallas, the Madigas, the Malas and they proceed to consider the progress made in education. I would request that for all practical purposes we can, for the present, adopt the definition given by the Director of Public Instruction; we might try the experiment and make a beginning."

His Excellency the PRESIDENT:—"I can assure the Honourable Member that any practical scheme that is sent up will be considered."

The resolution was put and lost.

The Hon'ble Mr. A. S. Krishna Rao demanded a poll which was taken with the following result:—

For	Against
The Hon'ble Mr. M. Ramachandra Rao.	The Hon'ble Sir Alexander Cardew.
" " P. Siva Rao.	" Mr. L. Davidson.
" " K. Rama Ayyangar.	" " C. G. Todhunter.
" " K. Sadasiva Bhat.	" " A. Y. G. Campbell.
" " K. R. Suryanarayana-	" " R. Ramachandra Rao.
murti Nayudu.	" " M. Young.
" " B. Venkatapati Raju.	" " L. E. Buckley.
" " Muppil Nayar.	" " R. B. Wood.
" the Raja of Pithapuram.	" Khan Bahadur Aziz-ud-din
" Mr. A. Subbarayalu	Sahib.
Reddiyar.	" Mr. N. E. Marjoribanks.
" " T. Ranga Achariyar.	" " R. Littlehailes.
" Yaqub Hasan Sahib	" Sir Fairless Barber.
Bahadur.	" " Gordon Fraser.
" Mr. A. Suryanarayana Rao.	" Mr. J. H. Thonger.
" " A. S. Krishna Rao.	" " W. Hutton.
" " B. V. Narasimha Ayyar.	" " W. J. J. Howley.
" The Most Reverend John	" The Advocate-General.
Aelen.	" Mr. P. Rajagopala Achariyar.
	" " H. G. Stokes.

The resolution was lost 15 voting for and 19 against it.

XX-A. & 24-A. Medical.

The Hon'ble Sir ALEXANDER CARDEW:—"I now introduce the head XX-A. and 24-A. Medical."

RESOLUTION RE APPOINTMENT OF TRAVELLING SUB-ASSISTANT SURGEONS IN MUFASSAL HOSPITALS.

The Hon'ble Mr. A. S. KRISHNA RAO:—"I have the honour to move:—

'XXV. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 1,00,000 be provided under 24. Medical for the appointment of travelling sub-assistant surgeons in some of the mufassal hospitals in the Presidency and that the same be met from the reserve portion at the disposal of the Government under 32. Miscellaneous.'

"Your Excellency, it will be seen from the information available that there were at the beginning of 1917, 709 medical institutions open to the public and that at the end of the year there were 707. It is a problem which has been engaging the attention of the Government for several years. I am sure Government have been trying to improve the condition of these medical institutions to some extent. One of the suggestions that has been made and which has been considered by the Government is that in addition to the establishment of additional hospitals and dispensaries as they will do useful work within certain specified ranges. That is one of the important reforms which can be effected in the immediate future and which can be taken up without much difficulty and without much delay. I need not draw the attention of the

[6TH FEBRUARY 1919.]

(Mr. Krishna Rao; Sir Alexander Cardew;
Mr. Yaqub Hasan.)

Council to the fact that during the last year especially, the health of the Presidency in the various districts has been causing considerable anxiety not only to the people in those localities, but to the Government themselves; and it is quite clear that on an occasion like that, the medical relief available was found to be inadequate and very insufficient. The Hon'ble the Surgeon-General who unfortunately is not here to-day will be in a position to tell us that he received several applications from various local bodies for additional sub-assistant surgeons, but he did not find it possible to cope with the situation and supply the persons required. I draw pointed attention to this circumstance to show that though it has been found necessary to increase the medical institutions to a considerable extent, the health of the Presidency on the whole has not been very satisfactory. So far as this is concerned, it suggests a simpler remedy: to the extent available and as far as possible, additional sub-assistant surgeons may be provided and attached to existing hospitals and may be asked to go to the surrounding villages and afford medical relief. I need not detain the Council very long because there can be no difference of opinion as regards the object underlying this resolution. I do not think that it need give rise to any debate. The principle underlying it is accepted. I suggest that provision of Rs. 1 lakh should be made for the purpose of enabling local bodies to take up this question. With these remarks, I commend this resolution."

The Hon'ble Sir ALEXANDER CARDEW:—"The proposal to appoint additional staff in mufassal hospitals and dispensaries with a view to enable medical aid to be brought into villages by travelling sub-assistant surgeons was contained in a Government Order of February 1917 and it has been, I think, generally approved of by local bodies. But the difficulty of carrying it out has arisen from the absence of a large number of our sub-assistant surgeons on military duty. Out of a total sanctioned strength of 762, the present strength is only 599 so that we have 163 less. The number of sub-assistant surgeons on military duty is even now 114 and that is the reason why we have not been able to progress with the scheme as much as the Government and local bodies would have liked. That difficulty, I am afraid, to some extent will continue in the coming year though to what extent we cannot tell, because we do not know yet when the medical department will relieve sub-assistant surgeons. The Government are quite as anxious as any one to see that this scheme is given a fair trial and the only objection which I feel to putting money in the budget—the only reason for not putting money in the budget—lay in this fact that under the Accountant-General's procedure payment made to local bodies to aid the outlay incurred on sub-assistant surgeons is only recovered from the Government and credited to local bodies at the end of each official year. Suppose a sub-assistant surgeon is appointed on the first of April in a mufassal hospital and continues till the first of September in that hospital or dispensary, the charges are first met by the local body and the Government are not compelled till the following year to meet them. That is why we did not put any money into the budget. It may be that some initial expense may have to be incurred in starting the scheme. Possibly the district boards will have to be furnished with equipment and also to encourage district boards by satisfying them that the money is in the budget, I have no objection to putting in a small sum of money but I doubt very much whether it will be actually spent in the year. If the Honourable Member will accept the amendment and put in Rs. 10,000 or something like that, which will come out of the head XXXII. Miscellaneous, I have no objection to accept it. I can assure him that we have every desire to push this scheme."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Will it not be possible to provide Rs. 20,000 to give it at least a fair trial?"

The Hon'ble Sir ALEXANDER CARDEW:—"The Honourable Member had a talk with me and I said we could provide Rs. 20,000 but my fear is that it might not be spent. It is only after the end of the year that the accounts would be closed. It is only the initial expense that will have to be met. I did not remember the Accountant-General's procedure when I talked to the Honourable Member."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I accept the sum of Rs. 10,000."

The resolution as amended was put and agreed to.

RESOLUTION RE LUMP PROVISION FOR OPENING A MEDICAL SCHOOL AT BELLARY.

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"The resolution which I have the honour to move runs thus:—

'XXVI. This Council recommends to His Excellency the Governor in Council that a lump provision of Rs. 20,000 be made under 24-Ad. Medical for opening a medical school at Bellary and this amount be met by a corresponding reduction under the head "45. Civil Works,"'

"Your Excellency, in the budget for the year 1918-19, a lump sum of Rs. 20,000 was provided for the opening of a medical school at Bellary, but afterwards I found that that amount was removed, and it was not included in this budget. I expected that this amount would be restored in the budget that we are dealing with now, but I do not find it anywhere. Government have recognized, as far back as 1916-17, that applications for admission into the

(Mr. Yaqub Hasan ; Sir Alexander Cardew.) [6TH FEBRUARY 1919.

medical schools are so many that new schools should be started to meet the demand and it was said in a Government Order that a school for Bellary was under consideration. There are at present four medical schools—one at Rayapuram, one at Calicut, another at Tanjore and another at Vizagapatam. These four schools are not enough to cope with the demand. They used to admit only about 120 students per year. In the year 1916-17 they raised the admission to 262 and even that was not considered enough. It will be seen that in the southern districts there are two schools—one in Malabar and one in Tanjore. There is one school in Vizagapatam for the Northern Circars, the Ceded districts are altogether unprovided for and Bellary was rightly selected as a centre and I do not see why provision should not be made for it this year. As has been pointed out by the Hon'ble Sir Alexander Cardew on account of the paucity of sub-assistant surgeons, we are not able to start any schemes even the Government schemes, referred to in the previous resolution. Unless this school is started, you will not be able to get a number of doctors sufficient for the purpose. As it is, the number is very small. Out of nearly 1,000 or to be more correct, 987 medical men of all services and grades, there are only 517 sub-assistant surgeons and there are about 99 temporary hands employed lately. Of course, the sub-assistant surgeons who are now employed for war purposes will soon be released, even then there will be the necessity for producing more; for the number of hospitals cannot be increased till sub-assistant surgeons are also increased. In fact, last year 17 medical institutions were closed, 10 of which were closed for want of medical men. There are 707 hospitals in the Presidency which are not at all enough and then there is a demand for the rural areas also for which travelling dispensaries are suggested and the scheme has been approved of. So Government should have no difficulty in accepting my resolution. I am not bringing forward any new thing or any big thing. It is only what the Government themselves contemplated to do last year and I only want them to do it in the course of this year. Rupees 20,000 as a lump sum provision is to be made for making a start. A site will have to be found, a building will have to be planned and something will have to be done and unless some money is provided in the budget, the school will not come into existence and will be lost sight of altogether. With these words, I commend the resolution."

The Hon'ble Sir ALEXANDER CARDEW :—"The Honourable Member who moved this resolution is quite correct in saying that there was a provision last year. In October 1917, the Surgeon-General was particularly asked by a memorandum from the Government to submit detailed proposals with reference to the proposed school at Bellary. Personally, I had great hopes that we should be able to start this school at Bellary at any rate in the year which is now drawing to a close. But in April 1918 Colonel Giffard in a long report on the subject entirely destroyed my hopes by the entirely adverse attitude which he took up on the subject. He said : 'After careful inquiry I have come to the conclusion that Bellary is a very unsuitable place in which to found a medical school. No more unpromising place for a medical school could be found in the Madras Presidency. The hospital, which was recently taken over by Government from the municipality, is badly equipped, badly staffed and has a very poor reputation. The average number of sick in hospital, last year, was only 19 although the hospital is capable of holding 60 patients. There are practically no women-patients in the (Sabhapathi Mudaliyar's old Municipal, now Government district headquarter) hospital either in the out-patients or in the in-patients. Only 12 women attended the headquarter hospital's dispensary on 30th March 1918. The mission hospitals of Jammalamadugu and the Mysore State hospitals attract most of the important cases.'

"In his letter he also says that there are very few post-mortem examinations, that comparatively little surgery is done, that the medical officer is badly handicapped by the fact that the municipality is unable to find funds even to feed the patients and he goes on :

"Inquiries reveal the fact that the four Ceded districts will probably produce each year only 24 school boys who have not proceeded to the intermediate course of instruction in a college, and who have a sufficient knowledge of English to be able to undertake a medical career. No one can say how many of these students will adopt medicine as a profession. There are only four Ceded district students now at Vizagapatam and two at Rayapuram. Five Ceded district students applied last year to this office for admission to the Civil Medical and Burma grades. Three, 2, 6 and 2 students applied for admission to the Rayapuram Medical school from Kurnool, Cuddapah, Bellary and Anantapur respectively. Only one student was admitted from Kurnool, all his certificates being in order. The other applicants did not send in any certificates and in some cases the marks obtained by them were not satisfactory. The state of the medical institutions in the Bellary town is such that it seems to me to be practically impossible to start a school at once."

"I think the Council will agree that when our expert advisor gives us such a definite finding against it, there was only one course to pursue and that was to take his advice. Instead of, therefore, carrying out the scheme and starting a medical school at Bellary we have adopted his suggestion and we have opened a school in connexion with the Madura hospital; but I have by no means given up the hope that we shall eventually see a medical school started at Bellary. The first step is undoubtedly to prepare to extend the hospital. That is the first procedure, and that has been taken. The land necessary for extension of the present hospital has been re-claimed from private ownership and has been made available for extension and as soon as plans and estimates are available, that scheme will be taken up. It will be eventually a matter of several years to complete the extension of the hospital and start the school and in the absence of clinical material, patients, bodies for dissection, etc., I should only be deluding the Council if I put money into the budget on the present occasion. I hope the Honourable

6TH FEBRUARY 1919.] (Sir Alexander Cardew ; Mr. Siva Rao ;
Mr. M. Ramachandra Rao ; the President ; Mr. Yaqub Hasan.)

Member may be assured that we have not at all abandoned the idea that the Ceded districts should have a medical school though on the present occasion it is useless to provide funds as I did last year when I was in hopes of starting a medical school at once."

The Hon'ble Mr. P. SIVA RAO :—"I wish to say a few words. I am very glad that the Hon'ble Mr. Yaqub Hasan has taken up the case of the medical school at Bellary. I know the history of that school. Government very wisely sanctioned the location of a school at Bellary and provision was made in the current budget for the purpose. There is absolutely no doubt that there is a very urgent need for starting medical schools. We want more sub-assistant surgeons. It is also desirable that these schools should be located in various centres instead of being huddled in one corner of the Presidency and it is also equally well known that not one student in the sub-assistant surgeon cadre comes from the Ceded districts. The Ceded districts people are very averse to take up the medical profession and the men are very parochial in their habits. If they are told to go to Madura or Vizagapatam, they do not take the opportunity. It is this which induced the Government to decide to start the school at Bellary. The trouble arose when the Surgeon-General visited Bellary. Then the hospital was in a hopeless condition. That was the state when the Hon'ble Sir Alexander Cardew visited it in December 1917 and the Honourable Member decided at once to take over the hospital. Accordingly he has taken it over. We shall take stock of the present situation. In the present budget there is a provision of Rs. 15,000 for extending it and there is a proposal to add to the nursing staff and there has been a proposal to shift the Victoria Women's hospital to the premises of the main hospital. Now, the clinical materials, the in-patients in the hospital have been increased but I need not tire the Council with indicating how the number of in-patients has since fallen. One of the reasons is that the municipality cannot afford to maintain it in an efficient condition. The other reason is that it is not properly staffed; it all depends upon the personnel of the medical staff. Now that the management has been taken over by Government, there are signs of improvement and I have noticed perceptible signs of improvement. The number of in-patients is steadily going up and if the Victoria Gosha hospital is shifted to the present hospital, it will add to the present number of in-patients. Between these two, we hope to have about 50 in-patients for the present, and thus there will be material for clinical study. During the two years that sub-assistant surgeons undergo their course, they confine themselves solely to theoretical study. Even if the medical school is opened this year, by the time the students reach their practical course the hospital will have been improved and when there is additional staff and increased accommodation and the best qualified surgeon is sent, everything will become better and the number of patients will be doubled. We have the District Medical and Sanitary Officer, who can deal with ophthalmic cases and therefore we have a number of eye-patients also. I hope the Government have not abandoned the idea. Let the provision be inserted; let the Hon'ble the Surgeon-General go again to Bellary and take stock of the present situation, and if it is feasible, let him start it. My main submission is this: for two years to come, there need not be much of clinical material, because the students will be busy with theoretical study. Let provision be made; let the Surgeon-General take fresh stock of the situation and then decide."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"My Lord, I should like to ask the Hon'ble Sir Alexander Cardew whether it is not possible to start a school at Bellary and whether, if this is not feasible, he will consider the desirability of starting another medical school elsewhere. In that case, it will be possible to amend this resolution leaving the question of the Bellary scheme to be re-examined by next year. I brought to the notice of the Hon'ble Sir Alexander Cardew by way of interpellation more than once that the applicants for admission into medical schools were more than 1,100, but the number actually admitted were below 400. Considering the absolute necessity of training sub-assistant surgeons, I venture to think that it is very desirable if the Bellary scheme could be pushed through as suggested or, if it is not possible, if another medical school can be started."

His Excellency the PRESIDENT :—"Notice has not been given of that."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"I am asking for information so as to enable me to decide whether Bellary might not be replaced by some other centre. I sent in an interpellation some time last year when they gave actual figures of the number of applications and the number admitted and it was found out that about two-thirds did not find admission."

The Hon'ble Yaqub Hasan Sahib Bahadur :—"The Hon'ble Sir Alexander Cardew has been arguing this matter in a circle. He said he could not accept the previous resolution, because a sufficient number of doctors were not available."

The Hon'ble Sir ALEXANDER CARDEW :—"I said sufficient number of in-patients and not doctors."

The Hon'ble Yaqub Hasan Sahib Bahadur :—"I was referring to the previous resolution."

The Hon'ble Sir ALEXANDER CARDEW :—"I am at one with the Honourable Member in the point of view that there is need for more medical schools. But we are only dealing with this particular case."

The Hon'ble Yaqub Hasan Sahib Bahadur :—"If the Hon'ble Sir Alexander Cardew will allow me to complete what I was going to say, I shall proceed that because medical practitioners

(Mr. Yaqub Hasan; the President; [6TH FEBRUARY 1919.
Mr. Siva Rao.)

were not available, he said in another resolution that the scheme could not be taken up in hand. Sufficient number of doctors cannot be produced unless there are enough of schools. When there is a proposal to start a school at a particular place, it is said that the hospital there does not afford sufficient ground for training students. If I ask him why that hospital should not be put in an efficient condition he would perhaps say that sufficient number of doctors are not available or he would say that surgical and clinical instruments cannot be obtained in war time and it would take several years before that hospital can become a good training ground. That is what I call arguing in a circle. As the Hon'ble Mr. Siva Rao has pointed out, steps are being taken to make that hospital efficient. Why not the Government also start a school there at the same time. They recognize the need for additional medical schools; they recognize that these schools should be so distributed throughout the Presidency that students in all parts of Presidency may not go a long distance for training. Why students of the Ceded districts should not be enabled to go to the nearest school to be trained there? When it is recognized that Bellary will be a suitable centre, why not the hospital there be brought to an efficient condition so that the school may be successfully started there? If Government wish to do it, they can take up both simultaneously, the equipment of the hospital as well as the starting of the school. It need not take several years; it could be brought about in a couple of years. The war has ended now and all the necessary materials will soon be available. If Government only make up their mind, they can do it; in the meanwhile if this money is provided, it can be utilized in purchasing a site and laying the foundation of the building; it will take some years for the school to be built up, to be ready for the school to be started and some money may be spent every year. The object of placing this amount in the budget is that this object may be kept in view so that something might be done at the earliest opportunity. On the other hand, if this amount disappears from the budget as it has done this year, the result will be that the whole scheme will be abandoned and nothing will be done to create one more school. The Hon'ble Mr. Ramachandra Rao suggested that, if Bellary is not suitable, we might start it in some other centre. That should have been accepted by the Hon'ble Sir Alexander Cardew and this resolution could have been easily amended by substituting some other place for Bellary. As long as one additional school is given somewhere in the north, where students from the Ceded districts can go to be trained, we will be satisfied. I hope your Excellency's Government will devise some means of founding one more school.

"Let there be a provision of Rs. 5,000, Rs. 10,000 or any other figure just to show that the idea of another medical school is not abandoned."

The resolution was put and lost.

His Excellency the PRESIDENT:—"I am afraid I omitted to give the figures on Resolution No. XXII*. Ten were *for* and twenty were *against*."

RESOLUTION RE OMISSION OF THE PROVISION FOR TAKING OVER THE ROYAPETTA HOSPITAL.

The Hon'ble Mr. P. SIVA RAO:—"The resolution which stands in my name runs thus:—

'XXVII. This Council recommends to His Excellency the Governor in Council that the provision of 3.25 lakhs made in the current budget for the taking over of the Royapetta Hospital by the Government may be omitted.'

"This resolution relates to an entry in paragraph 82 of the Amended Draft Financial Statement which provides for Rs. 3,25,000 for the taking over of the Royapetta hospital and it is to the insertion of this figure in the budget is that the scheme itself has not been examined, has not been sanctioned by the Government; the wishes of the Corporation do not seem to have been consulted in the matter—I am open to correction. But I wish to know what has been done in the matter. There is not a clear statement of the circumstances under which it is proposed to take over the Royapetta hospital. My first objection is that the scheme is not sanctioned and it is not usual to budget for it. It is unsound to insert any provision before the scheme is sanctioned."

"My second objection is this: the Royapetta hospital is maintained and managed at present by the Madras Corporation and I wish to know whether any reference was sent or any application made by them that they should be relieved of the burden of maintaining this hospital or, in other words, whether they have asked for financial relief. The third objection seems to be: why should the Madras Corporation which has a pretty big hospital be deprived of its legitimate activities in the matter and why should the Government seek to impose their control on the hospital which is successfully managed. Hitherto we are familiar with compulsory acquisition of lands. This seems to be a compulsory acquisition of an institution. This is an instance in which Government seek to impose their own control over an institution which has been doing quite well without it. One other consideration arises also in this matter: that the Government figures in the budget estimate at page 143, where a summary is given, Government spend for the Government General hospital about Rs. 4 lakhs and odd, for the Rayapuram hospital Rs. 1,30,802, for the Maternity hospital Rs. 1,84,637, for the Leper hospital Rs. 35,482, for the Ophthalmic hospital Rs. 90,768. In all, they have been spending Rs. 8,44,128 for the Presidency hospitals, and now according to the present budget they are spending a sum equal

* Page 194 supra.

6TH FEBRUARY 1919.] (Mr. Siva Rao; Mr. Ranga Achariyar;
the President; Sir Alexander Cardew; Mr. M. Ramachandra Rao.)

to that spent for all the hospitals and dispensaries throughout the Presidency. Now they are seeking to add to that expenditure an expenditure of Rs. 3,25,000 which is a pretty heavy amount, which will make up the total to about 12 lakhs per annum. Then there is the question of shifting the General hospital to some other place. Government are about to embark on a huge expenditure on that account of a new building for the General hospital. Government have pledged themselves to the scheme of the improvement of the head quarter hospitals. I do not think the money they have allotted now in the present budget will suffice for that purpose. They will have to spend more and more every year towards bringing up the headquarter hospitals in efficient condition. There is again the scheme for extending medical and sanitary relief in rural areas in mufassal dispensaries and other schemes. While we require money for financing those useful schemes, of improving the headquarter hospitals in the mufassal and extending medical relief in rural areas, is it desirable to take over a hospital which is maintained and managed very smoothly by the Madras Corporation without consulting their wishes in the matter and without an express request from them for financial assistance? For all these reasons, I object to the taking over of the hospital by Government. For the main reason that the Madras Corporation should be encouraged in its activities and that Government should not intervene in this matter and interpose their own control. There is no reason why the Government should take upon their own shoulders any more hospitals in the Presidency town."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Perhaps your Excellency will permit me to make a few remarks before the Hon'ble Sir Alexander Cardew speaks. So far as the Corporation is concerned, we considered the matter once when the proposal was made to the Corporation that we should hand over the Royapetta hospital to the Government. The Corporation then resolved not to do so. So far as we are concerned, no reference has yet been made to the Corporation on the subject and the Corporation has not considered it. Therefore I am not in a position to enlighten this Council as to the view which the Corporation may take on that subject when it comes again. On the principle that we are now acting, that we are budgeting for figures and not schemes, on a matter like this where the local authority concerned has not been consulted and their view has not been ascertained, on that principle, to provide for this large sum of money for the coming year is what is called loose budgeting. Speaking of my own inclination for the present, I would oppose such a proposition if it is brought forward in the Corporation; but till the Government place before the Corporation new facts which would induce the Corporation to take a different view—till that is done and till we are able to make up our minds in this matter—I support the proposition."

The Hon'ble Diwan Bahadur M. Ramachandra Rao rose to speak.

His Excellency the PRESIDENT:—"Would it not be better to hear what the Hon'ble Sir Alexander Cardew has to say so that you may be better able to say what you want?"

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, a reference went to the Corporation executive a month ago. I do not know what the methods of the Corporation are with regard to business. If they have not yet found it possible to make it known to the Corporation, we must apply the Hon'ble Mr. Narasimha Ayyar's sarcasm as regards the methods of red-tapism. The Hon'ble Mr. Siva Rao thinks that we are going to compel this body by some powers under the Land Acquisition Act. We have only asked the Corporation whether they would not like to do it. We have asked them and we have offered to pay them money, but it is open to them to do as they please. The Corporation have applied to the Government for a large grant for the total cost of building the infectious diseases hospital. The suggestion is in the nature of an arrangement for mutual convenience. We will give them money for the infectious diseases hospital and we will take over the Royapetta hospital because we want it for a teaching institution for the increase of medical men about which the Hon'ble Mr. Yaqub Hasan is so insistent and which we too recognize is very necessary. It is entirely a question whether it is in the interests of the Corporation to make this exchange. If the Government take over the Royapetta hospital, it will save them a large amount of money which may be more suitably employed in building the infectious diseases hospital and Government will have to pay the bill in future. The only criticism is that the money might be spent on mufassal hospitals. It is for the Corporation to decide whether they would like to have the money or would like to see the money spent in the mufassal. I am pleased to find that the change in the budget procedure has had the effect of the Hon'ble Mr. Siva Rao saying that it is loose budgeting to put money into the budget until this amount is decided. I hope in future he will not bring forward any proposal for which a financial scheme is not available."

"In the meantime I will plead 'let this budget allotment remain', so that the Corporation will see whether it is to its advantage or else we will employ this amount on some other means of assisting medical relief. We do not know whether we should help the Corporation on building the infectious diseases hospital. They do want money. It is entirely up to the Corporation to decide it. I suggest that the provision be retained, because the money if it is not utilized for this purpose, will be utilized for any other medical relief."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, it is not only the Rs. 3,25,000 that the Government would have ultimately to spend upon this hospital but there are also the annual charges which amount to about Rs. 50,000 per annum on the Corporation budget. If the Royapetta hospital is taken up, Government would have to pay Rs. 3,25,000 for the value of the building. In addition to that, Government would have to spend Rupees

(Mr. M. Ramachandra Rao ; Mr. Yaqub Hasan ; [6TH FEBRUARY 1919.
Mr. Venkatapati Raju.]

50,000 for the maintenance of this hospital. One of the points brought out has been that these institutions for medical training should be started all over the Presidency and should not be concentrated in Madras. I for one speaking on behalf of the mufassal hospitals will not be a party to commit the Government to an expenditure of Rs. 3,25,000 immediately on buildings in Madras and an annual charge of Rs. 50,000. On that one ground, I would oppose this resolution.

"As regards the arrangement between the Madras Corporation and the Government, I cannot say very much. For the present, I can only say that the Madras Corporation will be delighted to be relieved of an expenditure of Rs. 50,000 per annum out of their medical budget. But, in my opinion, it would be at the expense of similar dispensaries elsewhere. Madras is already in a very favourable position with regard to medical relief. They spend comparatively very little on medical establishments as compared with the mufassal. The amount they spend both in recurring and maintenance charges is very little. If you only compare it with what any mufassal municipality or a district board spends out of its usual revenues on medical relief, it will be certainly much more than in Madras. I do not complain of it; large hospitals are situated in Madras, a large medical college is here and it is absolutely necessary for medical education that a certain amount of money must be spent in Madras both in colleges and in schools and also on hospitals. I do not grudge that, but it does not mean that for that very reason another Rs. 50,000 should be presented to the Madras Corporation by taking over the Royapetta hospital. On these grounds, I am sorry I have to support this motion however much I desire to see the extension of medical education. I wish that this sum of Rs. 50,000 were immediately put into two other medical schools elsewhere."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Your Excellency, as a commissioner of the Corporation of Madras as well as a member of this Council, I oppose this idea of the transfer of the Royapetta hospital from the Corporation to the Government. I do so for various reasons. One is that the Government should not undertake more responsibility in the sphere of medical relief than they are able to attend to. Money is wanted for medical relief in other directions and this amount of Rs. 3,25,000 and Rs. 50,000 recurring expenditure that will have to be taken up with this can be better utilized on medical relief in other directions. It is the duty of the Corporation to provide medical relief. The Corporation is doing that duty and why should the Corporation be relieved of that duty in this instance? The infectious diseases hospital is also necessary and perhaps the Corporation may do something in that direction. If they cannot do anything without the assistance of the Government, they will come to the Government for assistance and then it will be our duty to see whether the assistance can be given to it. It is said that the hospital is required for the purpose of training students. If so, this hospital may be placed at the disposal of the Government and some more doctors might be appointed by the Government for the teaching work. The Corporation will be glad to allow this. In that way you will be giving your help to the Corporation in the medical line; but at the same time you will be doing your duty for the training of the students. It is also stated that if the Corporation does not agree to this proposal, this amount will be utilized for some other purpose. Then it is loose budgeting as the Hon'ble Mr. Banga Achariyar has pointed out. There was no scheme for locating a school anywhere else, we cannot take it over here by amending the resolution. But I say how can it be possible to spend Rs. 3,25,000 in other directions without bringing up the schemes before this Council in the budget. What I mean is that the Government should be consistent in their method of budgeting, they should remove this amount, and if they have got any other scheme, they should bring it forward next year."

The resolution was put and lost.

The Council then adjourned for a short interval.

The Council re-assembled after the interval at 3 p.m.

RESOLUTION RE PROVISION FOR RAISING THE MEDICAL SCHOOL AT VIZAGAPATAM INTO A COLLEGE.

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, the resolution which I have the honour to move runs in these terms:—

'XXVIII. This Council recommends to His Excellency the Governor in Council that a sum of 2 lakhs be added under the head of 22. EDUCATION for raising the medical school at Vizagapatam to a college and the corresponding reduction be made under 45-B. CIVIL WORKS.'

"Your Excellency, it is admitted that Vizagapatam town is growing in importance and there is every desire on the part of all to have more medical institutions not only for the training of lower classes but for the training of higher classes—the L.M. & S. and the M.B.O.M. The one institution we have in Madras is not sufficient to cope with it, because we find from year to year a large number of persons not being admitted, though they desire to enter the portals of the medical institution here. I do not think this is a controversial proposition at all, because as I understand it, when the Hon'ble Sir Alexander Cardew was pleased to visit our town, the public waited on him in deputation and impressed upon him the necessity of raising this

6TH FEBRUARY 1919.]

(Mr. Venkatapati Raju ; Sir Alexander Cardew ;
the President.)

school to a medical college, and I think the Hon'ble Sir Alexander Cardew heartily sympathized with that desire and if it is possible for him to help the people he would certainly do it. How much amount is wanted for starting a college, and how long it would take is a matter of detail which laymen cannot settle. But we can say some amount is wanted and some time is required in order to secure laboratory and apparatus and engage professors and also find students for the classes. We must begin with the first class. I also learn that there is some difficulty in securing midwifery cases, because you may not get many females to enter the hospital for the purpose of delivery, so that the boys will not be able to secure a large number of delivery cases to attend to. That is a difficulty that can be easily cured by promising to pay small amounts to barber women and other low class women. So it is not an insurmountable difficulty. So far as the present institution is concerned, it is most popular, not only the hospital which is built at a great cost, but also the school is very popular and it produces brilliant results. That shows when we have a separate institution in that locality the professors engaged are doing their level best to keep up their traditions in such a way that the students studying in the Rayapuram and other schools cannot be said to have better training than those trained in the Vizagapatam. I hope if a medical college is started, the instruction given there would be equal to if not better than that given in the metropolis. It all depends upon the enthusiasm of the persons employed there. The laboratory and other things can be got for money. So far as the climate is concerned, it is a salubrious climate, and students can stop there. Taking all circumstances into consideration and the possibility of its becoming an important centre of commerce in future, I earnestly appeal to the Government that some steps may be taken, and though the Hon'ble Sir Alexander Cardew may not have the occasion to present this proposal at the next Council, I hope during his time he will do something or leave a note so that we can certainly secure a medical college, if not immediately, as soon as we can get funds. Therefore, I appeal that this recommendation may be accepted."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, the unfortunate requirement of medical education is that it must be accompanied by an adequate number of patients from whom students can be taught. It is not like the law college or the ordinary arts college which you can put down anywhere or open at any time, because you merely want professors and students. When you want a medical school or college, there must be an adequate number of patients. The Hon'ble the Surgeon-General advises that there must be at least two beds for each of the students and that limits the progress very materially, because to provide for 50 students we must have 100 beds in the hospital. In the Vizagapatam hospital there are 137 beds and there is also a Maternity hospital which has 16 beds, the two together making 153 beds. The strength of the school in the third and fourth year will, in consequence of the increased admissions which have been made this year and which will be made next July, be 114. So that the hospital would not be sufficient to supply clinical material for the school, let alone the college to be created on the top of the school. Consequently it is not at present practicable to start a college at Vizagapatam. Before that can be done there is a good deal of spade work to be done. The construction of the hospital buildings undertaken at a cost of 5 lakhs will take a year and a half at the most sanguine estimate. When I was there at the end of December last, the foundations of the out-patients wards were not in, and it will take a year and a half to finish the hospital, and when this is finished the number of beds will be considerably increased. When we have added a third block which is not yet begun, it may eventually have 270 beds or enough to remove the students of the medical school of the third and fourth years to Cocanada or some other neighbouring hospital, and the reconstruction of the Cocanada hospital with a view to increasing its size and fitting it for teaching purposes is under consideration. The Hon'ble so by an attack of influenza. There is thus a great deal of work to be done before a college can be started at Vizagapatam. First of all we must extend the hospital, before we can provide the college; we must also rebuild the Cocanada hospital. Then there will be clinical training available for a college and Vizagapatam will get a college for that and the neighbouring portion of the province. As I said, in the meantime it is quite useless to put money in this year's budget. All I can hope is that the representatives of the Telugu country and the Ceded districts will keep on pressing this matter on Government till they get it. It cannot be done now for reasons which I have given and which I hope will be convincing to the Honourable Member. No time should be lost in making arrangements to bring about this college. I think we have made very good progress with the hospital and we are not losing any time."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I thank the Government and the Hon'ble Sir Alexander Cardew for promising to do what is possible when the hospital is ready. I brought this forward on this occasion because we may not have another opportunity of discussing this before the Hon'ble Sir Alexander Cardew who takes an interest in these matters."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE INCREASED PROVISION TO MUNICIPALITIES FOR PLAGUE EXPENDITURE.

His Excellency the PRESIDENT:—"Resolutions XXIX and XXX refer really to the same subject. We will take the decision on one as covering both."

(Mr. Venkatapati Raju; Mr. Suryanarayana Rao; [6TH FEBRUARY 1919.
Mr. Rajagopala Achariyar.]

Resolution No. XXIX which stood in the name of the Hon'ble Mr. B. Venkatapati Raju was as follows:—

'XXIX. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 50,000 be added under the head of 24-Aa. MEDICAL—Plague to help the municipalities which incurred large untoward expenditure on account of plague and the corresponding reduction be made under 45-B. CIVIL WORKS.'

Resolution No. XXX which stood in the name of the Hon'ble Mr. A. Suryanarayana Rao ran as follows:—

'XXX. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 20,000 be added under head of 32. MISCELLANEOUS to provide the grant towards expenditure on plague preventative measures to Vizagapatam municipality and a corresponding sum be reduced from 45-B. CIVIL WORKS.'

The Hon'ble Mr. B. VENKATAPATI RAJU moved resolution No. XXIX and in doing so said:—"Your Excellency, myself and the Hon'ble Mr. Suryanarayana Rao have asked for some provision to be made for grants to municipalities for plague expenditure. I have asked for a sum of Rs. 50,000 to help municipalities for meeting the expenditure on account of plague. It is true that most municipalities have suffered very much in meeting these epidemic charges. I have specifically taken plague, because it entails a large expenditure, on some of the municipalities particularly. I may mention Vizagapatam which has to spend a lot of money more than Rs. 20,000 to meet the plague expenditure. Similarly some other municipalities have to spend some amount. As a matter of fact, these municipalities have had to curtail their ordinary expenditure and they have had to reduce the amount on the sanitary and other departments in order to meet the cost of the plague expenditure. As it is, in Vizagapatam we have not got even the balance which is required under the rules, because we have to be satisfied with what we have got after reducing the normal expenditure. In cases where they are not able to meet the normal expenditure on account of the extra plague expenditure, I appeal to the Government that something should be done to help these municipalities in meeting this extra plague expenditure either in whole or in part. On previous occasions when this question was dealt with, the Hon'ble Mr. Rajagopala Achariyar said that the Government were prepared to help municipalities to some extent when they made applications. I do not know whether other municipalities have made applications for grants, but I know that Vizagapatam has made an application and other municipalities may also have made applications. It all depends upon how far the Government can extend their help in relieving this additional burden of the municipalities. I notice that some provision is made to meet the cost of municipalities whenever there is a deficit. I therefore submit that the Government should help these municipalities."

The Hon'ble Mr. A. SURYANARAYANA RAO:—"Your Excellency, regarding the Vizagapatam municipality we applied last March for a grant of Rs. 20,000 on account of plague. The Government granted us about Rs. 11,000 and that was spent on removing prickly-pear. The Rs. 13,000 odd has been spent for compensation for houses and articles burnt, Rs. 5,000 for establishment and Rs. 8,900 on other expenditure on camp, etc. The total amount we have spent is Rs. 27,133. The Government have been pleased to grant us Rs. 11,000, and as I said that was spent upon the removal of prickly-pear. So there is a deficit of Rs. 16,000 which stares us in the face. The municipality is not rich and other expenses have had to be curtailed. Therefore the municipality prays that the Government may be pleased to grant the deficit to the municipality. It is not a new request that comes before this Council, because last year in March I brought up a resolution that Rs. 20,000 might be granted. With regard to the removal of prickly-pear we had absolutely no choice in the matter, because we were asked to remove the prickly-pear. Mr. Vernon was very particular to have it removed and it had to be removed. Therefore, we are short of funds. We hope that the Government would be pleased to make some provision for restoring some of the funds that we have been obliged to part with on account of the plague epidemic which was quite unexpected."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I shall begin by answering the Hon'ble Mr. Venkatapati Raju's query. I have to say that grants to municipalities towards plague expenditure are usually made from the provision under 32-D. Miscellaneous contributions—contributions in aid of municipal balances. A provision of Rs. 50,000 has been made under this head in the budget for 1919-20. That is the source from which, if the plague expenditure of any place is so very heavy that the finances of the local body are wholly crippled and the Government have to go to its relief, we will make a contribution."

"Having said that, let me also remind the Council that in our discussions regarding the incidence of plague expenditure in this Council we decided last year on a motion made by the Hon'ble Mr. Siva Rao that the whole incidence of plague expenditure as between the Government and the local bodies should be carefully gone into, so that some redistribution might be

[6TH FEBRUARY 1919.] (Mr. Rajagopala Achariyar; Mr. Venkatapati Raju;
the President; Mr. Rama Ayyangar.)

made which would to a substantial extent relieve the local bodies of this burden, our idea being that as far as possible the expenditure incurred under our supervision should be borne by the Provincial funds; and any expenditure which the local body supervises should be borne by it. It was in pursuance of this decision as well as of several recommendations made to us by our expert officers, we relieved local bodies very substantially of a great deal of the plague expenditure. For example the work of the notification system and disinfection which hitherto would fall on the local body have been abolished. Observation was transferred from the local bodies to the Provincial funds. Inoculation was provincial and continues to be provincial. The provision of shelter for the evacuated has been transferred from local to provincial. The police to guard evacuated houses in private camps has been provincial before and continues so now. Really almost the only thing that remains with the local bodies is rat destruction, which is essentially a matter which the local body has to tackle and also the treatment of plague patients. The local body is expected to treat plague patients just as any other patients. It has also to bear the cost of the inspection of grain. That being so, in the result we have had to provide in the budget for 1919-20 Rs. 89,000 for expenditure from provincial revenues, the greater portion of which would have fallen on local bodies previously but which now falls on us. Looking into the budget estimates of the local bodies and municipal councils who are dealing with plague I find that all the municipal councils for the year 1920 have budgeted for an expenditure of Rs. 36,500. That is the expenditure which under the new rules falls upon them. That is the amount for seventy municipalities. If in any case any of them is so crippled that it cannot meet that share of the expenditure that question will come up to the Government. But what the Council has now to deal with is whether an allotment of Rs. 50,000 is not sufficient to meet the possible difficulties of people who have to incur an expenditure of only Rs. 36,000. For these reasons I oppose this proposition."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, I thank the Hon'ble Mr. Rajagopala Achariyar for the sympathetic way in which he has met this request. I think there is some misapprehension either in the way in which we presented our case or in his understanding us. According to the rules which the Hon'ble Mr. Rajagopala Achariyar read, they apply for the year 1919-20. What about the cost which is already incurred? If it has retrospective effect, it would serve our purpose."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I submit, your Excellency, we are dealing with the figures for 1919-20. Are we dealing with the figures for the previous year?"

His Excellency the PRESIDENT:—"No."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"If we are, I am prepared to say that we have dealt with the municipalities in a very liberal way."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"My resolution is to help the municipalities which 'incurred'. 'Incurred' cannot be in 1919-20."

His Excellency the PRESIDENT:—"We are not dealing with the wording of the Honourable Member's resolution, but with the forthcoming budget."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I ask for a provision to meet the expenditure in 1918-19. I leave the matter in the hands of the Government. I do not press the resolution."

With the permission of His Excellency the President the resolution was withdrawn.

XX-B & 24-B. Sanitation.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I beg to introduce the head Sanitation."

RESOLUTION RE GRANTS-IN-AID TO DISTRICT BOARDS TO MAINTAIN RURAL SANITARY PARTIES.

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, the resolution that I propose to move runs as follows:—

'XXXI. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 2 lakhs be provided to give grants-in-aid to district boards to maintain sanitary parties to be used in rural areas and that the same be met by a corresponding reduction under the head 45-B.'

"My Lord, I have to remind the Council that this is almost the resolution which was moved by me last year when the Government kindly undertook to send round the discussion to the various local bodies. Unfortunately for me this paper containing the communications of the local bodies in connexion with this matter was placed into our hands only the day before yesterday—the Government Order, dated the 28th January 1919, which has been recently passed. Now my submission is the matter has been apparently discussed throughout the Presidency. The conditions of Malabar seem to be peculiar. I refer to the various communications made in connexion with this matter. As regards the other districts, I find that where they have

(Mr. Rama Ayyangar ; Mr. Rajagopala Achariyar.) 6TH FEBRUARY 1919.

entertained such parties already, they are satisfied with them and they want to continue them if possible. The other boards—I am now talking of district boards, I shall deal with the taluk boards separately—some of them think that the establishment would be a big drain and not knowing how they could find funds they have suggested that it would be costly and could not be entertained. Other district boards support the view that it is necessary. From the whole of this paper I find that about 11 district boards are in favour of the proposal and 13 district boards—in which I include district boards which say that they could not give any definite opinion in the matter and other district boards which say they have not funds for the purpose—about 13 are against the proposal to entertain sanitary parties. I find on analysis of the opinions of the taluk boards that about 35 taluk boards are in favour of the proposal, about 15 against or neutral or unable to give an opinion. That is how it has divided itself. As I said four or five taluk boards and one or two district boards have peculiar conditions, and they say that till more unions are formed in taluk board areas—I took of Malabar and those parts—they say it will not be necessary to entertain sanitary parties. So that that class of districts may be left out of consideration. It is clear that at least half the area of the Presidency is—I say at least half, it is much more than half—that the entertainment of sanitary parties will be very useful. In fact, I should also clarify another position which has apparently made it difficult for the boards to come to a definite decision. The discussion was circulated amongst them and they took it that the sanitary party must consist only of a sanitary inspector and a few peons, and therefore some district boards and taluk boards passed resolutions that the matter may be placed in charge of an assistant surgeon who may be in charge of the whole sanitary staff of the district. In other cases they wanted an assistant surgeon for each taluk board.

“These are the individual opinions which, however they may vary, clearly indicate the necessity for the staff. Whether the staff is to consist of only sanitary inspectors without a superior officer or whether it is to consist of an assistant surgeon, is a matter for each taluk board or district board to decide. Whatever that may be, the boards which have opined against this proposal are those that have made no previous attempts to try to approach rural areas. In the case of a few taluk boards and one or two district boards that have already such a sanitary staff, they give a definite opinion that it is necessary and that it is good. So that we may take it that those that have not been trying this experiment and that look afraid at the idea of such an expenditure on rural areas when they have no money even for the needs they have, try to dispose of the matter by saying either that it is unnecessary at this stage, some of them say that they do not want it at present as if to-morrow there is a change in their financial position and they will then take it up. The document is worth perusal and ever since I got it I ran through it over and over again and I am satisfied that throughout the Presidency there is a feeling that this kind of help must be given as far as possible in the rural areas, though some say, some who have not tried the experiment, that it is not practical or practicable—that is the kind of language they use.

“Whatever that be, the point that I beg to place before this Council is that I find that resolution XXV which was moved by the Hon’ble Mr. Krishna Rao has been put under ‘Medical’ and this one has been put under ‘Sanitation.’ But this sanitary party apparently is a party that will have the sub-assistant surgeon referred to in resolution XXV which has been already moved and in regard to which some concession seems to have been made by the Government. Whatever may be the provision of sub-assistant surgeons, in this matter it will be absolutely necessary to take care of the rural areas much better than we do now. I have been connected with one or two taluk boards not as member but as a member of the district board to which these taluk boards are attached, and I know wherever they engaged a sanitary inspector it has given them entire satisfaction, and they find that they can at any time have a staff to ward off difficulties. The cholera party which were sent for last year both in Ramnad and Madura could not reach the places in time, so much so that some of the parts affected like Kamudi and others could not be given relief by the district board or the cholera party. In Madura of course there was a party placed at Sholavandan at one time and at another time in another place but it was not sufficient to give relief.”

The Hon’ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—“Has the Madura District Board replied?”

The Hon’ble Mr. K. RAMA AYYANGAR:—“I wanted to mention it also. Madura has sent up a resolution approving of this and I was present at that meeting. The taluk board has also approved of that, but I do not find the papers relating to the Madura District Board and Taluk Board; they are not printed here. There seems to have been some mislaying of papers or probably it has not been communicated. Whatever that may be, I should have had one more district board to add to the list of 11 which would have made it 12. These are the circumstances. Where they have engaged a single sanitary inspector and a few peons they have been able to immediately attend to the wants of the people within the taluk board area. That is the practical experience I have. I find from these resolutions that in other places in the north with millions of the population of the Presidency, and some in the south, all of them say that they have already entertained these parties and they are working and they support the proposal to have a general set of parties. Recently the Madura District Board in passing their budget set apart Rs. 15,000 for a sanitary scheme for the Madura District Board—to have a party which will have an establishment placed under each taluk board and a general supervising establishment with an Assistant Surgeon, who will be also called the Assistant District Medical and Sanitary Officer, to supervise the work of all the sanitary staff. They have set apart Rs. 15,000 and they expect the Government to help them as much as possible in their scheme.

6TH FEBRUARY 1919.] (Mr. Rama Ayyangar.)

“Whatever way the Government may view it, the question arises that about 35 taluk boards and 11 or 12 district boards are willing and are of opinion that it will be useful if such parties are engaged. That will naturally mean that the present cholera parties, six in number—I suppose I am right in saying that it is only six and I do not know if it has been increased recently—the six cholera parties will merge in this establishment or if particular district boards make a provision and incur the expenditure they may be utilized in other places where such diseases may want them. Therefore, while that expenditure also may be included in the provision to be made for these parties, this should be encouraged as much as possible.

“One thing must be definitely said about the attempt of this Government during the last five years during which I have been connected with this Council—the attempt on the part of this Government to try to improve the condition of the population in rural areas, there has been constant attempt made towards it. Cholera parties were started somewhere in 1914, with a view to give such relief. We have itinerating dispensaries which were also brought in. The sanitary parties which I refer to will also be itinerating. They will join the itinerant dispensary, and the proposal in Madura is to have the same officers go about and distribute such medicines as may be needed on occasions of fever, plague or cholera. That being so, my Lord, it would be very well to start the experiment and save many more of the rural population than we have been able to do. I am not in possession of full information as to the number of telegrams and letters that passed between the Madura and Ramnad District Board Presidents and the Government and between the Collectors of those districts and the Government when cholera was prevalent both in Madura and Ramnad last year. In spite of their best attempts it was not possible to secure a party in time, and when it was secured the area which was served did not immediately take to them as they would have done if they had a set of officers who were acquainted with these parts before the attack, and so the localities which ought to have been looked after could not be looked after. In fact the sanitary staff would have to be constantly touring and acquainting themselves with the population in the rural areas who would expect them to help in diseases and would wire to them or at once intimate to them as to how they could be saved from any particular disease. There will be a feeling of trust created in the rural areas if there is a constant party working. More than half the Presidency requires it. In these circumstances, I require that this two lakhs may be provided.

“The question may be asked whether two lakhs would be necessary for it. As I said, I am only referring to about 35 taluk boards and 11 district boards who are ready and willing to take up this work. If they are engaging parties according to Resolution XXV the travelling sub-assistant surgeons may also form a part of this sanitary staff. In these circumstances the amount that may be required will be fairly large. I said that Madura has provided Rs. 15,000. I think it would be well to give a grant-in-aid the ratio of which will have to be determined by the Government. If one-third comes from the district boards, two-thirds must come from the Provincial funds because it must be a wholly provincial matter in the present state of finance of the boards. There is no provision made to hand over any portion of the Provincial funds to these local boards and therefore it must be wholly taken up by the Government. As it is, even if they do not go to such an extent, two-thirds must be given by the Government and one-third by the boards and in particular cases the Government may decide to give a full grant, because rural areas will have to be protected as well as other areas. The recent change in the policy of the Government in taking over the headquarter hospitals of most districts shows the interest which the Government take in the matter and they have been considerably improving the position of these hospitals and they propose to spend much more to see that they are much more efficiently kept. If the principal centres are kept like that, it is only proper that rural areas must be kept properly and must be encouraged. If the Provincial funds bear the whole cost of the municipal hospitals—before, they contributed one-third of the maintenance cost, now it is all borne by the Government—similar steps might be taken when the boards agree to start these sanitary parties. As I said, the recent circular of the Government of India which has been communicated by the Government to the various local boards supports this view. They are for increasing the aid to local bodies. Some of the taluk board resolutions refer to the decision of the Government of India who have asked this Government to help rural areas in this way. Of course, the proposal there is to have a sanitary staff in each taluk board and a supervising staff under the district board. Though in the previous discussion I only mentioned it as an example that at least one sanitary inspector and a few peons should be attached to the taluk board, I do not want that it should not be an efficient establishment. I am willing that the Government should insist on the district boards spending money in a way that would efficiently help the masses in the rural areas, and if that requires a little more money being put in the district board budget the Government may help them in the matter, and instead of taking the whole of the rural areas directly themselves they might put them in charge of these taluk boards which are sure to attend to them especially when there is a supervising staff as proposed by the Government of India.

“I am not asking for much. In the medical budget in the coming year there is provision for an increased expenditure of about Rs. 11 lakhs, and in the sanitation budget of about Rs. 8 lakhs. Therefore this provision of Rs. 2 lakhs towards combined medical and sanitary relief is absolutely essential and I request that no pleas of difficulties would be raised in opposition to the resolution. I want the Government to sympathetically view the position and very soon teach these boards which think it unnecessary at present—teach them to learn that other boards which have made a provision fare much better. I have no doubt that the vital statistics will show that these rural areas are much better in point of health than the rural

(Mr. Rama Ayyangar ; Mr. Rajagopala Achariyar ; [6TH FEBRUARY 1919.
Mr. Narasimha Ayyar.]

areas which do not have such parties. Apart from that, they will constantly attend to the health of the people, and when they are properly directed by a proper supervising staff, there is not the least doubt about that that western medical relief will be brought to the doors of the villagers and in most cases they will learn soon that a dose or two of the medicine cures, and the effect will be that they will be always thinking of the man, as to when he will come and effect a cure. That will be the position which will be created by the adoption of the proposition. The whole of the rural areas will feel that a paternal Government is looking after their interests every morning and evening as will be done by an arrangement of this kind. The taluk boards are now diminishing in area; sometimes the area is not much more than 1,000 odd square miles. Though there are a number of villages, if there is more than one sanitary inspector he will be going round them often on tour. That becomes the position and I submit the attempt of this Government to give this kind of relief should be recognized all through. I press this resolution and request the Government to accept it now that there is a general tendency to accept such resolutions."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the Honourable Member brought this subject forward about this time last year in connexion with the budget of 1918-1919. Then he proposed to recommend to Your Excellency to give one lakh as grant-in-aid to taluk boards to maintain rural sanitary parties. I said then on behalf of the Government that the starting of a number of rural sanitary parties was rather a big change, and I would like to consult the local bodies about it. On that assurance the Honourable Member withdrew his resolution. The local bodies have now been consulted and their opinions are in this Government Order issued on the 28th January where all the reports are consolidated. Madura is not in it, because Madura did not reply till practically this Government order went to the press. I am sorry that the Madura District Board which should have taken most interest in the Honourable Member's proposal showed an unusual lack of sympathy with him if I am to judge."

The Hon'ble Mr. K. RAMA AYYANGAR (interrupting):—"It was passed long long ago. There must have been some mistake there or here."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (continuing):—"The Ramnad District Board which is next door to Madura has definitely said that the idea is impracticable. What we said was we would refer the matter to the local bodies, I was anxious that the Honourable Member should have the benefit of the opinions of the local bodies, and those opinions have now been received and the Honourable Member might see those views. So far as I was concerned, I felt no need to express any view or to commit the Government, because so far as I could see, the opinion of the district boards is very much against the idea, and I was not prepared to take up the position that we should force it down their throats however good it may be. That is not the policy that I have ever pursued and, I do not suppose, I will ever pursue. The only difference in the present resolution is the Honourable Member proposes to give not one lakh but two lakhs and not to taluk boards but to district boards. Let us see what the district boards have said. Fourteen of them have definitely said that they do not want it; eight of them wanted it, two stipulated that they should not be asked to pay anything, and one district board said it was neutral whatever that may mean. It is a matter for consideration whether on the facts brought out in this Government Order it would be wise for this Council to commit itself to this policy of the Honourable Member, or whether it would not be better for him to wait for some time longer till he is in a position to convince the local bodies and a substantial number of them are for carrying out the policy. So far as we are concerned, we take note of the fact that we are asked to give this money to district boards, and the district boards in a large majority of cases have voted against the Honourable Member's proposal. We cannot force money upon them to try a thing which they do not approve of, whatever may be the merits of the thing. On that ground I very much advise this Council not to commit itself to the proposal of the Honourable Member."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I should like to give one short answer. Fourteen district boards do not require it, but there are eight district boards which want it. There is no question of forcing the money on any of the boards. The proposition says give so much money to the district boards. If some do not want it let them not be given, but if others want it let them have it."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I am surprised that the Hon'ble Mr. Rajagopala Achariyar must have thought that he has replied to my resolution by that statement. I very much regret that the taluk boards are now ignored. I do not know what is meant by ignoring the taluk boards. Last time the Hon'ble Mr. Rajagopala Achariyar, I remember, said that the Government have no contact with the taluk boards direct and anything must come through the district boards. I do not know if he remembers that statement. If necessary I can quote it. That means the taluk boards are directly to apply to the district boards and the district boards should apply to the Government. I therefore framed my resolution so that it might not contravene this proposition of the Member in charge. Now he quietly says the district boards alone will be taken into consideration and the opinion of the taluk boards may be almost ignored for the purpose of this discussion. I am astonished at it. He does so probably because the Honourable Member feels that there are fifty taluk boards which support this view."

6TH FEBRUARY 1919.]

(Mr. Rama Ayyangar.)

I thought it has been felt, we have been pressing and the Honourable Member has also been accepting, that there must be as much decentralization as possible and more power must be given to taluk boards, and the district boards must confine themselves purely to supervising the work of the taluk boards or the distribution of the grants got from the Government. That was the view that was pressed in this Council for the last so many years. In spite of all that, when I said that more than half the area of the province require it nothing is said. I said Malabar was against it. I know the conditions there are peculiar. That makes it 14. I further accepted that the neutral boards may be taken as against the proposal. A large majority according to the Member in charge is against the proposal. I do not know how the majority is made up even taking the statement of the Member in charge. Taking that, we have 8 against 13 or 14. As I said, Madura is not taken into account. I am here to say that Madura passed a resolution approving of it. I do not want the Council to take it as a portion of this classification that I make. Apart from that, what about the 50 taluk boards as against 35? What is the area of the taluk boards that have agreed to it? I have said more than half. How does the question of majority come in now? Is the majority for or against the proposal? If the majority is for it, how can it be shelved by saying that a large majority of the district boards are against it? I question that statement that a large majority are against it but taking it so when eight district boards feel the necessity for wishing to take up this work, what is the decision of the Government in this matter? Are they for giving relief in rural areas or not? Have they not been trying to give relief in rural areas? If the boards directly say that they are willing to have it and they find it beneficial, is that not an experience upon which we meant to act last year. I submit, my Lord, the whole position seems to have taken a different stand and it seems not quite the line on which the argument was advanced in this Council last year. But to say that no provision will be made seems to be extraordinary. I have instanced one district board which has made a provision of Rs. 15,000 and a grant will be applied for. Am I to be told that it will be refused even if applied for? If that is to be the attitude of the Government, certainly it deserves to be known to us so that we may adjust ourselves in considering the budget. I submit, my Lord, it was expressly stated in 1913 it was not practicable. It was stated last year that the matter would be referred to these bodies. Now at least half the area hold that it is practicable and they have provided a portion of the fund. I submit the whole of this establishment must be treated as provincial because the boards have not been given any extra grant for this purpose and they have had no new sources given to them. They have still the charge of rural areas as well as trunk roads for which Rs. 20 lakhs has been provided last year and Rs. 6 lakhs next year and we have agreed to give money irrespective of its being grant-in-aid. I approve of it especially in view of the hoarded balances and the fact that we are going to give war allowances. We have decided to give Rs. 13 lakhs for that. It is but proper that rural areas must have some consideration shown to them. Fifty taluk boards agree to it and eight district boards want that money should be placed in their hands before the work is started. The Government may satisfy themselves that it works satisfactorily. To say that nothing will be done looks to me very hard. I submit this resolution deserves the sympathy of the Government."

The resolution was put and lost.

The Hon'ble Mr. K. Rama Ayyangar demanded a division which was taken with the result that 10 voted for and 24 against the resolution. The following is the division:—

For	Against
The Hon'ble Diwan Bahadur M. Ramachandra Rao.	The Hon'ble Sir Alexander Cardew.
" Mr. P. Siva Rao.	" Mr. C. G. Todhunter.
" K. Rama Ayyangar.	" A. Y. G. Campbell.
" K. Sadasiva Bhat.	" R. Ramachandra Rao.
" B. Venkatapati Raju.	" M. Young.
" Yaqub Hasan Sahib.	" L. E. Buckley.
" K. Chidambaranatha Mudaliyar.	" N. E. Marjoribanks.
" A. Suryanarayana Rao.	" R. B. Wood.
" A. S. Krishna Rao.	" Aziz-ud-din Sahib.
" B. V. Narasimha Ayyar.	" T. Richmond.
	" G. Pittendrigh.
	" Sir Francis Spring.
	" Mr. A. Subbarayalu Reddiyar.
	" Sir Fairless Barber.
	" Sir Gordon Fraser.
	" Mr. J. H. Thonger.
	" Most Reverend the Archbishop Aelen.
	" Mr. R. Littlehales.
	" L. Davidson.
	" W. Hutton.
	" W. J. J. Howley.
	" the Advocate-General.
	" Mr. P. Rajagopala Achariyar.
	" H. G. Stokes.

(Mr. Rama Ayyangar; Mr. Rajagopala Achariyar; [6TH FEBRUARY 1919.
Mr. Narasimha Ayyar.]

RESOLUTION RE INCREASED PROVISION UNDER MINOR SANITARY GRANTS TO THE TUTICORIN MUNICIPALITY FOR DRAINS AND A SLAUGHTER HOUSE.

The Hon'ble Mr. K. RAMA AYYANGAR:—"This is a small matter. The resolution runs thus:—

'XXXII. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 12,000 be provided under the head Minor sanitary grants to be given to the Tuticorin municipality for the improvement of the drains in the Sivan Kovil street and for the combined slaughter-house and that the same be met by a corresponding reduction under the head 45-B. Civil Works or from the provision for minor sanitary grants.'

"It asks for a grant for two important works. One was taken up with the approval of the Government, the improvement of the drains in the Sivan Kovil street. Extra cost has to be incurred. That is a very congested locality, and the drainage there is very bad. They have sent up the budget to the Government, and they could not spare the money. As regards the other work the slaughter house, the Sanitary Engineer has asked for this slaughter house to be opened because the present slaughter house is in the midst of the town and is causing inconvenience. These are small matters which in a place like Tuticorin would be of immense relief. The total cost is only Rs. 12,000. Even if the Government want that it might be met otherwise, I humbly request that the money may be given to the municipality to have this done as early as possible."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, probably it will be convenient to the Council to remind them what the procedure is in dealing with our minor sanitary works. The usual procedure in connexion with grants for minor sanitary works is to make a lump provision in the Civil Budget Estimate for such grants, and then to distribute the lump grant, after the Civil Budget Estimate has been finally passed, among the various local bodies with due regard to the nature of the sanitary works for which they have applied for grants, their relative importance and urgency and the financial position of the local bodies themselves. It is not usual to make a specific provision in the Civil Budget Estimate for specific minor sanitary works. For 1919-1920 there is a provision of Rs. 6 lakhs including one lakh for the Madras Corporation. That is the usual thing. A lump amount is provided and the local bodies know what it is and they send up applications. These applications are examined—applications from local bodies and municipalities—and we take into consideration the nature of the works, their urgency, the financial condition of the local bodies concerned and then we distribute the grant. Under this head there was an original allotment of Rs. 3.56 lakhs which has been raised to Rs. 6 lakhs including a grant of one lakh to the Madras Corporation. So that that money is available. The Honourable Member now proposes that we should by a resolution put a street in the Tuticorin municipality and a slaughter house in the same municipality on a special pedestal of their own and allow them to take precedence. The Council is told, whatever may be the distribution of the grant you may make, remember there are two things you must not overlook, namely the Sivan Kovil street in Tuticorin and the slaughter house in Tuticorin. It is a matter for consideration for the Council whether it should go into details like these and commit itself. Is it likely to conduce to the expeditious disposal of business that we should be asked to sit in judgment over the relative merits of this district which are represented here by what I might say less enterprising members than my Honourable Friend."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Of more modest."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"That is not for me to say. I shall stick to my word. I should very much like not to say anything to hurt anybody's susceptibilities. It does seem to me that this pitching upon one or two local requirements and putting them forward as special objects requiring attention, whatever may be the merits of those things, does not conduce to the benefit of local self-government or the benefit of this Council. With those words, I shall now pass on the merits of these two works. I am bound to deal with them."

"Taking the Sivan Kovil street, the Tuticorin Municipal Council asked for a grant of Rs. 8,500. The whole of the money was given. Later on it wanted another Rs. 6,000, we told the Council 'you had already Rs. 8,000; your finances will justify you in expending this Rs. 6,000; we will not give it'. That was on the 5th October 1918. No reasons have been given by the Honourable Member why the Government should depart from that position. The Tuticorin municipality will not get any grant. I am bound to say that, to prevent the impression that it has a chance of getting anything from that grant of Rs. 5 lakhs. It will not get any grant for that street."

"Proceeding to the slaughter-house, the slaughter-house expenditure was vetoed in pursuance of the decision come to by the Government so long ago as 1914 that we cannot make grants for slaughter-houses, because they are remunerative works. The Council may have a loan when they put up markets or slaughter houses. In case of works which bring in an income

6TH FEBRUARY 1919.] (Mr. Rajagopala Achariyar; Mr. M. Ramachandra Rao.)

later on, it is not desirable to make a present of money. This is practically capital outlay on which they can get a remunerative yield. That ground remains. The Tuticorin slaughter-house like the Sivan Kovil street will, I am sorry to say, have to go without a grant. I oppose the resolution."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, I must make a few remarks with regard to the speech of the Hon'ble Mr. Rajagopala Achariyar. He objects to my Honourable Friend Mr. Rama Ayyangar making a specific request with reference to a municipality in the group which he represents on the ground that it is not desirable for this Council to take up specific requests such as those formulated in this resolution. Not only myself but I believe several of my Honourable Friends are exactly in the same position as the Hon'ble Mr. Rama Ayyangar with regard to other specific requests. Therefore, it seems to me, without reference to the merits of the particular scheme, that the Honourable Member has not recognised our responsibility to our constituencies. I may say, though I did not put them forward in the shape of a resolution, that during the last few days I have been inundated with letters from every municipality or taluk board asking for money for specific purposes and saying that I should place them before Your Excellency's Government. It was only yesterday that I had a telegram from the Tenali municipality asking me to press for the weavers' extensions and some other requirements such as bridges, etc. The Honourable Member must see that we are responsible in a way along with the Government for the due appropriation of the finances of the Presidency. At the same time, we have a special responsibility to the district boards and municipalities that we represent in this Council. Therefore, I do not think I should accuse my Honourable Friend of any impropriety in asking for money for the two particular schemes which one of his constituencies has asked him to press. My Honourable friend Mr. Ranga Achariyar wishes to have something for the Madras Corporation. I see he has appropriated one lakh from the minor sanitary grants. The Hon'ble Mr. Krishna Rao wants a school in Nellore, and the Honourable Member would say that he should not have asked for it. I have asked for a grant for Guntur; the Hon'ble Mr. Suryanarayana Rao has asked for some grant for plague expenditure in Vizagapatam. These are all specific requests which we are bound to place before this Council. I am afraid that the Honourable Member has overdrawn the picture. While I recognise along with him our general responsibility for the proper appropriation of the grants and in assisting the Government with our suggestions, it seems to me it is equally our duty to press specific schemes on the attention of the Government. Therefore, I am not prepared to subscribe to the general proposition which the Honourable Member has laid down. We are perfectly willing to help the Honourable Member and the Government to see that there is due appropriation of the funds, but we are entitled to bring forward the special needs of our constituencies, and if it is necessary I will read to the Honourable Member the various letters."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (interrupting):—"I am quite prepared to believe the Honourable Member that he has resisted a number of letters. The very circumstance that he resisted them shows that he is practically at one with me."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO (continuing):—"In fact I put down two requests, one for the Gōdāvari District Board for which Mr. Seshagiri Rao has asked for a provision of Rs. 2½ lakhs. There is another letter from Guntur for a grant of Rs. 1½ lakhs which appears to be very urgent. In the circumstances explained to me it is very urgent. It seems to me that the Honourable Member has placed us in an awkward position."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I never meant that no Honourable Member should bring forward any proposal in regard to any area in which he is interested. For instance, you have brought forward a resolution for money for depressed classes. I can quite understand big questions. But when we have a lump grant of Rs. 5 lakhs which has to be distributed with reference to particular localities, with reference to a large number of specific requests, with all respect to both the Honourable Members I do not think it is convenient that a few of them should be brought up here for specific commendation. It will serve no useful purpose because the Government cannot go into the merits until they are in a position to go into the other cases."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"It is our duty to make suggestions for fair distribution. I think a Member of this Council is entitled to suggest a scheme of distribution in a particular way. However I do not wish to pursue the matter. The Honourable Member and myself understand each other. I see his difficulty, and I believe he sees our difficulties."

"As regards the two particular works, I see the point of the Hon'ble Mr. Rajagopala Achariyar. I asked him for a statement as to the applications received from district boards and municipalities for minor sanitary grants. It was only yesterday evening that I was furnished with the statement showing that the total amount of applications for minor sanitary grants is Rs. 23 lakhs and the amount allotted is Rs. 5 lakhs; originally it was Rs. 3½ lakhs but was subsequently raised to Rs. 5 lakhs. In complying with all these various requests for Rs. 23 lakhs I am certain that the Honourable Member would have considerable difficulty in making a selection to the extent of Rs. 5 lakhs from these applications. Therefore in coming forward and urging that a particular scheme should have precedence, that is to show the urgency of it, and it is only in that way that this question would be relevant. I do not know how the Honourable Member would be in a better position to allot Rs. 5 lakhs where the applications amount to

(Mr. M. Ramachandra Rao ; Mr. Rama Ayyangar ; [6TH FEBRUARY 1919.
the President ; Mr. Rajagopala Achariyar.]

Rs. 23 lakhs. I take it that he would take into consideration what has to be said by the district boards and by the representatives of the local bodies in this Council in support of these applications. Therefore My Lord, I would support the request of the Hon'ble Mr. Rama Ayyangar for these two schemes."

The Hon'ble Mr. K. RAMA AYYANGAR :—"I am very glad that the Hon'ble Mr. Rajagopala Achariyar gave us an opportunity to have this matter placed before the Government. My Lord, we have been taking it for granted these years that the Government have been doing their duty in the matter of this distribution as satisfactorily as possible and we did not actually press for the actual rights we had in this matter. My submission is 'there shall be appended to the Draft Financial Statement a memorandum indicating as fully as possible the manner in which the local Government provisionally proposes to allot the sum available for the total expenditure on new schemes referred to in clause (a) of sub-rule (2) and also indicating, if thought desirable, alternative measures of distributing this expenditure. In respect of each suggestion thus made the maximum expenditure, and the total expenditure (a) recurring and (b) non-recurring which it is proposed to incur in the next Financial year separately stated.' This is rule 5, sub-clause (3) of the Financial rules. I know that in the Draft Financial Statement there are details given with regard to the provisional distribution for medical buildings and certain other matters, but I submit if this Government or the Honourable Member in charge think that this Council has no right to consider the detailed distribution of all the money provided—"

His Excellency the PRESIDENT :—"I must ask the Honourable Gentleman to confine himself to the resolution. This is a very wide question that he is now raising ; that has not been challenged. He must discuss the motion before this Council. Let us return to the street and the slaughter-house."

The Hon'ble Mr. K. RAMA AYYANGAR :—"May I take it that we are not entitled to go into it?"

His Excellency the PRESIDENT :—"We are not entitled on a question of this kind. We are here to adjust the figures. The Honourable gentleman wishes Rs. 12,000 put in for two purposes. Let him argue whether the money should be put in for these two purposes."

The Hon'ble Mr. K. RAMA AYYANGAR :—"My statement of the case was met by two grounds one was that I had no right."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I never said that the Honourable Member had no right. If the Honourable Member had no right, I should have risen to a point of order and asked for Your Excellency's ruling. What I asked was whether it was wise for the Council to commit itself to a recommendation of this sort. That is quite a different matter."

The Hon'ble Mr. K. RAMA AYYANGAR :—"My submission is that the first duty of a Council Member here is to know how the distribution is proposed to be made by the Government and if possible press the claims of other applications so that the matter may be completely settled. I should have expected 200 resolutions on the Financial Statement instead of the 61 that we have."

His Excellency the PRESIDENT :—"I dare say but we are not here to discuss the first duty of Honourable Members of this Council. I would ask the Honourable Gentleman to adhere to the subject-matter of the resolution."

The Hon'ble Mr. K. RAMA AYYANGAR :—"My Lord, the Member in charge actually began with a denial of that kind of right or at least the wisdom of the Members who brought forward such questions. I am certainly within my rights, and I say that it is much wiser than the plan adopted by the Honourable Member in charge."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Far from discussing the wisdom of the Honourable Member, who is probably acting quite wisely from his own point of view, I was telling the Council what it should do."

The Hon'ble Mr. K. RAMA AYYANGAR :—"I have also to tell the Council what it should do. In that sense I am entitled to make a statement about that. I referred to the Financial rules only to indicate that we should be given full knowledge of what the detailed distribution is when an amount like that is put in. In fact I wrote a letter wishing to know what were the proposed provisional distributions to be made of these grants relating to minor sanitary works and other works that I referred to. I have not got a reply up till now. I wanted that only to know if there were more urgent cases so that I might drop some of my resolutions. If I wish to be a proper representative of my area, I ought to place before this Council the particular difficulties of the particular local boards and municipalities I represent. This provisional allotment must be made for every amount that is left at our disposal; otherwise, the budget would not be properly framed. We took it that the distribution was generally made after deep consideration by the department. But actually what happened was this: In the case of the two resolutions XXXII, and XXXIV* that I have placed before this Council I specifically asked for them because I found there was some difficulty in the Government granting them. I may at once tell the Honourable Member that I have had letters and correspondence showing that they

6TH FEBRUARY 1919.] (Mr. Rama Ayyangar ; Mr. Rajagopala Achariyar.)

have asked for nearly Rs. 3 lakhs from the Government. I have not placed all of them before this Council for consideration. I do expect the department to go into the question completely and thoroughly and duly discharge the duty of distributing the money. I am bringing up only such subjects as deserve special treatment at the hands of the Government after I saw that the question had been pending for a long time. Therefore I would even press that taking advantage of this opportunity it would be well to place before this Council the full detailed provisional distribution proposed to be made by the Government in all these cases. In fact applications were called for before the date of the Financial Statement. In fact they are got before the end of October and you have more than two months. If necessary it might be even advanced and these applications may be got in September. If the budget is to be scrutinized and properly passed, we must be given an opportunity to see that the distribution is properly made. I will give only one example though that was a case in which the Government made a grant of their own accord without giving the Council an opportunity. We find Rs. 13 lakhs has been distributed among a number of district boards. I find that it has been recently increased to Rs. 20 lakhs. We do not know what money is given to each board from the additional Rs. 7 lakhs provided for the 'construction of trunk roads which have been impaired by want of railway traffic.' Therefore we do not know how it is distributed. If it had been known I should have pressed the claim of Ramnad which gets only Rs. 18,000 out of Rs. 20 lakhs."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"That is for the current year."

The Hon'ble Mr. K. RAMA AYYANGAR :—"Yes, if we had been given an opportunity of knowing the detailed distribution we would have had an opportunity of placing the claims of various local bodies before the Council and it would have been useful both to the Government and to ourselves. Therefore it is only very proper that these questions should be brought up before the Council. The Hon'ble Mr. Ramachandra Rao said, before he heard me in reply, that he would not vote for me on the merits of the resolution. I leave him to himself. What I say is that Rs. 6,000 even according to the Honourable Member's statement was given as a grant in respect of the scheme by this Government. The Sanitary Engineer decided that the scheme would be imperfect if left in that way because the drainage was causing nuisance to a big locality. The municipality was committed to it by the Government grant. It had half finished it when the Sanitary Engineer's recommendation came. In these circumstances I submit that it is a very proper claim especially in this year's distribution of so many lakhs. If my moving this proposition should make the Honourable Member more resolute than ever, I only regret it. But whatever it is, I submit that the claims of Tuticorin ought to be considered apart from this fact of my being the cause of putting forward this resolution."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"It has been already refused."

The Hon'ble Mr. K. RAMA AYYANGAR :—"My submission is that the municipality which is one of the most congested—especially during this time of railway traffic being so much curtailed it has become very busy and there is an increase of population—deserves the consideration of the Government. I hope this resolve that it shall not be given will be modified and the question considered sympathetically."

"As regards the other matter the combined slaughter-house, there is a slaughter-house there and they may get revenue from it too. But the thing is proposed by the Sanitary Engineer as best suited to the locality and any income that might come is a matter to be taken into account later. But the construction has to be put up and a grant-in-aid may be given instead of a full grant. Whatever it be, to say that it would not be reconsidered look to me rather strange. I submit the matter requires sympathetic consideration. I do not press the resolution to a division."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE INCREASED PROVISION UNDER MINOR SANITARY GRANTS TO LOCAL BOARDS.

The Hon'ble Mr. K. RAMA AYYANGAR :—"My next resolution runs as follows :—"

'XXXIII. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 3 lakhs more be provided for minor sanitary grants to local boards and that the same be met by a corresponding reduction in the provision made under the head 32. Miscellaneous.'

"In the Finance Member's memorandum we find the amount of the unspent balances with local boards and municipalities on page 11. We find from that that grants for minor sanitary works to local boards and municipalities amount to Rs. 21.65 lakhs of which we distributed about Rs. 5 lakhs in the last budget. We had some years back Rs. 125 lakhs with these boards and municipalities as unspent balances and the Government said that they could not pay more money when they had so much money unspent. We find from the table given on page 11 of the Amended Draft Financial Statement under the head 'minor sanitation', while we paid Rs. 25 lakhs in 1914-15 we have been spending Rs. 8.10 lakhs, Rs. 5.15, Rs. 5.38, Rupees 5.67 lakhs and so on in later years and we have made a provision of only Rs. 5 lakhs in

(Mr. Rama Ayyangar; Mr. Rajagopala Achariyar.) [6TH FEBRUARY 1919.]

this budget. It will be proper to mention that out of this Rs. 21.65 lakhs referred to, one or two items are under correspondence. For example, I understand with reference to the Madura municipality about Rs. 1 lakh granted for the construction of toti huts could not be spent simply because the Sanitary department and the municipality are in correspondence and there have been schemes and revised schemes which are pending sanction with the Government. Similarly I can mention various other schemes in which the minor sanitary grants could not be spent because they are big grants in respect of which the Government are taking care to see that they are utilized as best as possible. In these circumstances the Rs. 21.65 lakhs shown in this budget does not indicate that there is any money left with them which can be properly thought as balances unspent. But the main portion of what we have been spending from minor sanitary grants is on the construction of wells in various places which are properly provided and sanitarily constructed. These have been commenced since 1913-14 and 1914-15 in many places and most of them have been finished. Some of them require a revised estimate and greater grant, and in that way I find that considerable need exists to continue what has been commenced in 1913-14 and see that the money that has been spent already is effectively utilized and is beneficial to the people. In that view even if a small distribution is to be made for each district, I find that a grant of Rs. 10 lakhs will be needed to see that the thing that was started then is completed. I find that in the districts that I represent they want three or four lakhs for minor sanitary grants. Similarly as pointed out by the Hon'ble Mr. Ramachandra Rao, about Rs. 23 lakhs grants have been applied for. When that is so, I submit it is time that more provision is made.

"It may be properly asked why I bring it up this year. I tried to do it in 1914-15 and 1915-16 and gave it up subsequently because we were framing war budgets and we could not draw upon our balances. Now we have begun to draw upon our balances and I think the ryot has a right to have some portion of these boarded balances. These minor sanitary works deserve great attention. Therefore I submit this provision may be 10 lakhs. The money that is available with the Government is about Rs. 11 lakhs under the head 'Miscellaneous—32'. Originally it was 5 lakhs but it has been now increased to 11 lakhs. Therefore, I submit, it is proper to spend more on this. Not that I do not want that there should be a full scrutiny of the demands. Even if there be a scrutiny it cannot go below Rs. 10 lakhs out of the 23 lakhs demanded. My practical knowledge which covers the range of two or three districts enables me to tell the Council that these minor sanitary grants have been felt to be of immense use. Many of the villages have uranis and wells. The Panchamas and depressed classes have been provided with wells in certain places. This is a kind of help which deserves to be continued when we are drawing upon our balances. About 74 lakhs is to be drawn and it is very proper that much more money is put under minor sanitary grants than before. The Rs. 3 lakhs that I ask for will only make the total grant less than half the demand made by the district boards and municipalities. As far as I can see from the replies, four local boards and one or two municipalities have not asked for a grant, or it may be that the offices have not been vigilant. That is what the reply I received shows. It is wonderful that some district boards and taluk boards should not think of applying for a grant as if they have no want there at all. On the other hand there are many areas which require these wells as much as possible. Especially in the Ramnad district I find about 4,000 villages exist of which more than 2,000 have no provision for wells, and yet that board does not seem to have applied for a grant. That does not mean that there is no reason for applying. But to say that every application has been made by all district boards and municipalities is not quite correct. In fact, even so far as it goes the more vigilant boards and municipalities have applied and 23 lakhs are needed. Therefore, I submit this provision of 3 lakhs at least by way of a general modification of the Financial Statement is necessary so that we might have at least about half of what is asked for by the various boards this year when we are drawing upon our balances to the extent of 74 lakhs. I press this resolution for the acceptance of this Council."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I am anxious in the first place that the Council should realize that we are dealing with minor sanitary grants. I think large water-works and drainage works are dealt with separately. This, as the Hon'ble Mr. Rama Ayyangar has pointed out, is made up of a number of comparatively small matters about which requests come up and for which we make an allotment provisionally so that the particular boards in regard to which the Honourable Member complains that they have not sent in their applications may have time to send them up. Having said that, let me point out that the resolution deals with the local boards and not local bodies. So far as local boards are concerned, as the Hon'ble Mr. Rama Ayyangar has pointed out, one of the things which we have to take into consideration is how much they can usefully spend with reference to their past work. I find, sanitary grants more than 7 or 8 lakhs. That is the utmost that we could spend under minor agency of district boards and taluk boards upon these small things. That being so, we find that a few months ago on the 30th September 1918 the unspent balances with these boards amounted to about 12 lakhs, and even taking a most favourable account of their spending capacity as judged by past experience, they will have an unspent balance of about 10 lakhs on the 1st of April, to which the Government will have added the greater portion of the 5 lakhs out of the 6 lakhs minor sanitary grants of which one lakh goes to the Corporation and 5 lakhs go to local bodies. The chances are the bulk of that will go to the rural boards. That being so, they will have 13 or 14 lakhs. According to the spending capacity in the past it will take two years to spend that amount. What is exactly gained by a transfer of a large amount of money into

6TH FEBRUARY 1919.] (Mr. Rajagopala Achariyar; Mr. Narasimha Ayyar; Mr. Ramanuja Achariyar; Mr. Rama Ayyangar.)

the hands of local bodies beyond their spending capacity? The money is there. Suppose we had it, it relieves our balances. If it goes into their balances, they take two or three years to spend it; and in the meantime we want money for other sanitary works, bigger works which we are anxious to undertake to supply the sanitary needs of the localities. We originally put 3½ lakhs and the Finance Committee raised it to 5 lakhs. I do not think as matters now stand it will be possible for these boards to spend very much more on small works. I deprecate this resolution on that ground. Later on when their spending capacity increases let us supply them with funds as much as they can reasonably spend, but let us not transfer money to the credit of local boards. I put it solely on that ground, on the spending capacity of the boards judged from past experience. I am pretty certain that this sum of 5 lakhs probably represents as much as is likely they would need during the year."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"While I remain unconvinced by what the Hon'ble Mr. Rama Ayyangar has said, I remain still more unconvinced by what the Hon'ble Mr. Rajagopala Achariyar said. I am indeed astonished to hear that the Government have deliberately put in 5 lakhs for minor sanitary grants while they are fully conscious that the local boards have roughly 10 lakhs in their hands. They add 4 or 5 lakhs for merely paper purposes."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"That is what the Finance Committee did."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I want to know whether the balance of 10 lakhs unspent by local boards remains with all the boards or with only some of the boards."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I am not in a position to give that information off-hand. I cannot say that all boards are remiss in spending."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I have again in this connexion to go to the discussion of 1913-14 and 1914-15. In fact when 25 lakhs were provided and other grants were given to taluk boards and district boards, instructions were sent that to the extent of 10 per cent of the grants additional establishment might be entertained if necessary. This was in 1913-14 and 1914-15. But suddenly in 1914-15 the grants that used to be given considerably had to be curtailed and there was a subsequent circular that with the existing establishment whatever could be done should be done. I know many district boards considered this subject and put off the entertainment of additional establishment pending the sanction of estimates. The effect of it was that this money which was being distributed later remained with the previous money and we had to remind the boards that monies would not be paid further unless they exhausted the money on hand on what they could do with the existing establishment. It is now time that the Government pursue the policy which they adopted before 1913-14. This is a means of providing good water for every resident in rural areas. As I understand it, mostly it favours the poor masses especially. Therefore if permission is given to utilize some portion of this for establishment as before, it will be possible to expend much more. The Hon'ble Mr. Rajagopala Achariyar will find that in 1916-17 and 1917-18 the expenditure was much more than in other years. I have been following it with great care. What happened was that the additional establishment which was entertained about the end of 1914-15 after the money reached their hands had to be dropped about 1917-18 and therefore they could not spend as much as before. This will be the natural consequence if matters are allowed to go on like that. Are we not almost bound to see that good water is provided throughout the Presidency in almost every village? Have we not got 52,000 villages each of which should have 4 or 5 wells? The present estimates cover from Rs. 1,000 to Rs. 1,500 for each well and on that basis we will have to spend 100 lakhs more. I submit it must be distributed over a small number of years and this policy of expecting these people to spend 11 lakhs will not be satisfactory if they are allowed to do it in the way they have been doing it."

"The next position is that in order to spend these balances and prepare estimates for the new things the establishment will not be sufficient."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"We want the establishment to be strengthened."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Let some portion be spent on the establishment to see that the money that is given to them is spent. That was the policy of the Government in 1913-14 and 1914-15. In fact, divine interference prevented us from carrying out our policy for four years on account of the colossal war which detained everything. Meanwhile we have been able to add 200 wells. It is non-recurring expenditure; the money that we will hereafter get from our resources will be put under recurring expenditure. We find the recurring expenditure almost equals the other expenditure. If this is not the time when we should take up this question and make a provision, when are we going to take it up? Are we to say that the average expenditure of all the taluk boards, district boards and municipalities put together comes to 3 lakhs and therefore we will give only 3 lakhs? At that rate we would not be able to carry out the object which we aim at. I submit, my Lord, this is a matter in which the Honourable Member in charge will have to take a definite stand because it is a question of money going from one budget head to another which will have to be thought out with the Finance Member. My submission is that it has to be provided. There is enough money available and unless that money is provided and scope is given it would not be improved."

(Mr. Rama Ayyangar; Mr. Rajagopala Achariyar.) [6TH FEBRUARY 1919.

sufficiently. The duty is there to improve it. Even now I can speak of hundreds of villages in which they depend upon the uranis or upon the goodwill of some upper caste people to bale out water. That state of things should be remedied. I submit, this is a matter in which the Government should take an advance step and I request that this resolution may be accepted."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I have only one word to say. There is this provision in the Account Code which says—'In respect of works carried out from Provincial grants, district boards may sanction special engineering establishments up to a limit of 10 per cent of the estimates for work carried out by means of these grants.'"

"That is G.O. No. 1910 L., dated 21st December 1915. I quite see, however, that the district boards should make more progress in the expenditure of the money and we would call their attention to that matter. With this reply I hope the Honourable Member will be satisfied."

The resolution was put to the Council and lost.

RESOLUTION RE GRANT TO THE DINDIGUL MUNICIPAL COUNCIL FOR OPENING AND WIDENING OF LANES.

The Hon'ble Mr. K. RAMA AYYANGAR moved the following resolution:—

'XXXIV. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 16,380 be provided for grant to the Dindigul Municipality for opening and widening of the lanes selected by the Sanitary Commissioner and approved in G.O. No. 992 M., dated 5th July 1915, and that the same be met from the minor sanitary grants or by a corresponding reduction under the head 45-B.'

In doing so he said:—"This again is a small resolution. As the resolution itself indicates, the Sanitary Commissioner himself selected these lanes in 1915 and the municipality whose budget is scrutinized every time and whose budget cannot be said not to be carefully prepared will not be able to find the money for this purpose. In fact, the Dindigul municipality is one of the important municipalities there. It is on the way to Palni, a big pilgrim centre, and people crowd there so that, though the population of the municipality is not very great, the congestion is very great; and the lanes that are sought to be opened are required to be opened as early as possible. It is not that every pie of the municipality is not scrutinized carefully, because it is one of the municipalities which have earned the appreciation of the Government for good work every year. I submit they have also applied. I want this matter which is a matter of 1915 to be considered by the Government and the request granted."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"This particular application, Your Excellency, has been referred to the Sanitary Commissioner for remarks. It went only on the 4th January. We have yet to know what the Sanitary Commissioner thinks, but the scheme itself is one which is eligible for allotment. If the Sanitary Commissioner recommends it, it will be taken up and considered along with the other applications in distributing the lump grant."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE PROVISION FOR A WATER-SUPPLY SCHEME FOR THE TINNEVELLY AND PALAMCOTTAH MUNICIPALITIES.

The Hon'ble Mr. K. RAMA AYYANGAR:—"I beg to move:—

'XXXV. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 20,000 be provided to investigate a suitable water-supply scheme and to install the necessary apparatus to relieve the immediate water scarcity in the Tinnevelly and Palamcottah municipalities and that the same be met by a corresponding reduction under the head 45-B.'

"This is rather a continuation of the discussion that we had last year in this Council in respect of a provision of Rs. 50,000 which I asked for the investigation of a water-supply scheme for the Palamcottah and Tinnevelly municipalities. It was then stated by the Member in charge on behalf of the Government that these municipalities deserved help, but the difficulty was that they could not pitch upon a scheme which was within the means of the municipalities even if the Government helped them with grants. Since that discussion the Honourable Member was kind enough to refer the matter and get information, and though no big scheme for investigation was recommended, I find some relief is proposed to be given by a provision of about Rs. 20,000 to be utilized in sinking tube wells in various places and then providing them with sanitary surroundings, so that the water may not be spoiled. It may well be asked why the municipality cannot provide for this. It is more or less a minor sanitary grant I am asking. I dare say the Honourable Member has scrutinized the budget of these municipalities; but they are not able to provide the funds and the letters that have been so kindly sent to me by the Government clearly indicate what water scarcity appears there for three or four months in the

[6TH FEBRUARY 1919.] (Mr. Rama Ayyangar; Mr. Rajagopala Achariyar; Mr. Ramachandra Rao.)

Palayam and other channels. Therefore this provision is absolutely necessary. The municipality cannot find the funds; they must be able to amass sufficient funds for the other schemes to be taken up. The combined Tambraparni scheme is being investigated and money is put down in the budget for such investigation. Similarly a scheme of water-supply is being investigated for Tuticorin and for that also money has been put. If it is possible for the three municipalities together to finance the scheme, that will be a matter to be reopened after many years. We know that these two municipalities are some of the most important ones which require greater provision for water, in almost every nook and corner. The demand made is very small, considering the importance of the municipalities and the inability of the municipalities to find the funds for big schemes and considering also that though the Tambraparni is flowing near by it has not been possible to store the water. So far as it goes, the water scarcity might be relieved. I submit the Government may give this money to these bodies."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the Honourable Member drew our attention to the discussion we had about this time last year. So far as these municipalities are concerned, it is not investigation that is wanted. Whatever scheme is hit upon is far beyond the financial resources of the municipalities even with the help of a Government grant. That is what has been blocking the way. The Honourable Member has referred to the correspondence I had with him since. We did examine an alternative proposal he made. We did not consider it feasible, and so far as these municipalities are concerned, they must get on with tube wells. On that point I am entirely at one with the Honourable Member. I find that 14 tube wells were sunk by the Tinnevelly municipality in 1915-16, 14 more in 1916-17 and 18 in 1917-18. In 1916-17, 57 tube wells were also provided with platforms and it was reported that the tube wells were increasing in utility and popularity. So that the municipality will certainly be well advised to follow the Hon'ble Mr. Rama Ayyangar's suggestion to go on with tube wells and not wait for some scheme which may come later on but will not meet their immediate needs."

"In Palamcottah six tube wells were sunk in 1915-16; two new tube wells were sunk in 1916-17 and one of them was reported to yield a large supply of good drinking water. In 1917-18, two new tube wells were attempted to be sunk. One of them proved very successful and yielded a copious quantity of excellent drinking water and the other proved a thorough failure. Thus out of the grant of Rs. 5,000 only one large tube well was sunk newly with a high parapet wall and with arrangement for pumping water with a kite motion pump into a service reservoir fitted with several taps."

"Individually the tube wells do not cost much and the municipalities must put in their applications for that purpose which will be considered along with similar applications for similar works. That is all that I can say in regard to this resolution."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I dare say this will receive attention. I do not want to press it."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE GRANTS TO DISTRICT BOARDS OF GODAVARI, KISTNA AND GUNTUR FOR THE ACQUISITION OF HOUSE-SITES FOR DEPRESSED CLASSES.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO moved the following resolution:—

'XXXVI. This Council recommends to the Governor in Council that a sum of Rs. 3,00,000 be provided under XXIV-B in the budget estimate for 1919-1920 as grants to the district boards of Godavari, Kistna and Guntur for the acquisition of house-sites for the depressed classes and that a corresponding reduction be made under 45. Civil Works—Civil Buildings.'

In doing so he said:—"The previous history of the subject is well known to Honourable Members of this Council. Sometime in 1916 I brought forward a motion in this Council that this subject of improving the lot of the depressed classes by a suitable provision for the acquisition of house-sites should receive the consideration of the Government. At that time I believe it was the Hon'ble Sir Alexander Cardew that replied on behalf of the Government, and after considerable discussion I think Your Excellency's Government accepted the motion and appointed a special officer to undertake the acquisition of house-sites in the Kistna district. Subsequent to that the same officer was deputed to do work in the Guntur district. After that special officer's post was abolished there was no continuity of work to relieve the congestion in the deltaic tracts. Your Excellency, it is not necessary for me to say that the class of persons who are benefited by this are mainly the Panchamas who live in hamlets outside the villages. Especially in the deltaic tracts the difficulty of purchasing house-sites has become more and more insistent. The value of sites has gone up and altogether it has become imperative that something should be done. The principle of providing house-sites has already been accepted by the Government. I am merely asking for an allotment with the express object that the work already started may be continued in the year to come. I am told that proposals have come up from the Godavari District Board and the President of the Guntur District Board also would like to have a substantial grant for this purpose. I trust the Honourable Member would be able to accept this resolution and that the work which has now been given up could again be started."

(Mr. Rajagopala Achariyar ; Mr. Narasimha Ayyar ; [6TH FEBRUARY 1919.
Mr. Rama Ayyangar ; Mr. Ranga Achariyar ;
Mr. Ramachandra Rao ; the President.)

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I do not wish to take up the time of the Council with details. This is a matter upon which we are all agreed. I could say a great deal as to what has been done in the past. The conclusion I have come to is, I am sorry to say, that these three district boards have not been pushing the matter on as well as they might have done. They might have local difficulties of which I am not aware. I have no doubt that this problem is a pressing one in these districts and we will now take action to put pressure upon the local bodies to proceed ahead with schemes for sanitation and we will provide one lakh under the head sanitation and earmark it for this particular purpose. We do not want the provision for houses for the depressed classes to be diverted. If it is not used for that purpose, it will lapse. The minor sanitary grant will be increased by one lakh and the increase will go towards the acquisition of house-sites. I hope that this explanation will be considered satisfactory."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Am I to understand that it is earmarked for these three districts?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Yes, these are the three districts about which we have had reports. The other districts can get help from the general distribution."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I may submit that other deltaic tracts may also be included."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"It will be introducing complications."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I do not propose to interfere with the distribution for these three districts. All that I say is there are applications for acquisition of house-sites for depressed classes from other deltaic tracts also and I want they may be considered in connexion with the distribution of money. I will add the words 'other districts with deltaic tracts' if Your Excellency will permit it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I cannot accept that amendment."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"That amendment is not purely verbal. It might introduce complications which are peculiar to the other districts. I would rather ask my Honourable Friend not to introduce that amendment."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, I am unable to accept that amendment for the obvious reason that more than once when I moved in this matter my Honourable Friends thought that I was treading on their toes. When I framed this resolution I had this in view. If I framed a general resolution, I might be faced with the difficulty that I asked for these districts where relief was not necessary. If I ask for my own district my Honourable Friend says I am asking for a special appropriation of one lakh without his districts being permitted to share in it. I am in the hands of the Honourable Member, but I must oppose this amendment because the condition in the other districts might be different from those prevailing in my districts. It is not that I am unwilling to share the money with him."

The Hon'ble Mr. K. RAMA AYYANGAR:—"If 'other deltaic tracts' will create difficulties, I will say 'the Periyar area.' There are applications for house-sites for the depressed classes in that tract. Why should it not also be given?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I am unable to accept the amendment."

His Excellency the PRESIDENT:—"I put the resolution in its original form. The only change is one lakh is substituted for three lakhs."

The resolution as thus amended was put and agreed to.

RESOLUTION RE PROVISION OF FUNDS FOR INFORMAL PANCHAYATS.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO moved the following resolution:—

'XXXVII. This Council recommends to the Governor in Council that a sum of Rupees 2,00,000 be provided under XXIV-B in the budget estimate for 1919-1920 for distribution to informal panchayats and that a corresponding reduction be made under 45. Civil Works—Civil Buildings.'

In doing so he said:—"I do not wish to say very much on this subject. The principle of giving some money to informal panchayats has been already accepted by Government. Last year I think, there was an allotment of 1.50 lakhs. I am asking for two lakhs to be allotted so that the work already started may be continued in the coming year. It is quite possible that the Honourable Member may say that legislation about panchayats is more urgent than money. I think that money is equally urgent as legislation about panchayats. It is far better to keep these informal panchayats already started going on doing the work which they have been doing, namely cleaning streets, digging wells, etc. I trust the Honourable Member will be able to see his way to accept the proposition."

6TH FEBRUARY 1919.] (Mr. Sadasiva Bhat ; the President ; Mr. Rajagopala Achariyar ; Mr. Ranga Achariyar ; Mr. Narasimha Ayyar ; Mr. Ramachandra Rao.)

The Hon'ble Mr. K. SADASIVA BHAT:—"I have given notice of a similar resolution.* I do not think I need add anything to commend this resolution. My request is for a much smaller sum. Probably the disparity is due to the fact that I have not been able to obtain this year the figures as to what may be the needs of the several informal panchayats. We have got only one panchayat in our side of the country and they submitted a forecast of the income and expenditure for the next year and they had applied for a grant of Rs. 1,00 and the Collector of South Kanara had recommended that grant. Unfortunately the panchayat received the reply that no further grant could be granted. So it is that I put down this resolution. We find that they are spending money usefully. In the reports that the several taluk boards have sent up in reply to the inquiry on the question of rural sanitary parties several taluk boards have suggested the employment of the informal panchayats as the best agency through which sanitary improvements in villages may be effected. We have seen that they spend money to the best advantage. I beg that some money may be distributed among the several panchayats."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR rose to speak.

His Excellency the PRESIDENT:—"Would you not wait till the Hon'ble Mr. Rajagopala Achariyar replies?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Probably what he says might help me. I have no objection to his speaking."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"As I pointed out on the last occasion when my Honourable Friend moved this question the time has long passed for perpetuating these informal panchayats. I have made careful inquiries about the work of these informal panchayats and I think the time has come for the Government to grapple with the problem of putting them on a proper legal basis. There is no use of going on giving money which will be informally spent. It does not matter whether it is a few hundreds or a few thousands. The whole matter must be put on a legal footing so that these institutions may be revived. I do oppose this resolution."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I must thank the Hon'ble Mr. Ranga Achariyar for having saved me some trouble. It is apt to be forgotten that these panchayats were started as an experiment. At the time we issued the order we said that we started them as an experiment because we had no experience and there was the danger if we immediately started with legislation we might enact an unsuitable law. It is with that view that the Government started this experiment and on more than one occasion when the Honourable Members proposed legislation I opposed it. Last year I gave one lakh to facilitate the experiment. We were told that with a little money they would get into a better working order. The reports about these panchayats will be in our hands before the end of this month. They are being compiled all over the districts and the reports will give us, I hope, some idea as to what the next stage should be. I agree with the Hon'ble Mr. Ranga Achariyar that the question as to whether legislation is or is not necessary has to be faced now. There is no use of putting it off. If it is decided to have legislation, there will be the further question as to what lines the legislation should take. These questions will come up for consideration before the Government shortly, and taking all circumstances into consideration I think it would be unwise just now to throw a lot of money on the heads of these panchayats. It is better to allow them to go on as they are now. As I went round the districts, I heard, what I was particularly sorry to hear, that many of these informal panchayats were getting on better before we gave the one lakh grant. In more than one place it was represented to me that certain people were collecting money and getting on with useful work and the Collector gave money to places where no collection was made and then in those places where money was being collected they stopped collecting the money. Before we do anything else we must take stock of the whole situation and decide what has to be done. Later on if they become statutory institutions we might consider what financial help we might give. For these reasons I appeal to the Hon'ble Mr. Ramachandra Rao not to insist upon our giving money just now."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"May I ask how long we are to wait for the Bill? If it would take more than one year I should like to know from the Hon'ble Mr. Rajagopala Achariyar what should be done in the meanwhile, whether he thinks these infants which we have brought into existence should be starved."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The infants seem to get on better with their own food than with the food we force upon them. I will let them alone for the present."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"When is this legislation to come up?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The Honourable Member will forgive me for not at once answering him. The future is always uncertain."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I do not wish to press this resolution, though I cannot say it is wise to give up the experiment before even it is tried for one or two years. The Honourable Member was good enough to distribute one lakh last year and if he is satisfied from the trial of one year with the expenditure of public money by these informal panchayats, that will be of material value in framing the legislation. I do not quarrel

* Resolution XXXVIII—vide page 528 infra.

530 THE AMENDED DRAFT FINANCIAL STATEMENT FOR 1919-1920

(Mr. Siva Rao; Mr. Rajagopala Achariyar; [6TH FEBRUARY 1919.
the President.)

Hampi ruins. It is a very important centre and lakhs of people go there. I do not see why that place should not get the benefit of their recommendations. They were able to visit only a few places. The reference might go to all the other district boards as well to see if they have got any proposals to make."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"So far as this resolution is concerned, it says 'for the improvement of the sanitary conditions of the pilgrim centres in the Presidency on the lines laid down by the Pilgrim Committee.' At present it would be well to confine ourselves to those centres which are dealt with by the committee and which are a subject under discussion. If he has any other centre, he may bring it up later."

The Hon'ble Mr. P. SIVA RAO:—"I do not ask for any extra grant, but I only say that the grant now provided may be distributed among all the pilgrim centres."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"We cannot do that."

The Hon'ble Mr. P. SIVA RAO:—"My suggestion may be noted."

His Excellency the PRESIDENT:—"As regards Resolution No. XXXIX if the 2 lakhs is reduced to 1 lakh and you omit the words 'and that a corresponding reduction may be made under the head 45. Civil Works,' the resolution will be accepted."

Resolution No. XXXIX as thus amended was accepted.

With the permission of His Excellency the President, the Hon'ble Diwan Bahadur M. Ramachandra Rao withdrew Resolution XL.

The Council then adjourned till 11 a.m. on Friday the 7th February 1919.

H. G. STOKES,

Acting Secretary to Government, L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Friday, the 7th day of February 1919.

PRESENT:

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.S.I., G.C.I.E., Governor of Madras—*Presiding*.
The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.
The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.
The Hon'ble Mr. L. DAVIDSON, C.S.I.
The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O., O.B.E.
The Hon'ble Mr. L. E. BUCKLEY, C.S.I.
The Hon'ble Mr. A. Y. G. CAMPBELL, C.I.E.
The Hon'ble Mr. W. J. J. HOWLEY.
The Hon'ble Mr. W. HUTTON.
The Hon'ble Mr. R. LITTLEHAILES.
The Hon'ble Mr. N. E. MARJORIBANKS.
The Hon'ble Mr. J. C. MOLONY.
The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.
The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).
The Hon'ble Mr. H. G. STOKES, C.I.E.
The Hon'ble Mr. C. G. TODHUNTER.
The Hon'ble Mr. M. YOUNG.
The Hon'ble Mr. R. B. WOOD.
The Hon'ble Rao Bahadur T. RANGA ACHARIYAR Avargal.
The Hon'ble the Rev. G. PITTENDRIGH.
The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.
The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO PANTULU Garu.
The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.
The Hon'ble Mr. P. SIVA RAO.
The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.
The Hon'ble Mr. B. V. NARASIMHA AYYAR.
The Hon'ble Mr. K. SADASIVA BHAT.
The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.
The Hon'ble Mr. K. RAMA AYYANGAR.
The Hon'ble Sri RAJA RAO VENKATA KUMARA MAHIPATI SURYA RAO Bahadur, Raja of Pithapuram.
The Hon'ble Mr. B. VENKATAPATI RAJU.
The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.
The Hon'ble Mr. K. KUMARAN RAMAN KAVALLAPPARA MUPPIL NAYAR.
The Hon'ble YAQUB HASAN SAHIB Bahadur.
The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR SAHIB Bahadur.
The Hon'ble Sir GORDON FRASER, Kt.
The Hon'ble Mr. J. H. THONGER.
The Hon'ble Sir FAIRLESS BARBER, Kt.
The Hon'ble the Most Rev. JOHN AELEN, D.D.
The Hon'ble Mr. T. RICHMOND.
The Hon'ble Sir FRANCIS SPRING, K.C.I.E.
The Hon'ble Diwan Bahadur K. B. SURYANARAYANAMURTI NAYUDU Garu.
The Hon'ble Dr. T. M. NAYAR.

(Mr. M. Ramachandra Rao; Mr. Rajagopala Achariyar; [6TH FEBRUARY 1919.
Mr. Siva Rao; the President.]

with that view. I thought having started them, as pointed out by my Honourable Friend, on the off chance of the Bill being framed this year and sent to the Government of India and going forwards and backwards for two or three years—on the off-chance of legislation coming in to stop all grants to these institutions which the Government have fostered.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“ After receiving the reports, one of the questions that will have to be dealt with will be whether they should receive any money pending legislation. Let us get the reports due this month and see them before we do anything.”

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—“ Before making further grants?”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“ Before we do anything including the making of further grants.”

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—“ The Honourable Member is not quite clear. I do not wish to press this resolution.”

With the permission of His Excellency the President the resolution was withdrawn.

The discussion on this resolution covered also resolution No. XXXVIII of which the Hon'ble Mr. Sadasiva Bhat had given notice and which was in the following terms :—

‘XXXVIII. This Council recommends to His Excellency the Governor in Council that a provision of Rs. 50,000 be made in the budget for distribution to the informal panchayats for village improvements and the said amount be found from Miscellaneous 32-E.’

RESOLUTION RE IMPROVEMENT OF THE SANITARY CONDITION OF PILGRIM CENTRES.

The Hon'ble Mr. P. SIVA RAO moved the following resolution :—

‘XXXIX. This Council recommends to His Excellency the Governor in Council that an allotment of two lakhs may be made under 24-B. SANITATION for the improvement of the sanitary condition of the pilgrim centres in the Presidency on the lines laid down by Pilgrims Committee and that a corresponding reduction may be made under the head 45. CIVIL WORKS.’

In doing so he said :—“ The Pilgrim Committee made certain recommendations and on a perusal of their report the local Government passed this Government Order on the 2nd July 1917. The last paragraph of that Government Order says ‘The local bodies concerned are requested to examine these suggestions, frame programmes for carrying out such works as are considered necessary and submit reports to the Government before the end of September, with proposals for financing the schemes proposed to be undertaken.’ I am aware that one lakh was given by the Government of India which has been fully distributed. I do not think it is adequate for the purpose. I move that something may be voted from the Provincial funds for the purpose of improving the health condition of the pilgrim centres. It is a well-known report and I need not take the time of the Council to show what has been laid down in it.”

His Excellency the PRESIDENT :—“ Will you move yours?”

The Hon'ble Diwan Bahadur M. Ramachandra Rao had given notice of a resolution on the above subject which was as follows :—

“ XL. This Council recommends to the Governor in Council that a sum of Rs. 10,000 be provided in the budget estimate for 1919-1920 under XXIV-B. Sanitation as grant to the District Board of Ramnad to carry out the recommendations of the Pilgrim Committee in regard to Ramesvaram.”

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—“ My resolution refers specially to Ramesvaram. A portion of the Pilgrim Committee's report deals with Ramesvaram and Dhanushkodi and also my dissenting minute. The Hon'ble Mr. Rajagopala Achariyar would have read it. I would invite his attention to that portion of the report containing my views.

I must also refer to the necessity for placing the sanitary administration of Ramesvaram and the three other subsidiary places of pilgrimage under a capable officer to be assisted by a special health officer. We have made a recommendation to this effect, which will be found in our notes on Dhanushkodi, and it is perhaps necessary to set out our reasons a little more fully. In dealing with Ramesvaram it has to be borne in mind that there are three other places of pilgrimage in its vicinity to which the pilgrims usually resort. Of these Devipatnam is a small village where we are informed that no sanitary arrangements of any kind exist, but we residents who are interested in keeping the place clean and that much success has not been attained by their efforts. Myself and my colleagues were unable to visit these two centres, but

[6TH FEBRUARY 1919.] (Mr. M. Ramachandra Rao; Mr. Rajagopala Achariyar; Mr. Siva Rao.)

in view of their close connexion with Ramesvaram, I am of opinion that effective and continuous sanitary control is necessary in these two places. In the case of Dhanushkodi, attempts were made to constitute this area into a union, but on account of the small number of permanent inhabitants the idea was given up. Dhanushkodi is, however, important from the fact that all the pilgrims who come to Ramesvaram go there also to take a bath at the point and consequently the floating population at Dhanushkodi is as much as it is at Ramesvaram. As regards Ramesvaram itself the administration is an ordinary one of a small union with an annual income of about Rs. 4,000. We have fully referred in our notes to the importance of Ramesvaram and the three connected places of pilgrimage and the present administration of Ramesvaram is, in my opinion, inadequate to the needs of the locality and that better arrangements should be made, not only in the case of Ramesvaram but also of the other places referred to above. Most of the house-owners at Ramesvaram are either priests, pandas, or temple servants and the class of men who are available elsewhere to serve as chairman and members of the union is not available at Ramesvaram. Under these circumstances, and in view of the extreme importance of Ramesvaram and of the introduction of a water-supply scheme, I would strongly recommend that a full-time officer of the grade of Tahsildar be appointed as chairman of the union. This officer may also be entrusted with the duty of looking after Dhanushkodi, Devipatnam and Dharbhasayanam under the general direction of the President of the Taluk Board, Ramnad. The appointment of an administrative officer and a sanitary officer for Ramesvaram and the connected shrines is absolutely necessary in the peculiar circumstances of the case, and the entertainment of these officers and the additional staff for conservancy in these areas will involve at least an annual expenditure of Rs. 8,000.

“ That is the portion relevant to the present resolution. I also received a communication subsequent to this resolution in which I have been informed that steps have been taken by the Government to give effect to the recommendations of the Pilgrim Committee. One of the recommendations that is relevant to this resolution is the appointment of a health officer. I see there has been considerable correspondence between the District Board of Ramnad and the Government and ultimately it has been decided to appoint a health officer, provided that the Ramnad District Board contributes half the cost. There the matter stands. The further question I wish to raise is whether in regard to this change in the administration Ramnad District Board would be consulted. It is only after consultation I trust that steps would be taken, and if the District Board of Ramnad is not prepared to pay for a sanitary officer I would strongly urge that the whole cost in Ramesvaram and Dhanushkodi should be met from the Provincial funds. It is extremely important that the floating population of three or four lakhs which go to this place where there are no sanitary arrangements should be amply protected, not only in the interests of Ramesvaram itself but also of other places from which the pilgrims come there.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“ Your Excellency, the Pilgrim Committee gave us a very valuable report, and I quite agree that everything that we could do should be done to carry out their recommendations. But the Honourable Members no doubt recognize that this is not a matter wholly in the hands of the Government. Most of the things will have to be done by the local bodies. We have had a considerable volume of correspondence between the Government and the local bodies as to what should be done with regard to specific recommendations. As to what has been carried out, I have reason to believe from the information I have that a great deal has been done, but in the absence of a definite statement as to what has been done and not knowing what has been done, we are issuing a press communique stating clearly what are the recommendations of the Pilgrim Committee, what action was taken thereon, how much of these things has been carried out and which of them remain with the Government, which of them the Government have vetoed and which of them are with the local bodies. It is brought up to the end of December and when this is issued the Honourable Member will see how the whole thing is dealt with. Such of the district boards as are interested in particular pilgrim centres will know what they have to do and how they should do it. Till that is done it is difficult for me to say what exactly will be the financial liability in the current year. The Government agree to allot a sum of Rs. 1 lakh for this purpose which will also be added to the sanitary grant, but as in the case of other grants it will be earmarked; it will be used only for pilgrim centres and if it is not spent for that purpose it will lapse and it will not be open to the local bodies to transfer it. The Government of India have been so good as to tell us that they will be glad to give us another half a lakh, so that this province will get one and a half lakhs. Information about all these centres will be available in the press communique and it will be open to the Honourable Member to write to us and ask us for any further information and we shall be glad to welcome any suggestions he has to make. In these circumstances I do not think it is necessary to press this resolution.”

The Hon'ble Mr. P. SIVA RAO :—“ I do not wish to press it. I wish to get some information from the Honourable Member. Only certain pilgrim centres are dealt with in that report and the committee observe that there are many other places of equal importance. Was the reference sent only to the centres specially referred to in the report or to all pilgrim centres?”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“ The report deals with certain pilgrim centres and the reference was sent only to the local bodies concerned with.”

The Hon'ble Mr. P. SIVA RAO :—“ They were able to visit only these centres, but the committee recognize there are other pilgrim centres of equal importance. I might mention the

(Mr. M. Ramachandra Rao.) [7TH FEBRUARY 1919.]

RESOLUTION RE PROVISION FOR THE IMPROVEMENT OF WATER-SUPPLY AND DRAINAGE OF GUNTUR TOWN.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—“ My Lord, the resolution which I have the honour to move runs as follows :—

‘**XLI. This Council recommends to the Governor in Council that a sum of Rs. 1,50,000 be provided under XXIV-B. Grants to local bodies—for the improvement of the water-supply and drainage of Guntur town and for the acquisition of vacant sites and that a corresponding reduction be made under 45. Civil Works—Civil Buildings.**’

“ This resolution relates to a grant of one lakh and fifty thousand rupees to the municipality of Guntur. After having heard the remarks of the Hon'ble Mr. Rajagopala Achariyar yesterday in regard to making specific requests it is perhaps better that I should say a few words showing the urgent necessity for making this grant. I do not know whether the Hon'ble Mr. Rajagopala Achariyar has visited the town of Guntur. I rather think that he has not. My Lord, that this grant of Rs. 1.50 lakhs has been applied for by the Municipal Council for three purposes. The first and foremost relates to water-supply. The scheme of water-supply for the town of Guntur is what is known as an infiltration scheme, and though up to the present a considerable amount of money has been spent, the people are not able to get more than three to four gallons per head a day. The pipe-laying has not been extended to the various outlying parts of the town. There is considerable difficulty for water in the town of Guntur. Your Excellency has been to Guntur and I am sure the difficulties of the people will be fully realized.

“ The Chairman of the municipality writes to me as follows :—‘ There are several parts of the town to which the pipe-line has not been extended and unless satisfactory improvements are effected at the head-work there is no likelihood of the pipe-line being ever extended to Brodiepet, public offices, officers' quarters, Koritepadu, Nagarampalem and other localities and these improvements cannot be undertaken from municipal funds inasmuch as the council has still to pay for six years more a loan of Rs. 58,430.’ Then, my Lord, he also points out that there are several other works connected with water-works, recommended by the Sanitary Engineer and they cost a considerable sum of money. A comprehensive scheme for Rs. 1,09,120 was sent up by the Sanitary Engineer and is now with the Government awaiting sanction. Unless this scheme is immediately given effect to, the people will continue to be under the same disability as they have been in notwithstanding the water-supply scheme for the town. Three to four gallons per head is hardly sufficient for a town of that size and importance. Therefore, my first request is that this estimate of the Sanitary Engineer which is now with the Government for Rs. 1,09,120 for the improvement of the water-supply should be sanctioned and the necessary funds should be allotted without any delay.

“ My Lord, this has been the crying evil in Guntur for several years and the people have a legitimate grievance that notwithstanding that a considerable amount of money has been expended they are not able to get a fair return. House connexions have not been made and though the scheme has been in operation for five years still nothing has been done in this connexion, and this is one of the objects which deserve the sympathetic consideration of the Government.

“ The next object is in regard to the drainage. In connexion with this matter there may be a large comprehensive scheme for the drainage of the whole town. But I understand recently that a scheme costing Rs. 16,775 has been sent up through the Sanitary Engineer for the purpose of extending two of the most important open drains in the congested portions of the town to the outskirts and for providing a sewage farm for the disposal of the sullage water, and this is also a matter for very urgent reform. The town is a hot-bed of many diseases and recently plague has broken out and there is considerable alarm felt as to the health of the town. Therefore, my Lord, this grant is required for the purpose of extending two of these open drains in this congested portion. I do not think that this question can be hung up, pending the sanction of the comprehensive drainage scheme which, I understand, is also under preparation and is estimated to cost three lakhs. This small grant would probably do much more good than the comprehensive scheme which it will take several years to elaborate. This is the second item.

“ The third item to which I would invite the attention of the Honourable Members is with reference to the town extension scheme. The Zamindars of Vuyyuru, Bbadrachalam and Mirzapur estates own open grounds right in the centre of the town about 60 to 70 acres and this the council wishes to acquire. Of this 17.44 acres are required for town extension, 10 acres for a park, 10 for the industrial school, 5 acres for markets and the total cost of these may be able to find the money for this purpose. In the meanwhile the zamindars are likely to dispose of the sites in portions to various speculators with the result that what is now fore, my Lord, in order to prevent the sale of the open sites available right in the centre, it seems to me far better to spend some money now than to allow them to be sold by the zamindars to speculators who will make a good deal of profit by disposing of them to other persons. It is for

7TH FEBRUARY 1919.] (Mr. M. Ramachandra Rao ; Mr. Rajagopala Achariyar.)

these three purposes which are urgent needs that I venture to place this resolution before this Council and I trust that Your Excellency's Government will find it convenient to accept this resolution.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“ Your Excellency, I wish to indicate briefly the position with regard to these matters. The question of augmenting the supply at the head-works has been engaging attention for a long time and various investigations have been made. In 1917 the Assistant Sanitary Engineer submitted plans and estimates amounting to Rs. 82,500 for certain improvements to the water-works and also an estimate amounting to Rs. 20,000 for digging a deep trench or an open gallery to a length of 1,600 feet. The idea was to excavate the gallery in the first instance and to decide what works will be required in connexion with the scheme after the results of the experimental gallery were known. In forwarding these estimates the Sanitary Engineer expressed the opinion that it would be sufficient in the first instance to excavate the gallery up to a length of only 800 feet and to put down a few additional borings. The cost of these experimental works was estimated at Rupees 14,500 and this proposal was eventually approved by the Chief Engineer and sanctioned by the Sanitary Board. These works are now under execution by the Public Works Department. The anticipated expenditure for the current year, 1918-19, is Rs. 12,000 which has been provided by the Council, so that only Rs. 2,500 will be needed for the next year when the work is expected to be completed. It is only when the results of these experiments are known that it can be settled what future works will be actually required. In these circumstances, it seems rather premature now to provide for any grant for the water-works improvement. That is the situation so far as the water-works are concerned, viz., that we are conducting experiments and provision for the experiments is made in the budget for 1919-20. Till these experiments are completed, we can not know where we should stand and we should not commit ourselves to any definite scheme for amplifying the supply of water. As soon as that is done, we shall know where we stand and we shall put ourselves in communication with the Municipal Council. If we now make any further grant to the municipality, the money will lapse as it could not be spent.

“ I now come to the drainage. The investigation of the drainage scheme has been completed, but plans and estimates have not yet been prepared. I see from the latest progress report that the scheme, as mentioned by the Honourable Member, would cost about Rs. 3 lakhs and the preparation of the plans and estimates will be taken up in the order of urgency. There also, so far as the general scheme is concerned, we should not provide any money just now. We must get the plans and estimates ; they must be scrutinized and approved, and then the financing must be considered, how much is to be given by the Government by way of grants and how much the municipality should bear, and in regard to the latter how the Council can finance it, whether by a loan or otherwise. Until all that is done, it is premature to make any allotment for the drainage scheme.

“ The Honourable Member has referred to some other works of a minor nature for which the Municipal Council wants a sum of Rs. 16,000. It is true that the municipality of Guntur has recently applied for an allotment of Rs. 16,675 as a minor sanitary grant for 1919-20 for the construction of certain drains in advance of the regular scheme. The question of giving this grant can be considered only when the estimates which have been sent to the Sanitary Engineer have received his sanction. Therefore I must deprecate the construction of drains piecemeal. I have not had the privilege of visiting Guntur, at any rate in recent years, and my knowledge of it is quite antiquated. But it has been found elsewhere that the very worst thing that a local body can do is to construct drains piecemeal, construct a drain here, another there and a third elsewhere. If you do so, finally you will find that these things do not fit in with one another and it will be a serious matter for us to commit ourselves to an expenditure of Rs. 16,000 in constructing a few drains in one place in advance of the big drainage scheme, for which we have to prepare plans and estimates, without any idea as to how these few drains will fit in with the general scheme. I do not want to say anything on the merits of that scheme. The Sanitary Engineer will no doubt look into it and we will postpone our decision till we know what the Sanitary Engineer says. If he approves of it, the question of giving this sum to the Guntur Council will have to be taken up along with the needs of other districts in the distribution of minor sanitary grants which will have to come out of the 5 lakhs in the Sanitary budget.

“ Then in regard to the acquisition of vacant sites, this question is a pretty old one, and various recommendations have been made from time to time. The council has not applied for any special grant for this scheme. Recently however it has proposed the acquisition of land to the extent of 17.44 acres. That is what the Honourable Member is referring to, and the council has applied for permission to submit an application for a loan of Rs. 60,000 to meet the cost of this acquisition. The Sanitary Commissioner has approved the site and the question of giving a loan is under the consideration of the Government. In regard to town extension the Honourable Member is no doubt aware that the question of a grant seldom arises. It is found that a loan is all that is needed. If it raises money and buys a large area and then sells it in small bits, the local body seldom loses over a transaction of this sort. What is wanted is to apply for a loan and start the operation. An application has come for a loan and the application has to be examined with reference to a number of circumstances. It is being examined and if it is found that it is a reasonable thing it will be sanctioned.

“ This is the situation in regard to these matters mentioned by the Honourable Member. I recognize that Guntur is an important place and the questions of water-supply, drainage and congestion are certainly important things. I do not put them as small things the mention of

(Mr. Rajagopala Achariyar ; Mr. M. Ramachandra Rao.) [7TH FEBRUARY 1919.]

which I deprecated yesterday. But in order to provide funds in the budget we have to be reasonably certain that these funds will be utilized in the coming year; otherwise we will be locking up the money. For these reasons I deprecate the acceptance of this resolution."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, I do not wish to detain the Council. I wish to point out that so far as the question of drainage is concerned, with reference to the two open drains it is the Sanitary Engineer that has sent in an estimate for Rs. 16,775. They are my instructions—that it is the Sanitary Engineer that has submitted the estimate. I take it therefore that if the Sanitary Engineer sent in the estimate, he must have considered the question whether these two drains would fit in with the general comprehensive scheme for drainage. As regards the question of drainage it seems to have been considered by the Sanitary authorities with a view to see whether the construction of these two open drains will fit in with the general scheme. This estimate of the Sanitary Engineer will have reached the Government."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I will have it verified."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"With regard to the open space I generally agree with the remarks made by the Honourable Member in regard to the financing of town extensions. If the scheme pays and there is a likelihood of money being repaid by reselling the sites, certainly the best way is by way of a loan. The municipality seems to have a proposal to reserve a portion of this site as a park and the application for a loan is for the town extension scheme. The extent of the site is 17 acres and 44 cents. That will pay itself out of the loan. As regards reserving a portion of the available site for a park, the cost of it can never be recovered and it cannot be met by taking a loan. Perhaps that is not included in the letter addressed by the Chairman to the Government, but he tells me that there is a proposal to acquire and reserve a portion of this site for opening a park to form as it were the lung of the town. If there are proposals before the Government, I trust they would receive consideration."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The Council did not apply for a grant for that particular purpose, but only a loan for other purposes."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Town extension purposes 17.44 acres, 10 acres for park, 10 for industrial school and 5 acres for the chilly market."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Five acres for a chilly market? (Laughter.)"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Chilly is a staple product of Guntur. Twenty thousand tons is Mr. Wood's estimate of the annual export."

"With regard to the water-supply scheme, I take it that the idea of the experiments is to see whether a further scheme can be carried out—the allotment of Rs. 14,000 is to carry out experiments for the purpose of giving effect to the scheme for which estimates have reached the Government."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"To see whether it should be proceeded with."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"If the experiments are successful, I hope they will receive the sympathetic consideration of the Government."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Certainly."

With the permission of His Excellency the President, the resolution was withdrawn.

XXI-A. & 26-A. Agriculture.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I beg to introduce the head 'Agriculture'."

RESOLUTION RE PROVISION FOR INVESTIGATION OF PADDY PESTS IN THE GODAVARI AND KISTNA DELTAS.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO moved the following resolution:—

'XLII. This Council recommends to the Governor in Council that a sum of Rs. 10,000 be set apart for the investigation of the paddy pests in the Godavari and Kistna deltas and that the necessary provision be made under XXVI-A. Agriculture, and that a corresponding reduction be made under 45-B. CIVIL WORKS—Civil Buildings.'

In doing so he said:—"This resolution relates to the question of further investigation about paddy pests in the Godavari and Kistna deltas. My Lord, during the last two or three years in these two deltas there have been pests which have done considerable damage and havoc. We have on the agenda of this meeting the Pests Bill, and this is a suitable opportunity to demonstrate the preventive and remedial measures which are recommended in that Bill to the ryots. So far as I know about the subject, this question of investigating paddy pests should receive further attention by actual experiments on the ground. I therefore propose that during the coming year the Government should set apart Rs. 10,000 for the purpose of appointing a special officer

7TH FEBRUARY 1919.] (Mr. M. Ramachandra Rao ; Mr. Rajagopala Achariyar.)

or Entomologist to be sent to these two districts so that experiments on the spot might be taken up. Whatever remedies are suggested—I know some remedies have been suggested—should be actually applied and the results verified. A great deal of harm has been done during the last two or three years and I trust that this small sum will be found for the purpose."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, it would probably be convenient to the Council to know exactly how this matter stands in these two districts of Godavari and Kistna. I will give a brief account of it to show, as I am anxious to show, what the Agricultural Department has been doing in this matter. Reports that paddy seedlings in Kistna were seriously damaged by insects were received in July 1917 from the Bhimavaram Taluk Association and from the Assistant Director of Agriculture who had heard of the fact although Kistna is not in his jurisdiction. An Entomological Assistant was sent from Coimbatore. The insects had by that time disappeared, but it was ascertained that they were a caterpillar, and probably the well-known swarming caterpillar of paddy—spodoptera. Ryots were advised as to the remedies to be adopted in case of further attacks. The pest can easily be controlled by flooding the field, especially if a little kerosene oil is placed on the irrigation water. The ryots are used to controlling such pests by flooding, but in this case could not do so as there was no water in the canals. It was pointed out to the Bhimavaram Taluk Association by the Director of Agriculture that his department could have rendered help if the pest had been reported promptly in May. He also invited the attention of the Collector to the fact that no reports had been received from the village officers or tahsildars and asked him to wire information in future in such cases. A report was received from the tahsildar of Tanuku in October 1917 that the paddy crops were affected with further disease. Two agricultural subordinates were promptly sent from the I Circle and an Entomological Assistant from Coimbatore. The disease was found to be partly due to the damage already done to the seedlings by the previous attack and partly to another insect—the stem-borer caterpillar. There is no remedy for this once it is in the crop as the caterpillar lives inside the plant. Prevention is the only cure and the best preventive measure is the light trap for catching moths. Ryots were advised, and it is on record that three at least set up light traps and caught a number of moths, each of which would otherwise have laid a large number of eggs which would have developed into caterpillars in due course. Other measures, such as collecting eggs, clearing bunts of weeds and burning stubble were also advocated."

"In May 1918 the Government Entomologist edited a circular drawn up by the Collector of Kistna advising ryots as to the remedies to be adopted in case of recurrence of these pests. This was translated and circulated. An Entomological Assistant from Coimbatore toured and advised the ryots. No serious outbreak of pests was found then."

"In October 1918 the tahsildars of Bhimavaram and Tanuku reported further disease. An Entomological Assistant was sent and he found that the disease was mainly due to the stem-borer. His tour was cut short by influenza which paralysed the activities of the whole staff at that time. So far in regard to the Kistna district."

"In the adjoining taluks of Godavari the stem-borer was prevalent during 1917 and the Assistant Director of Agriculture, I Circle, and his assistants gave advice to the ryots on their tour as to remedies."

"I have just stated what has been done. Then about the question of investigation, the ordinary insect pests of paddy in Madras have already been investigated. The facts will be found in bulletin No. 67 where 25 insects are mentioned and the possible remedies indicated. The general methods of controlling insect attacks are summed up in leaflets Nos. 3 and 4 of 1914. What is needed is not further investigation but a campaign among the ryots in the infected locality to demonstrate methods of control to them. This can only be done by the district agricultural staff. We have such a staff in Godavari but none in Kistna as yet. The northern taluks of Kistna have recently been transferred to the I Circle, however, and will be provided with the staff from that circle as soon as possible. The Deputy Director of Agriculture, I Circle, and the Government Entomologist have been asked to arrange for a definite large scale demonstration of the use of light traps and other methods of control of the stem-borer this year in the affected tracts."

"In view of this statement I trust the Honourable Member will see that we have all the information, and what is needed is a regular campaign, and in conducting this campaign the new Bill which will be soon before the Council will be of some use in strengthening the hands of the Agricultural Department. So far as funds are concerned, the Agricultural Department has ample funds and the district staff is being strengthened all over. I confidently look forward to the time when it will be a comparatively easy thing to cope with this matter in co-operation with the ryots."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I was aware of all that the Honourable Member has said with regard to what was done. The feeling of the ryots is that a good deal of pen and ink is being wasted by reports and cross reports and by people being asked to go here and there. What they would appreciate more is the investigation by demonstration to see whether any of the methods recommended by the Agricultural Department are successful in the eradication of these pests. I know that Mr. Campbell was in charge at the time of the issue of the circular. He is also aware of the great clamour of the ryots on account of the paddy pests. What the ryots would appreciate is that the officers who advocate these remedies should apply them on the spot, verify the results and show whether the remedies suggested are really successful and economical. That is really a part of investigation work. The Honourable

(Mr. M. Ramachandra Rao ; Mr. Rajagopala Achariyar ; [7TH FEBRUARY 1919.
Mr. Ranga Achariyar ; the President.]

Member chooses to call it demonstration. I do not object to that term being used. But what would be very much appreciated is that a certain sum of money should be set apart for this demonstration at the time when the pests are on the ground and the necessary remedies advocated by the Agricultural Department applied and these traps should be used and we must then see what the result will be. Perhaps the feeling of some ryots is just like the feeling of a man when he heard of the bug remedy. Honourable Members are aware of the famous bug remedy which was advertised in the papers. It was altogether a failure. When the inventor was asked what should be done he said you must catch a bug and open its mouth and put the medicine in its mouth and then it will certainly die. It may be that some of the nostrums—I have great respect for the gentlemen of the Agricultural Department—these light traps recommended to the ryots for catching moths may be such as to call forth a hearty laughter."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The flooding has been successful."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Yes, the flooding has been successful. Let us demonstrate it to them and see if it is successful and then let us revise our opinions as to the remedies. That is all that I am advocating. I know that a certain amount of attention has been paid. It is not necessary to give advice. I may perhaps call it irresponsible advice. How far this advice is useful and successful in the eradication of these diseases must be demonstrated. If the Honourable Member thinks that it is not necessary to provide money, if he gives me an assurance that he would demonstrate on the lines advocated by the officers of the Agricultural Department, on the lines of the advice given to the ryots—it would be much more satisfactory if that advice is carried out by the officers of that department as an experimental measure—if he says that that at least will be done, I do not wish to press the resolution."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"May I make a suggestion? I dare say it is being carried out already. In these matters of dealing with agricultural pests and insects, I dare say that the experienced ryots will give great aid to the department. I do not know if it will not be wise to depute some officers of the rank of Revenue Inspectors to go about and collect information as to how the ryots deal with the diseases. That sort of information will be useful. Probably in one tract one method is adopted and in another, another method. I do not suggest that they are not doing it already. I only throw it out for information, that information may be collected in that way by the department. I would say that about 20 more officers may be deputed to collect information like that and that money will be well spent."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I propose to communicate a copy of this discussion to the Director of Agriculture. I think that would be the best course. I am sure he will be very glad to read what the Hon'ble Mr. Ramachandra Rao and the Hon'ble Mr. Ranga Achariyar have said. So far as I am concerned, I am aware that of the two processes of investigation and demonstration, investigation cannot be done under the eyes of the ryots. Investigation is done by the department in their own way. Demonstration, I quite agree with the Honourable Member, should be done in such a way as to carry conviction to the ryot. That is the main point, and till I know anything to the contrary I assume that will be done; otherwise it would not be demonstration. Merely issuing leaflets and going away will not serve any purpose. Our officers should be there and do what is needed to stop the thing and guide the ryots. If it is done in one place others will follow it. I am sure that the Director of Agriculture and his staff understand it in that way. In any case the discussion will be communicated to him, and I am sure it will be of assistance to him. Under these circumstances there is no need for a further allotment so far as investigation is concerned."

With the permission of His Excellency the President the resolution was withdrawn.

XXI-B. & 26-B. Scientific and Miscellaneous Departments.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I beg to introduce the head 'scientific and miscellaneous departments.' I have been asked for information on two points by the Hon'ble Mr. Ramanaia Achariyar. I am sorry he is not here. I suppose I must give the information even if he is not here."

His Excellency the PRESIDENT:—"Yes."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The Hon'ble Mr. Ramanaia Achariyar asks what is the necessity for the retention of the office of the Director of Civil Supplies next year when the war has come to a close. The answer is that the duties of the Director of Civil Supplies as stated in answer to a question put at the last meeting, include the regulation of food supplies throughout the Presidency. The cessation of hostilities has unfortunately not had the immediate effect which the Honourable Member attributes to it, of restoring the railway system to its original state of efficiency. It may take a considerable time probably to replace the deficiencies in rolling stock which have accumulated during the last four years, and as Honourable Members are no doubt aware, grain prices are still very high and the Government are being urged to take further and more comprehensive measures of control than have hitherto been resorted to. In these circumstances, the retention of the appointment will be necessary for some time. Hence the provision for it in the budget for the year 1919-20."

7TH FEBRUARY 1919.] (Mr. Rajagopala Achariyar ; Mr. Yaqub Hasan ;
the President.)

"The Honourable Member has also asked why the Cinchona department shows smaller net receipts. The smaller net receipts anticipated in 1919-20 are due to two causes. The first is an increase of about Rs. 60,000 in expenditure, the main cause of which is the sum of Rs. 70,000 provided for the purchase of European stores. This sum was provided in the budget for 1918-19 but owing to causes connected with the war it is not expected to be expended in the year and therefore has been repeated in the year 1919-20. The largeness of the sum is due to the heavy rise in the price of European stores, especially caustic soda. The other reason is smaller receipts from the sale of quinine due to the inferior quality of the bark which is expected to be worked up during the year. In the years prior to 1913-14 large purchases were made of cinchona bark grown in Java and possessing large quinine contents. These supplies of Java bark are now exhausted and it has been found impossible to obtain any more bark of similar quality. Accordingly the bark to be worked up during the coming year will be bark grown in India which is markedly inferior to that previously obtained from Java and thus gives a smaller yield of quinine and consequently smaller receipts and reduced profits. That is the information I have to give on the two matters on which the Hon'ble Mr. Ramanaia Achariyar has asked for information."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"May I ask?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (interrupting):—"Have you given notice?"

His Excellency the PRESIDENT:—"Probably you may be in a position to give it without notice."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"As regards the provision of Rs. 5 lakhs for soap-making experiments, I wish to know whether there are any particulars available."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Probably it will be more convenient to give it when the Honourable Member moves his resolution."

RESOLUTION RE PROPOSAL TO ABOLISH THE APPOINTMENT OF DIRECTOR OF FISHERIES AND TO INCREASE THE SALARY OF THE ASSISTANT DIRECTOR.

The Hon'ble YAQUB HASAN SAHIB Bahadur moved the following resolution:—

'XLIII. This Council recommends to His Excellency the Governor in Council that the provision of Rs. 15,000 as salary of the Director of Fisheries under the head 26-Bk. Scientific and Miscellaneous Departments be omitted and the provision for the salary of the Assistant Director of Fisheries be raised from Rs. 4,800 to Rs. 7,200 the grade of that office to be fixed at Rs. 600-50-950.'

In doing so he said:—"In my opinion there is no longer any necessity for a separate Director for the Fisheries. This department can with advantage be placed under the Director of Industries just as the soap works which was started in connexion with the Fisheries is now transferred to the Department of Industries."

There are four branches of the Fisheries Department:—

1. Marine Biologist's Branch consists of Tuticorin fish farm and Pulicat oyster farm. Preparation of marine zoological specimens for educating work, beche de mer preparation, scientific and practical investigation and writing of bulletin are also entrusted to this branch.

2. Pearl and oyster branch over the whole coast from Madras to Cape Comorin.

3. Pisciculturists branch—fish farms at Sunkesula and at Ippur, larvicidal work, breeding of fish in inland waters, conservancy of various waters, scientific survey of the water of the Presidency, etc.

4. Director's branch—Technical work at Tanur and the Cannery, refrigeration of shoal fish, supervision of oil and guano factories. In shore fishing operations socio-economic work and education are included.

The first two branches which are on the eastern coast are in charge of the Marine Biologist Mr. James Hornell.

"The third branch was in charge of the Pisciculturist, the late Mr. Wilson. Mr. Govindan, the Assistant Director is looking after it since February 1918.

"In the Director's branch the Honorary Director Sir Nicholson was always assisted by the Assistant Director Mr. Govindan and now by the acting Assistant Director Mr. Sundaraj whose substantive office is that of assistant to the Pisciculturist.

"In every annual report Sir Nicholson spoke very highly of Mr. Govindan's work. The Industrial Commission report makes a special mention of him as a "highly educated gentleman, himself of the fisherman's caste with European scientific training."

"Sir Frederick Nicholson has organized the department in a thorough manner. He has made each branch a complete organization by itself and has trained the Assistant Director to look after the Director's branch in the most efficient manner.

"I want the present system to continue and not to be disturbed on any account."

(Mr. Yaqub Hasan.)

[7TH FEBRUARY 1919.]

"Let Mr. Hornell continue to work in the branch he is in charge of. Let a Pisciculturist expert be put in charge of that branch with Mr. Sundaraj as his Assistant till the latter gentleman in the usual course takes charge of it himself. Let Mr. Govindan revert to the post of Assistant Director for Fisheries in order that he may further develop the several works he has himself initiated under the inspiring direction of Sir Frederic Nicholson. The soap works are already transferred to the Department of Industries though the soap expert Mr. Menon is still working under Sir Frederick in his individual capacity and not as the Honorary Director of Fisheries."

"All these branches of the Fisheries should be placed under the direct control of the Director of Industries."

"There should be co-ordination among all the industrial works in this Presidency and that can only be secured by placing all of them under the control of one Director or Commissioner of Industries."

"The plea that the Director of Industries knows very little about Fisheries cannot be advanced as a reason for keeping that department separate. No Director of Industries can be expected to be an expert in all the industries in his charge. He can be an expert in one or two lines and an Indian Civil Service man has no technical knowledge of any Industries and yet he supervises them. He is assisted by experts in each department and will have the assistance of Marine Biologist, Pisciculturist and the Assistant Director of the Department of Fisheries as he has the assistance of leather expert, dye expert, soap expert and weaving and other experts in other departments under his control."

"There has been a difficulty in finding a suitable successor to Sir Frederic Nicholson. In the report for 1915-16 it is stated that 'the negotiations for a new expert Director did not materialize and the first officer has had to carry on.' The same sentence is repeated in the report for 1916-17. None of their staff Mr. Wilson or Mr. Hornell was thought of as a suitable successor during the last three or four years. Even the idea of bringing any one from abroad to take this place seems to have been dropped and no mention is made in the last report for 1917-18 of appointing a new Director."

"There will be much difficulty in filling this post by promoting to it one of the present members of the staff. Mr. Wilson the Pisciculturist who was in closer contact with the Honorary Director in his work on the Malabar coast is dead. Mr. Hornell was more concerned with chanks than with the principal technical work of the Department—the work for which the department was founded. According to the *Indian Trades Journal*, an official organ, he does not appear to have given satisfaction to his former employers in Ceylon and was asked to resign his appointment there. It is significant that his Assistant there succeeded to his post. It should be the dictate of common sense that Mr. Hornell should continue in the place where he has made himself useful and where he has been a source of good profit to the department by the advantageous sale of chank. Financially he will not suffer if he is not promoted to the Directorate for he is in the grade of Rs. 950-50-1,250, is now getting Rs. 1,100 and will soon get Rs. 1,250 the pay fixed for the Director."

"In the natural order of things it is the Assistant who has been working immediately under a Director who is entitled to succeed to the Director's post. Whenever this order was disturbed—the result has almost invariably been disastrous. The best course therefore to adopt in the case of Fisheries should be to instal in Sir Frederick Nicholson's chair a person who was his immediate subordinate whom he took with him to Europe to study the modern methods (I happened to be in Europe at the time and watched the movements of these two gentlemen with much interest) whom he took the special trouble to train and who has been conducting the very work which the Director had kept in his own personal charge, who has not merely carried out mechanically the work entrusted to him but has also initiated many a thing which evoked admiration from Sir Nicholson—I say the best and most natural course should have been to put Mr. Govindan in the place to be soon vacated by Sir Frederick. But Mr. Govindan has one defect which outweighs all his qualifications and that is that he has brown pigment in the texture of his skin. The pay of his post was fixed at 250-10-400 but he was started on 400. If I remember aright Mr. Hornell was also started on the same pay. But the latter officer managed to have his grade fixed at 950-50-1,250; consistent with this the grade of the Pisciculturist was also fixed on the same terms no doubt with a view to put a European in it. I find that in this year's budget that grade is removed and only Rs. 750 appears as the pay of the post."

"I do not want even Mr. Govindan to take the place of Sir Frederick Nicholson. He should continue to remain as Assistant Director. Instead of being Assistant to the Director of Fisheries he should in future be assistant to the Director of Industries. In that capacity he would carry on the industrial work so ably inaugurated by his superior officer. In recognition of his abilities and good work his salary should be raised. I do not propose that it should be raised to the graded pay that the Marine Biologist and Pisciculturist enjoy. Indians should be content to serve their country and Government on lesser pay than what a European is willing to give his service for. I propose in this resolution that the salaries of the Assistant Director for the Fisheries Department be fixed at Rs. 600-50-950. Thus the maximum pay of this appointment will be equal to the minimum pay of the other two officers in the same department."

"I conclude by repeating that the four branches of this department are so well organized that they can work by themselves under the directions of the Director of Industries assisted by

[7TH FEBRUARY 1919.] (Mr. Yaqub Hasan; Mr. Rajagopala Achariyar.)

an Assistant Director and that no separate Director is necessary for this department. It will be against the recommendation of the Industrial Commission if this department is not brought in touch with other departments of industries and placed under one Controller of Industries."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the Honourable Member's proposal, as appears from his resolution, is to omit the provision for the headship of the Fisheries department and to increase the salary of the Assistant Director to Rs. 600-50-950. He deprives the department of its head. Now the Honourable Member has been so good in supporting this resolution as to make a number of suggestions as to the lines on which the department could with advantage be reorganized."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"I have said that it should not be disturbed and should get on as it is."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I am paraphrasing, all right. He has been so good as to criticize the capacity and judgment of several officers, he has told us who may be put away and he also lamented the fact that one of the officers would probably have been in a higher place but for the fact that he belonged to a certain nationality. All that I can say is, if we in this Council are going to deal with these personal questions—I do not say that members have no right to do so—it is a matter for consideration where it is likely to lead to. Taking this case, what must be the feeling of Mr. Govindan who is a gentleman for whom I have very high regard? I believe that my regard for him is as great as that of the Honourable Member. I have known him for a long time, from the time he was a boy. What would be his feeling when he reads the Honourable Member's speech? The Honourable Member says Mr. Govindan would have been the head of the department but for the man who has been so and so, and we are discussing his pay. All this cannot be agreeable to public servants. There is no necessity to bring in the personal element. Let us by all means do that if it is necessary, but the question is whether a resolution like this cannot be dealt with without any reference to such things."

"Having said that, I now propose to deal with the Honourable Member's proposal. The Honourable Member says the Assistant Director should be the Director. His proposal is that there should be no need for this department. If you want a head, let the head of some other department be its head. All that I can say is I should be extremely sorry for any department which has made substantial progress; it has which is treated like that. Here is a department which has made substantial progress; it has made a record of which we are all proud. I have a long note before me giving the organization and work of the Fisheries department which I do not propose to inflict on the Council. The Honourable Member referred to what the Industrial Commission have said. This is what they said of the Fisheries department which the Honourable Member now proposes to deprive of its head:

"The Madras Fisheries department has shown that much can be done to improve the methods of sea fishermen in drying fish and preparing fish oil and fish manure. As a result of its exertions some 250 small fish oil factories have been established along the coast, mainly by the fishermen themselves; and still further improvements in the preparation of the oil have been worked out by Sir Frederick Nicholson, the Honorary Director. The possibility of preparing tinned and cured fish of high quality has been amply demonstrated on a commercial scale. Co-operative societies have been started among fishermen and seem likely in course of time to prove both successful in themselves and valuable in developing a sense of self-respect and a higher standard of comfort among their members. Much experimental work has also been done in connexion with the stocking of tanks, rivers and canals with fresh water fish, and the cultivation of certain species in lagoon waters offers very promising prospects. We think that the Fisheries department deserves even fuller support from Government, especially in the further development of deep-sea fishing. The capture, preservation and transport of deep-sea fish require investigation and demonstration on a commercial scale. An organization for the marketing of the fish will also have to be provided. Owing to the present uncertainty of the results and the various difficulties interposed by the strong position of middlemen, the absence of refrigerating storage and other causes are many obstacles to overcome, and private enterprise is not likely to enter this field until Government has fully shown the possibilities of the industry and expert employers are available."

"All this progress the department has made, because it had a very capable head Sir Frederick Nicholson who it so happened served without any remuneration and who was the Honorary Director and is, I take it, still so. But I take it we cannot always expect honorary heads for our departments. Sir Frederick Nicholson notified us about a year ago that he wanted to hand over the work and we had to face the question of the re-organization of the department. After full consideration of the question and after discussing all the details, we re-organized it on these lines, namely by providing a Marine Assistant, a Marine Biologist, an Assistant Director, a Piscicultural Assistant and nine sub-assistants. The senior officer, Mr. Hornell, has been promoted as the head on the recommendation of Sir Frederick Nicholson. That is the best way of continuing the work. Now if you throw the whole thing overboard and leave this department to be vicariously dealt with by the head of another department, you cannot do anything worse. You cannot have a highly paid department without a head. The task of co-ordination is always very important, and I do not think that we can at all accept this proposal to omit the Director of Fisheries from our budget and to leave the department to be managed as proposed by the Honourable Member. For obvious reasons I refrain from going

(Mr. Rajagopala Achariyar ; Mr. Yaqub Hasan.) [7TH FEBRUARY 1919]

into the merits of Mr. Govindan and the question of pay. He was given an increase of pay after very full consideration. I leave it there, I do not propose to go into —."

The Hon'ble Yaqub Hasan Sahib Bahadur (interrupting):—"Has he been given an increase of pay?"

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar:—"He was in the grade of Rs. 400; we have now put him on Rs. 500. That increase was given after full consideration of what we thought proper in the case."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Your Excellency, I myself wanted to refrain from going into the personal aspect of the question. But the question itself is such that I could not avoid it. I wanted to refrain for two reasons. One is, as suggested by the Hon'ble Mr. Rajagopala Achariyar, that the feelings of Mr. Govindan will be hurt by the reference to him or to his department. No doubt he will feel awkward that his qualities are spoken of in this manner. But I could not help mentioning him. I have been taking much interest in this department as well as other industrial departments and from the reports that I have been reading in connexion with fisheries as well as other departments of industries, I found that in some industrial matters things are being done on the right line and that it is being done by certain persons and the very persons who are working satisfactorily are not encouraged as they ought to be. So unless the name of the persons is brought in, it is difficult to deal with the departments or with their work in an abstract manner. Here is a very good illustration. The Hon'ble Mr. Rajagopala Achariyar did not like my reference to the colour of Mr. Govindan but can anybody who looks at these things for a moment believe that but for that officer being an Indian he would not have been enjoying better salary and better status than he does? That is quite obvious. He cannot get away from it. I myself said in my speech that I did not want to raise him to the same salary as the European people are getting. I recognize that when Europeans come to a foreign country and they give their services for the benefit of that country, they are almost exiles from their home and they must be compensated and therefore they must get better salaries than the Indian. But at the same time Indians also should be given a salary which is commensurate with their work. Sir Frederick Nicholson has done so much good work and we gratefully recognize it. We are grateful to him for that. Who is his righthand man? Who is there that is assisting him in the work? All the quotation that has been placed before us by the Hon'ble Mr. Rajagopala Achariyar from the Industrial Commission's report, taken one by one, about oil factories, about fresh water tanks about all those things, you will find these are run by the Assistant Director, and yet when the Director goes away you think of putting somebody else in his place who is thousands of miles away from the immediate control of that work. I saw the announcement made by the Madras Mail about the person who was selected for this post.

"The Hon'ble Mr. Rajagopala Achariyar said that I was depriving the department of its head. I am not depriving the department of its head. I am giving it a better head—of course not quite as good a head as Sir Frederick Nicholson was. We cannot get a substitute for him. You yourself have tried to get a person from Europe and in three successive years you have failed to get another person. Any of his assistants were not considered good enough to take his place. Now you discover that one of them is able to manage his work. He is doing a useful work in one of the branches of the department, but he never did the Director's work. Let him develop his own work to further satisfaction. The pisciculturist is there; let him continue to do his work; and let the Assistant Director who has been doing that work—do the Director's work. He has practically been doing the Director's work. If you put somebody else above him, or he must be the head of the Department of Industries. The latter is what I suggest. I think my suggestion is a very good one. It was nowhere proposed in this Council that there should be twenty Departments of Industries and every department should have its own head. On the other hand it is suggested that there should be one superior officer in charge of the industrial works in the province. It is in keeping with this suggestion that I bring forward this resolution. I say make the Director of Industries, the Director of Fisheries also. I have pointed out in my speech that he can manage it just as anybody else can. Technical knowledge is required only in the branches, and these people there have the technical knowledge. If you remained in their own work, at the same time the supervision being given by the Director of Industries. I am glad to know that the pay of Mr. Govindan has been raised to Rs. 500. I ask Fisheries should get only Rs. 500 whereas other persons who will be virtually under him should get Rs. 950 to Rs. 1,250? Not only that, but you are adding insult to injury by bringing in another person who was technically under him and placing him over him. In the interests of the Department of Industries itself I make the proposal and not in the interests of any person, whether he be Mr. Govindan or somebody else. On the other hand, I am afraid I could not avoid it even to save him from any discomfort he might feel. I again ask Your Excellency to accept my resolution. You have practically accepted a portion of it, that is you are raising the salary. Bring it under the Department of Industries and do not put any other head over this department."

The resolution was put to the Council and lost.

7TH FEBRUARY 1919.] (Mr. Yaqub Hasan ; Mr. Rajagopala Achariyar ; the President.)

RESOLUTION RE REDUCTION OF PROVISION FOR SOAP-MAKING EXPERIMENTS.

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Your Excellency the resolution I have the honour to move runs thus:—

'XLIV. This Council recommends to His Excellency the Governor in Council that the provision of Rs. 5,00,000 for soap-making experiments under the head of 26-Bk. be reduced to Rs. 1,00,000.

"If the Hon'ble Mr. Rajagopala Achariyar can give this information I asked for, it will help me in moving this resolution."

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar:—"I shall give it to him after he moves the resolution."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"I have no objection to move it, but I am in the dark about it. I take it that this Rs. 5 lakhs has been given for soap-making experiments. In the Civil Budget Estimate it is stated 'provision for soap-making experiments—five lakhs', and then there is a foot-note: 'the increase is due to more extensive manufacture of soap at the Government Soap factory at Calicut'."

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar:—"That is the information."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Then I take it that the whole of this five lakhs is to be spent on experiments in soap-making? On soda and other materials for making soaps all this five lakhs is to be wasted."

"His Excellency the President:—"What the Honourable gentleman says is what the figures show. Rupees 5 lakhs is provided in this year's budget. He must take the meaning of the statement."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"On that basis I proceed. I consider that it is a very large amount to be devoted for that purpose. Last year my Hon'ble friend Mr. Sadasiva Bhat brought forward a resolution in connexion with the Financial Statement and he wanted the allotment for soap-making experiments to be removed. I opposed him and I said that soap-making was a very important item; till then experiment in soap had not taken place to a large extent, and only a beginning was made and some soaps were being manufactured and there was yet room for further development of that industry. I said it would do great harm if that resolution were carried. I find in the last year's revised estimates Rs. 2'35 lakhs; I suppose all that amount must have been spent in the year 1918-1919, that is the current year. A large part of it must have been spent, and so soap-making experiments must have progressed to a very large extent. I find from the report of the soap factory that they are able to turn out very good soap, though of course they say that some more progress has to be made with some new classes of soaps that have to be manufactured. But when you manufacture twenty kinds of soap you can manufacture ten more kinds of soap with very little experiment. Such experiment does not cost as much as Rs. 5 lakhs to make. If it is proposed that some of this money should be spent in machinery and in any equipment or any building for the factory, that would have come under different heads, but as it is not given under different heads I take it that the whole of this amount would be spent in making experiments alone and nothing else. That is why I put this question, and the answer is it is to be spent on experiments alone."

"Now the soap industry is after all a minor industry when compared with many big industries like cloth manufacture and other things; and this industry does exist in India and it is carried on at this day successfully in some provinces of India. I have shown in my last speech that one big factory, the North-western Factory of Calcutta and Cawnpore is carried on with a total invested capital of five lakhs. That means working capital, cost of machinery and everything. Here five lakhs is wanted for soap-making experiments alone. I cannot understand what experiments can be made for the manufacture of soaps. I am not referring to glycerine and other things. If you have any other projects say so. But if it is to be spent not on the manufacture of soap but on experiments in soap-making, do you not think that five lakhs is a very large sum? I want that amount to be reduced to one lakh. I do not want that the department should be starved. Even that one lakh will be too much to spend on that. But considering there was five lakhs I hesitated in reducing it to anything less than one lakh. Even with that one lakh you can have other experiments about glycerine and other things. On the other hand, if you want to manufacture soap to a larger extent than you are doing now, it has been said that their ambition is to turn out about 20 tons a day—that will no doubt require a large working capital. If you want any portion of this to be set aside as working capital, I will have no objection to it, but I object to the entire amount being spent on experiment alone."

"Then the object of the factory was said to be educational. So far no educational work has been done. Now it is proposed that the training of students in the manufacture of soap should be started and it requires a technological institute. No provision is made for that institute. If any portion of this amount is to be diverted to that purpose, I have no objection. With the information at my disposal I can only say that much in support of my resolution. If anything further is said by the Honourable Member in charge of the port-folio I may add something afterwards."

(Mr. Rajagopala Achariyar; Mr. Yaqub Hasan; Mr. Siva Rao.) [7TH FEBRUARY 1919.]

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Your Excellency, I fear that the word experiment is somewhat misunderstood. I would first of all venture to point out that this soap after being made is not thrown away but is sold to people and money is realized. When you take the receipts and expenditure of a big factory, which is what this has developed into, you must take both together. There is no use of taking the working charges alone and saying all this is waste. We have to consider that after the soap is made it is sold to the people and all of us use it."

The Hon'ble Yaqub Hasan Sahib Bahadur :—"Then it is returned to us and the Government will not be out of pocket to that extent; but I do not find it; where is the profit?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"That is provided in the receipts. The Honourable Member's difficulty was at one time my own difficulty, and I feel considerable sympathy with the Honourable Member. We considered the question whether we may not put these things under one head so as to show the net revenue or expenditure, if any. But that is not allowable under the rules; all the expenditure should go under one head and the receipts under another head. In this very year when the Honourable Member has been lamenting this waste of 5 lakhs, if he will be so good as to refer to the receipts side he will find that we have budgeted for Rs. 5.57 lakhs. So it is really not so much a waste of 5 lakhs but a net revenue of over half a lakh. Even that is very much an under-estimate. Sir Frederick Nicholson wanted a sum of 7.57 lakhs to be entered. He said, 'you will get a profit of 2 lakhs.' But in a spirit of caution the Finance Department reduced it, because there was some delay in starting operations, and it was thought we might not be able to realize the whole thing. It is not so much that we are throwing away a lot of money by making needless experiments. The Honourable Member has been good enough to say that he would be content with spending one lakh. We should say that if the expenditure of 5 lakhs is unjustifiable the expenditure of 1 lakh is also equally unjustifiable. We must see the figures on both sides of the account, revenue and expenditure. I will tell him how the matter stands. In the year 1915-1919, that is the current year, we originally provided for a sum of Rs. 1.10 lakhs for experiments—experiment means all the raw materials and working charges—and also one lakh for the establishment of the factory on a permanent basis on a new site. But later on in the current year we wanted 1.40 lakhs in addition to the 1.10 lakhs which we had intended for experiments in the current year. So the total cost is 2.50 lakhs. Sir Frederick Nicholson says 'we have now put it on a permanent basis, and we will be able to work on a very much larger scale.' He anticipated an income of 7.57 lakhs, but in view of the delay in providing the machinery we were rather afraid that we might not be able to realize all that and we reduced it to 5.57 lakhs. Even according to that cautious estimate, the soap factory is going to give the general tax-payer a net profit of half a lakh. Whatever is not sold in one year will be sold in another year and the money will come in. I cannot help feeling that to some extent we are continuing an old debate. The Honourable Member does not approve of the Government continuing the soap factory."

The Hon'ble Yaqub Hasan Sahib Bahadur :—"I did not say so."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"If he approves of the soap factory, he has adopted a curious method of showing his approval."

The Hon'ble Yaqub Hasan Sahib Bahadur :—"If I suggested that the soap factory should be given to a private company it does not mean that I disapprove of the factory."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"At present the Government are committed to the soap factory. This Council after a very full discussion of the whole question, whether it should continue to be a Government concern or not, by a very large majority overruled the Honourable Member. So we are committed to the soap factory. The receipt side and what on the expenditure side of the concern to which the Government and the head of the department, says that he can spend Rs. 5 lakhs which would be necessary to it is finding a market. According to Sir Frederick Nicholson, the transactions of this year would give us a net profit of Rs. 2½ lakhs. In a spirit of caution the Government have reduced it by 2 lakhs and put it at half a lakh. The chances are it will be a great deal more. If in any case soap is not sold this year, it will be sold next year. This is one of those things about which we can go ahead unhesitatingly. The Honourable Member has raised the question of training students which does not really arise. But even from that point of view, unless you have shown to the Council that this is not the direction in which we should act. So I oppose the resolution."

The Hon'ble Mr. P. SIVA RAO :—"After all the difference is a purely verbal one. It is possible that by entering it under the head 'soap-making experiments', the Hon'ble Mr. Yaqub Hasan thought that the whole thing would be wasted in making experiments and investigations. But as has been now explained by the Hon'ble Mr. Rajagopala Achariyar, the money is meant as capital for working the factory. After this explanation I do not think there would be any more quarrel over the expenditure of 5 lakhs. The term is rather misleading and has given rise to misapprehension."

7TH FEBRUARY 1919.] (Mr. Ranga Achariyar; Mr. Yaqub Hasan; the President.)

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"I only rise, Your Excellency, to say that we would gladly welcome productive expenditure of this sort to any number of lakhs if the Government will find their way to do it. It is this sort of expenditure that has not been hitherto encouraged. We hope, wish and trust that this departure will proceed with increased pace and volume."

The Hon'ble Yaqub Hasan Sahib Bahadur :—"Your Excellency, it is now clear that the Government have made a mistake by putting down that 5 lakhs is for soap-making experiments. I was under the impression that they wanted to use it only for experiments and nothing else. So I asked for information, but that information was not given before. It is forthcoming now, and I find that 5 lakhs is not for experiments. It is to serve as working capital for the soap factory and will be used for the manufacture of soaps, and it is expected that 2½ lakhs will be the profit during the coming year, but to be on the safe side instead of showing that profit they have shown only a profit of Rs. 50,000. Even if there is no profit forthcoming and even if this Rs. 50,000 is actually shown to its debit and is spent, I will not be sorry because as I have said if these experiments make this industry a greater success than it has been, it is a legitimate expenditure. I am sorry that the Hon'ble Mr. Rajagopala Achariyar has brought in his impression of the other debate and said that I was against anything being done in this line. That is far from my intention. I did try to induce the Government to give this factory to a private company. I failed, but some day I am sure the Government will hand it over. Any money that is spent in making it a greater success will only be more profitable to the private company who will take charge of it. Personally I do not think that much departmental money should be spent in this direction; but still, now that it is shown that this expenditure, if any, is not so high as that anticipated, I have no objection to that. But at the same time I must express my surprise that no provision has been made for a technological institute. I thought a portion of that 5 lakhs has gone towards the starting of a technological institute."

His Excellency the PRESIDENT :—"I must remind the Honourable gentleman that he is making a reference to a question which is not before us. We are dealing with a specific matter."

The Hon'ble Yaqub Hasan Sahib Bahadur :—"I made a reference to this because I thought I would be told that some of it would be utilized for that purpose but I am surprised it is not so. I withdraw the resolution."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE INCREASED PROVISION FOR THE SALARY OF THE DIRECTOR OF INDUSTRIES.

The Hon'ble Yaqub Hasan Sahib Bahadur :—"Your Excellency, the resolution that I have the honour to move runs as follows :—

'XLV. This Council recommends to His Excellency the Governor in Council that the provision of Rs. 18,000 for the salary of the Director of Industries under the head 26-B, be raised to Rs. 19,200 and the grade of that office be fixed at Rs. 1,500-100-2,000 and the excess charge be met by corresponding reduction under the head 45. CIVIL WORKS.'

"Since I gave notice of this resolution I find that in the revised estimate the amount has been raised. Originally Rs. 18,000 was provided, but I find that Rs. 23,616 is now provided and in the remarks column it is said 'Provision made for acting third-grade Collector on Rs. 1,800 plus a duty allowance of Rs. 250 per mensem subject to 4 per cent annuity deduction—vide Government of India, Home Department, letter No. 363 C, dated 14th January 1919.' Evidently that order has only come recently. I hope that the object of my resolution will be realized by this increased provision."

His Excellency the PRESIDENT :—"Does the Honourable gentleman intend to move this resolution?"

The Hon'ble Yaqub Hasan Sahib Bahadur :—"I shall withdraw it after saying a few words."

His Excellency the PRESIDENT :—"It is not open to the Honourable Member to make a speech if at the end of his speech he does not intend to move the resolution. If he intends to move it, he may make a speech."

The Hon'ble Yaqub Hasan Sahib Bahadur :—"Your Excellency has given me permission to move this resolution and in moving that I mention"

His Excellency the PRESIDENT :—"I do not want to restrict his liberty, but it is not open to him to make a speech and then say at the end 'I do not intend to move the resolution'."

The Hon'ble Yaqub Hasan Sahib Bahadur :—"I intend to move the resolution. The object of my resolution is this: I want that the officer who gains experience in the Industries department should not be disturbed but should remain there. When I saw that the present incumbent was in the past year getting a salary that he would have got in his own substantive appointment and that when in the usual course of service he is promoted he would go away from this department because the highest salary of this department would be less than what he

(Mr. Yaqub Hasan Sahib; Mr. Rajagopala Achariyar; [7TH FEBRUARY 1919.
Mr. Chidambaranatha Mudaliyar.]

would get as Collector. I brought this resolution with a view that a higher salary might be given to the same officer and his services may be retained in the same department and you may not remove him. If by this announcement the object is to keep the present Director of Industries in this place, I welcome it; but if, on the other hand, he is to go away and somebody else is to be brought in I would insist that my resolution should be carried rather than the other thing being given effect to. The salary of Rs. 1,500 is a very good salary for the Director of Industries. If a new person is to come, then he will be in the Assistant Collector's grade and it would be quite enough if he were paid only what I have provided in my resolution."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I have not quite followed the Honourable Member, but I take it that he wants to raise the provision of Rs. 18,000 for the salary of Director to Rs. 19,200 and to fix the grade of the office at Rs. 1,500—160—2,000. In regard to both these things we are now concluded. This matter went up to the Government of India. The Government of India said that the question of a permanent head of the Industries department for this province, his qualifications, what his pay is to be, had better be deferred till the Industrial Commission had reported. We are not in a position to say what the Government would do on that report. Pending that they have sanctioned the appointment of an officer of the grade of Collector to the headship of the department, and for that purpose they have sanctioned the creation of a temporary post of Collector, third grade, for a period of two years or till some other permanent arrangement is made for the charge of the department whichever may happen earlier. That being so, we have given effect to the order of the Government of India and are making a provision for the pay of the Director as proposed by the Government of India. The only thing we will have to see is whether it is likely during the year 1919-20 that the whole thing would be disposed of, the Industrial Commission's report considered and final orders issued in regard to the officer who is to be the head of the department and what his pay is to be. I do not think it is possible. It is only now that the report has been published and we will have to report upon it and the Government of India have to deal with it and pass orders. Any new state of things in connexion with this matter will come into operation only after the close of the year with which we are now dealing. I trust in these circumstances the Honourable Member will see that the only course open to us is to make a provision for the appointment of the head of the department on the lines indicated by the Government of India for this year 1919-20 with which alone we are now concerned. I am therefore unable to accept his proposal."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"May I ask whether Mr. Innes will continue in his place at least this year?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The Finance Department has provided for the pay of a third-grade Collector as directed by the Government of India for the headship of the department. Changes are being made. The other question does not arise now. The Government of India have said what we should do. This is a temporary arrangement and it is not to be disturbed before the end of 1919-20 with which alone we are concerned. Let us leave it alone."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"In one of the reports it is stated that a reference has been made to the Secretary of State to give this post to an Indian Civil Service officer. Is this arrangement in accordance with that order or as has been stated by the Hon'ble Mr. Rajagopala Achariyar this has not been settled?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"This is only a temporary arrangement."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"Is it temporary; I beg leave to withdraw the resolution."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION *RE* INCREASED ALLOTMENT FOR IMPROVING HAND-LOOM WEAVING IN THE PRESIDENCY.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"Your Excellency, I move—

'XLVI. This Council recommends to His Excellency the Governor in Council that the allotment under 26-B. Development of Industries be increased by Rs 20,000 to take steps to help and improve handloom weaving industry in the Presidency and a corresponding reduction be made under 45. CIVIL WORKS.'

"In moving this resolution I wish to invite the particular attention of this Council to the following facts. One of the many lessons that this war has taught us is the importance of the development of handloom weaving in this country, particularly in this Presidency. The Industrial Commission after careful inquiry into the conditions of the country and after going carefully into the statistics make the following observations and recommendations:—

"A general review of the evidence tendered to us supplemented by numerous inspections in the towns and villages that we have visited confirms us in the conclusion that cottage industries are a very important feature in the industrial life of India; that they are by no means so

7TH FEBRUARY 1919.] (Mr. Chidambaranatha Mudaliyar;
Mr. Rajagopala Achariyar.)

primitive as they are usually depicted; and that there is no real ground for belief that they are generally in a decadent condition. We have been unable to obtain accurate statistics regarding the actual number of workers in the various cottage industries, but in every town they still form a large percentage of the population, and they are to be found in almost every village, so that their numbers are still vastly larger than those of the operatives employed in organized industries. Of these cottage industries the most important is handloom weaving. It is believed that two and three million handlooms are at work in India, and their annual gross earnings must amount to something like fifty crores of rupees. And they recommend: 'In the case of weaving, provision should be made in the weaving schools, for the instruction of a small number of pupils of a higher class, with better educational attainments and prospects of being able to start for themselves in business. They should be given practice in the control of workmen, and should receive a training in the commercial as well as in the technical side of their profession either in private undertakings run with Government assistance as demonstration factories or in commercial sections attached to the industrial schools. Directors of Industries should be empowered to grant small loans to cottage workers and to supply tools and plant on the hire purchase system.'

"The very high price of yarn has been observed by the writer of the administration report of our province for the last year. The handloom weaving industry was however depressed by the very high price of yarn and shortage of dyes. I may observe that there is a great and increasing demand for hand-woven clothes, particularly female clothes, and the high price of yarn has greatly hindered it and made the people living by that industry suffer inexpressibly. So some steps should be taken in the direction of bettering the industry and the conditions under which that industry is carried on and also the ease and cheapness with which the materials are brought to the hands of these handloom weavers. It is high time that some steps are taken to develop such measures and to improve the present hard conditions. The Industrial Commission further suggests the training of master workmen and the establishment of small weaving factories and supplying other than purely technical knowledge in weaving schools 'with the avowed object of supplying training other than purely technical which a master weaver must possess before he can hope to start in business for himself' and they also say that some financial assistance should be given to these handloom weavers to enable them to get cheaper capital and to relieve them to the greatest possible extent from the clutches of money-lenders so that they might obtain money on easy terms. In cases where this cannot possibly be done by the organization of the co-operative societies the Director of Industries may also be empowered to grant small loans and to supply tools and plants on the hire purchase system. These are some of the directions in which it seems to me the improvement of the handloom weaving industry can well be effected. The demand for hand-woven textiles is perhaps on the increase and here in this Presidency it is carried on regularly by a class of people who are hereditarily attached to it. Not only would this help improve the ease and cheapness with which these most important articles of necessity, next to food itself, which have gone up sometimes 100 per cent and 200 per cent in price in recent years can be supplied to the people at large, but also the condition of a very large class of weavers who are hereditarily manufacturing these clothes. I may almost say 99 per cent of them are destitute and it is high time that their condition should be bettered. One might easily observe large families of these weavers from weaving centres going abroad purely as beggars simply for want of employment. In western countries a great deal is being done by statesmen and by responsible men at the head of the Government of the country to make provision for the employment of unemployed people. Here there is a class of labourers who have very good capacity for fine work and there is a great demand for the products of these workmen, and we see on one side the very workmen suffering from destitution and poverty and migrating from place to place and on the other side people suffering from absolute lack of stock. Even apart from the question of high prices I think it is high time that the Government, the responsible Government, should not look on at this state of things and merely content themselves with saying in the administration report that the abnormally high prices of yarn has very greatly depressed the handloom weaving industry. The Industrial Commission as a responsible Commission appointed by the Government of India have laid down the lines on which the betterment of the handloom weaving industry can most usefully be attempted. In these circumstances, I trust the Government will make an earnest endeavour to see that this most important industry next to agriculture itself is really helped and improved and its condition bettered as early as practicable. With these few remarks I commend this resolution for the acceptance of the Council."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I wish the Honourable Member had told us with somewhat more particularity what exactly he wanted to do with the Rs. 20,000. I understand that he has mentioned some of the difficulties of getting yarn at cheap rates. But Rs. 20,000 would be nothing to meet a difficulty like that. So far as the Industries department is concerned, probably it would be of advantage to the Council to know what we are exactly doing in regard to weaving. There is a weaving branch opened in the Madura Technical Institute for which we have provided in this budget more than Rupees 20,000. We expect a weaving expert very soon. There are peripatetic weaving parties going all round and latterly the co-operative department is doing its best to start as many cotton weavers' societies as possible to improve their lot by co-operative purchase and sale. In last June there were seven such societies in the Presidency, but apparently what the Honourable

(Mr. Rajagopala Achariyar; Mr. Chidambaramatha [7TH FEBRUARY 1919.
Mudaliyar; Mr. Narasimha Ayyar; Sir Alexander Cardew;
Sir Gordon Fraser.]

Member contemplates is the immediate difficulty. In regard to that a scheme has been elaborated, the main outline of which is that the Director of Industries should purchase yarn at Government's cost and distribute it to the weavers through the co-operative societies and buy the cloth woven by them. The co-operative society is distributing the yarn among the weaver members and the members should return equal weight of cloth at a fixed price. The clothes woven will be taken over by the co-operative society at cost price plus a small amount to cover the working expenses. Several places have been suggested, Ichchapuram in Ganjam, Palghat in Malabar, and in North Arcot. The scheme has been started in Ichchapuram and Mr. Innes says in his report that 150 societies have been registered and a sum of Rs. 50,000 has been placed at his disposal. The Honourable Member may not be aware of what has been done in that particular matter. As to extending it to other places it is under consideration. I cannot say what is going to be done in those places. It depends upon a number of considerations. The Honourable Member is quite aware that a sum of Rs. 20,000 would be a flea-bite to supply cheap yarn to thousands of weavers all over the province. The only way we can do it is to make them start co-operative societies and give them Government supervision and some amount of financial help in the beginning to enable them to buy yarn wholesale and distribute it among them and then sell the cloths woven and recoup themselves. This is being tried and I think it would be well."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR (interrupting):—"Cannot anything be done in the School of Arts for the training of master workmen?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"They must go to the weaving school at Madura, but I would advise the Council to wait and see how these things are being dealt with. I do not want to say anything against the weavers or this particular problem. The Council will be interested to learn, when I was in a lower capacity I had a great deal to do with the condition of weavers, in several places. It has been generally found that the problem is much more difficult than one is apt to imagine and the obvious fact is that the weavers are a poor lot. When you go into it you find that their poverty is contributed by very many causes very few of which are under our control. I do not mention that by way of discounting the appeal made by the Honourable Member. But my objection to the proposal is that Rs. 20,000 is nothing compared to the needs. The Government have taken up the question of giving temporary relief and they have given Rs. 50,000 in one place and if there is need in other places it will be done, and the Council will allow the co-operative societies and Mr. Innes to go on with the work they have commenced. For these reasons, I would deprecate the passing of the resolution."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"May I know whether the list of places read out is exhaustive and it is confined to the five places?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The places have been suggested to us. The starting of work at each one of the places will be a task of considerable difficulty. It is not exhaustive. After all we are handling the general tax-payers' money. Both Mr. Hemingway and Mr. Innes are proceeding cautiously."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Where is the provision found?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Probably in the revised estimate."

The Hon'ble Sir ALEXANDER CARDEW:—"Rupees 72,000 is provided on page 217 of the Civil Budget Estimate for 'Miscellaneous Experiments'."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"That is for next year. He is asking for the current year."

The Hon'ble Sir ALEXANDER CARDEW:—"Rupees 90,000."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I take it that it is with reference to the Rs. 90,000 that the experiment is now made in the five places. Evidently it will be less next year."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"It is not so. This money is not given away. It goes and comes back. It is not a grant; it is floating money. I do not know if the Honourable Member understands. There is provision in the next year's budget. How this will develop next year I cannot say. Each place will be taken up by itself. It is a slow process."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"There is a difference of about Rs. 20,000 between the current year and the next year, and that is why perhaps the Honourable Member wanted Rs. 20,000. In this connexion I want to say that the Salem weavers are in a very bad condition. They would not stoop to beggary, and it seems necessary to give relief to the weavers there and also in some other places and it seems necessary to provide this Rs. 20,000. I was going to support this proposal, but the Hon'ble Mr. Rajagopala Achariyar thinks that even with this Rs. 72,000 it is possible to undertake this task as the money is going out and coming in. I do not wish to say anything further as that assurance is given to us."

The Hon'ble Sir GORDON FRASER:—"Your Excellency, I would like to be excused for making a few remarks on this resolution. It is not that I do not sympathise with it, but in my opinion it is not the right way of going about it to help the weavers. The Honourable Member

7TH FEBRUARY 1919.] (Sir Gordon Fraser; Mr. Venkatapati Raju;
Mr. Krishna Rao.)

has said that the handloom weaving industry is in a very bad way. The idea of this resolution is to assist in bettering the condition of the industry. I cannot quite see why the Honourable mover comes to the Government to achieve this; it is a task which is very well within the reach of all Indian industrialists. The remedy I should say is to form weaving societies, finance them—the funds required are not heavy—pay the weavers a fair daily wage and allow your society to control the buying of the yarn and to control the selling of the cloths. This is very much the scheme that the Hon'ble Mr. Rajagopala Achariyar has just mentioned to the Council. I do not think that in helping the weavers the Government's intervention is necessary, except in the way of sympathy. Monetary assistance is not necessary. To prove that there is no difficulty, I might mention that my firm has already started one of these societies in Berhampur. I understand it is working satisfactorily and the weavers are extremely pleased with the treatment they are getting. We control the buying of the yarn in conjunction with the directors of the society and in selling the cloths; and the concrete advantage is, instead of each weaver going round the country trying to sell his daily production of cloths woven, they are bought by the society and the society can hold on to the cloths until the market rises. In former days the man had to go to the bazaar to find a purchaser who deferred buying as long as possible and the seller had to sell at any price and consequently the condition of the weavers was most miserable. They could not make a paying wage. I may mention also incidentally that the only thanks that we receive from the Indian Press for this is to be called exploiters and profiteers. We started this purely as an experiment because the Registrar of the Co-operative Societies came to me one day in great distress and asked us if we could help him. I promise to put all the books and show the methods of work before any Indian industrialist who wishes to copy our society at Berhampur. Everything is above board; they can have every assistance. The Hon'ble Mr. Narasimha Ayyar has just referred to the very miserable condition of the weavers of Salem. I am perfectly certain that if he will take the matter in hand and interest the Indian industrialists at Salem he will have no difficulty whatever in ameliorating the condition of the weavers. At any time he likes I can make an appointment with him and let him see what we are doing. I will go further; I will allow my assistant in charge of the Berhampur weavers' society to go down with him to Salem and study the condition of the weavers in Salem and he will receive every possible assistance. I may tell him that that is a much more practical manner of trying to ameliorate the condition of the weavers in this Presidency than to keep asking the Government for small advances and asking the Government to interfere. The responsibility in a case like this does not rest with the Government but with the people. It is a matter which is so very easy to improve. There is no difficulty about it. If we find later on that even with this assistance the weaving industry is not a paying one and economically unsuccessful, the only thing is to drop it. There is no use of flogging a dead horse; if the handloom weaving industry is not a success, there is no use of making any bounty under the budget to relieve the weavers. By adopting the scheme suggested by the Hon'ble Mr. Rajagopala Achariyar they will be given relief and the industry will be given a fair trial. My sympathies are with the resolution, but it is not the proper method to pursue to help the weavers."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, in a non-controversial resolution the Hon'ble Sir Gordon Fraser has brought in a controversial point. The question is whether the State should aid this declining industry. The Hon'ble Sir Gordon Fraser knows that all countries in their own time helped declining industries. The present position of the industries of India is entirely due to English merchants. On account of the jealousy of the English merchants the Indian cotton industry was ruined. There is no gainsaying that fact. Now my Honourable friend comes forward and says that the State ought not to aid us. I do not understand on what principle he can urge that. It is the duty of the State to revive all dying industries. That is exactly the view with which the Hon'ble Mr. Chidambaramatha Mudaliyar has moved the resolution. The Hon'ble Mr. Rajagopala Achariyar says we want some practical scheme. I do not quarrel with that, but I object to the statement of the Hon'ble Sir Gordon Fraser that it is not the duty of the Government to help industries. Perhaps if you go to the old history when they wanted to protect themselves in England they charged 80 per cent on cotton fabrics manufactured in India and thus they have actually killed the industry here. It is too late in the day to suggest now that the State should not help Indian industries."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I wish to make a few remarks in support of the resolution. I must express disagreement with the views expressed by the Hon'ble Sir Gordon Fraser. We must thank him for the offer of assistance which he has given. He has suggested that those of us who are anxious to improve the condition of weavers in our respective districts will do well to follow the example adopted in the case of Berhampur and take advantage of the advice and assistance given. But in the present economic condition of this country and in view of the fact that it has not been possible to develop the industries of this country in a satisfactory manner, it is difficult to accept his advice or to act according to the suggestions made by him. The general remarks made by him in regard to the weaving industry can in a modified form be urged in the case of other industries; and that is why it is necessary for us to support the view that has been put forward by the Industrial Commission and support the policy which has been accepted by the Government. The old theory of the State's non-intervention in industry must be given up and the Government should as far as possible help the industries which are likely to benefit the people."

(Mr. Rajagopala Achariyar; Mr. Krishna Rao; [7TH FEBRUARY 1919.
the President; Mr. Ranga Achariyar; Sir Gordon Fraser;
Sir Alexander Cardew; Mr. Chidambaranatha Mudaliyar.]

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I am very sorry to interrupt the Honourable Member, but I have to rise to a point of order. We are going further and further away from this small issue before the Council. If we are to go into the Industrial Commission's report and industrial policy, how industries were ruined on account of the import duties imposed in England I am utterly unprepared to meet that argument on behalf of the Government. I do not wish to be obstructive, but this is not exactly the resolution on which it will be possible for us to have that wide debate."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I am not going into that controversial question. I am putting forward a suggestion."

His Excellency the PRESIDENT:—"Would the Honourable gentleman please resume his seat? My attention has been called to the fact that the Honourable gentleman is straying from the point. The Hon'ble Mr. Rajagopala Achariyar is quite right in saying that he has gone very wide of the issue. We are confined, as I have already said, to the resolution on the paper. I must ask the Honourable gentleman to confine his remarks to that."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I was replying to the remarks of the Hon'ble Sir Gordon Fraser."

His Excellency the PRESIDENT:—"If the Honourable gentleman will resume his seat, the Council will recollect what the Hon'ble Sir Gordon Fraser said. His remarks were not correctly paraphrased by the Honourable gentleman. He gave the actual facts of the experiment directed to the resolution before the Council and there he spoke."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR (interrupting):—"May I point out, your Excellency, that the Hon'ble Sir Gordon Fraser pointed out that it is not correct to appeal to the Government to assist this industry? It is that principle that we wish to attack."

His Excellency the PRESIDENT:—"The Honourable gentleman has realized that there can be two opinions about the resolution."

The Hon'ble Sir GORDON FRASER:—"May I make a personal explanation, your Excellency. There is evidently a misunderstanding on this point. I did not say that I oppose Government help. I welcome Government help. I think that is the point that started the debate. But I do want to impress upon everybody that in addition to Government help there is a duty on the Indian industrialist. So far as Government help goes, I welcome it. I think some Honourable Member made a remark yesterday that God helps those who help themselves. This is a similar case. It is quite up to the Government to help those who help themselves."

The Hon'ble Mr. A. S. KRISHNA RAO:—"In that view I have no quarrel. It was necessary to make a few remarks because it was said that the Government might show sympathy but not give help. Now that it has been explained by him, it is all right. Coming to the subject of the resolution the Hon'ble Mr. Rajagopala Achariyar has been good enough to tell us that some experiments are being started in some of the districts of the Presidency with the co-operation of the Registrar of the Co-operative Societies, that the sum of Rs. 72,000 which has been provided would be enough and that this sum of Rs. 20,000 asked for by the Hon'ble Mr. Chidambaranatha Mudaliyar would not go a long way in solving the problem, if it is to be applied to doubt a very important question and involves considerable expenditure of money if it is to be worked in a satisfactory manner? The few experiments which are proposed to be made with the allotment of Rs. 72,000 will not go a long way in relieving the distressed condition of the weavers in various districts of the Presidency. It is true that the Rs. 20,000 asked for might not take us a long way; but may I ask if it will not to some extent improve the condition of the weaving industry and add to the help already given by the Government in that direction? As pointed out by the Hon'ble Mr. Narasimha Ayyar, there is no need whatever for cutting short was provided in the revised estimate but in the budget only Rs. 72,000. When we are all satisfied that it is necessary and feasible to make headway in the matter of improving this industry, I would request the Hon'ble Mr. Rajagopala Achariyar to consider if it is not possible to increase the provision made for the purpose. If it was Rs. 90,000 last year, it must be possible to spend such an amount this year. The Rs. 20,000 asked for is a very modest sum; and there should be no difficulty whatever in finding that sum."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, I intervene because I think the Council is wasting its time so seriously. The only question is whether this sum of Rs. 20,000 is to be added. The argument used by the last speaker is that last year there was a larger sum. The Honourable Member is mistaken in that assumption. The provision last year was not for this purpose. Rupees 45,000 was intended for the Pencil factory which is no longer a Government factory and the provision this year is separate from that provision last year. The provision for the particular purpose is larger than in last year. Rupees 50,000 was allotted last year; this year is Rs. 72,000. There is really no issue before the Council except whether we should add Rs. 20,000. We know the Director of Industries has asked for Rs. 50,000 and he has been given that money."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"Your Excellency, as pointed out by my Hon'ble friend Mr. Narasimha Ayyar, my object was to bring up the figure to the

7TH FEBRUARY 1919.] (Mr. Chidambaranatha Mudaliyar; Mr. Yaqub Hasan.)

Rs. 92,000 which was the amount spent last year. Even in spite of the explanation given by the Hon'ble Sir Alexander Cardew, if I persist in asking for this Rs. 20,000, it is because if I asked for more, the Hon'ble Mr. Rajagopala Achariyar might have come forward and said that I had asked for too big a sum. If I had asked for a small sum he would say I have asked for too small a sum and it will not go a long way. My main idea is to have the last year's figures. I should really be willing to ask for another Rs. 5 lakhs for the industry of handloom weaving so that it may take an equal place with the manufacture of soaps. As regards the actual figure that has been asked for, and not as regards the exception which the Hon'ble Sir Gordon Fraser took to the reasonableness of Government help in this matter, I believe much has been said already. And I wish to say that inasmuch as this goes a long way to meet the public demand and public necessity—this industry really serves a public purpose—the public have every reason to ask for and expect the Government to interfere in this matter. As the Industrial Commission has pointed out, the industry should be helped by a responsible government, a government which has the best interests of the people of the country at heart. I am glad that the Hon'ble Sir Gordon Fraser has been doing something in that direction. I only wish something more might be done by the Government themselves in this matter. I should certainly be glad also to see independently private people also had moved in that direction. If Rs. 70,000 can go some way, another 25 per cent of it will go, at least one-fourth of that extent more. The sum I have asked for is not a big sum. The Government can show their real interest in the matter by providing an additional sum and starting the experiment in southern districts preferably as put by the Hon'ble Mr. Narasimha Ayyar in the Salem district. With these few words I request the acceptance of this resolution by the Council."

The resolution was put and lost.

The Hon'ble Mr. Chidambaranatha Mudaliyar asked for a poll which was taken with the result that 14 voted for and 21 against the resolution. The following was the result of the division:—

For	Against
The Hon'ble Diwan Bahadur M. Ramachandra Rao.	The Hon'ble Sir Alexander Cardew.
" Mr. P. Siva Rao.	" Mr. L. Davidson.
" Mr. K. Rama Ayyangar.	" Mr. A. Y. G. Campbell.
" Mr. K. Sadasiva Bhat.	" Mr. C. G. Todhunter.
" Diwan Bahadur K. R. Suryanarayana-murti Nayudu.	" Diwan Bahadur K. Ramachandra Rao.
" Mr. B. Venkatapati Raju.	" Mr. M. Young.
" Diwan Bahadur A. Subbarayalu Reddiyar.	" Mr. L. E. Buckley.
" Rao Bahadur T. Ranga Achariyar.	" Mr. N. E. Marjoribanks.
" Yaqub Hasan Sahib.	" Mr. R. B. Wood.
" Mr. A. Suryanarayana Rao.	" Aziz-ud-din Sahib.
" Mr. A. S. Krishna Rao.	" Mr. T. Richmond.
" Mr. B. V. Narasimha Ayyar.	" Sir Fairless Barber.
" Mr. A. T. G. M. Ahmad Tambi Marakkayar.	" Sir Gordon Fraser.
" Mr. K. Chidambaranatha Mudaliyar.	" Mr. J. H. Thonger.
	" the Rev. J. Aelen.
	" Mr. R. Littlehales.
	" Mr. W. Hutton.
	" Mr. W. J. J. Howley.
	" the Advocate-General.
	" Diwan Bahadur P. Rajagopala Achariyar.
	" Mr. H. G. Stokes.

RESOLUTION RE REDUCTION OF PROVISION FOR SALARY FOR THE DIRECTOR OF CIVIL SUPPLIES.

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"I beg to move—

'XLVII. This Council recommends to His Excellency the Governor in Council that the provision of Rs. 78,600 for the Director of Civil Supplies under the head '26-BI.' be reduced to Rs. 39,300 and the department be abolished in the course of six months.'

"Your Excellency, this office was created, as Honourable Members are aware, to meet the economic situation that had arisen owing to four main causes. The first cause was that the Military Department purchased large quantities of grain and other commodities, and that naturally according to the law of demand and supply increased the prices of the grains most commonly used. The second cause was that the shipping facilities were curtailed and the goods and necessities of life, like piece-goods and other things, could not be brought over to India in sufficient quantities. The third cause was that the manufacturing resources that we had in this country were most of them utilized for producing military requirements. The fourth cause, and that was the most aggravating cause, was that the railway rolling-stock in India were taken

(Mr. Yaqub Hasan ; Sir Alexander Cardew.) [7TH FEBRUARY 1919.]

away out of this country for the purpose of the war. Now that the war has ended, most of these causes which contributed to the acute economic situation are gradually disappearing. The first cause, the purchase of grain and other commodities by the Military Department, is disappearing very rapidly. Their purchases are being very much reduced and in the course of the next few months they will be reduced altogether. The second cause is about shipping facilities; now more tonnage is available to carry goods from here and also bring goods from Great Britain and other countries to India. The third cause is also disappearing, that is to say, the cloth mills and other manufacturing industries which were so far engaged in producing military requirements are now coming to the end of the military orders and are going back to their normal condition of manufacture. As for the fourth cause, that is to say, the difficulty that has arisen owing to the depletion of the rolling-stock, it is for the Government to say when that cause is likely to be removed. Now that the war is over and the enemy is laid by the heel for ever, it is time that the rolling-stock and the wagons and other material that were taken out of the country should be brought back. Their detention in Mesopotamia or elsewhere cannot any longer be considered necessary for the purpose of the war. This, as I pointed out, was the main cause of the situation that had arisen, and when the Director of the Civil Supplies was appointed it was said that it was done in order to secure the best possible use of the railways at the present time. So if the rolling-stock is brought back or other railway stock is manufactured to take its place, that difficulty can be got over. Of course, that will take some time, but I do not think it will take such time as to retain this department throughout the whole year.

"Even if this rolling-stock is not available, I do not see the necessity for this department to remain in existence simply to regulate the railway traffic. Though the regulation of railway traffic was the main reason, it was also anticipated that this appointment of the Director of Civil Supplies would relieve the trouble and miseries that were being felt on account of the want of sufficient supplies and also on account of the high prices that were being asked for the small supply that was available. I do not wish to enter into the question whether the creation of this department has brought any relief. Of course by arranging the easy transport of food-grains from one place to another and giving priority to the more necessary things over the less necessary things the prices might have been brought down to some extent. But after the war is over, there is no need for taking any special method to control the prices. The control over prices was never done even by the indirect means; the bringing about of a reduction of prices has not been done as it should have been done. The control of prices was not allowed to be taken in hand, as was suggested by the Indian public and the press. I do not wish to enter into that question. In my opinion this department is no longer necessary, but of course it should not be brought to an abrupt close. For a few months it may be retained. I have suggested that the amount should be only reduced to a half so that the department may remain for six months more, say, up to the end of September. Owing to the partial failure of the monsoon the crops are expected to be very much reduced and that will also bring about an acute situation. But to meet that situation the remedy lies elsewhere. That remedy cannot be found in this department. The Hon'ble Mr. Rajagopala Achariyar said, in giving information to a question put by some other Honourable Member, that this department will have to take this matter in hand and cope with it. I do not think this department can do that. Its past experience has shown us that it is not in a position to grapple with the situation that the failure of crops will bring about. And now there has been a change in the personnel of the Director also and the gentleman who was carrying on these operations has been transferred to a higher place and the experience that he had gained in this department is no longer available and somebody else will be placed in this department; that is also one good reason for not keeping this department for more than six months. With these few remarks, I ask Your Excellency to accept this resolution."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, the Honourable Member referred us to four causes which he said had affected the economic situation during the war. But two of these causes are still in operation, namely, the deficiency in steamers and the deficiency in rolling-stock. How soon we shall get an adequate supply of tonnage I do not know. I do not think any one can foretell that, but it must be remembered that there are a very large number of troops to be moved from Europe to America, from Europe to Australia, from Egypt to India and to England and to move millions of men of that sort must continue to occupy the tonnage for a considerable number of months. How long none of us know."

"As regards the rolling-stock, the supply of rolling-stock for railways cannot be replaced even within a year after the cessation of hostilities. It must take much longer than that to bring the rolling-stock up to the standard which it possessed before the war. For four years the supplies have been cut short and the rolling-stock has deteriorated and worn out. It is not merely that rolling-stock had been taken away to Palestine and Mesopotamia, but it has worn out. That the rolling-stock taken away to Egypt, Palestine and Mesopotamia will be brought back to India, I imagine, is impossible. It must be retained for strategical reasons. Peace is not declared and there are still great difficulties."

"Apart from this difficulty we have an added reason—the season. I suppose the Honourable Member who has moved this resolution does not doubt the serious economic state of the Presidency. We are in a much more serious economic position than when we created the post of Director of Civil Supplies. Owing to the failure of the first monsoon and the late character and unsatisfactory distribution of the second monsoon, our crops are worse than before. What we shall get in the course of the next twelve months no one can say. Whether the monsoon will be favourable and will relieve our necessity or whether it will be scanty and will lead to a

[7TH FEBRUARY 1919.] (Sir Alexander Cardew ; Mr. Ahmad Tambi Marakkayar ; Mr Yaqub Hasan.)

continuance of the present stringency no one can tell. But we do know that at present prices are unfortunately not going down and are rising. The object for which the Director of Civil Supplies is employed is to try and prevent it from going beyond all limits. It is a question whether or not there is any use in having a Director for this purpose, but the Collectors of the districts seem to be generally of the opinion that we should retain this measure of control. I happened to see the reports from the Collectors a fortnight ago and it is rather curious to find a Collector writing thus:—

"The price of the new paddy rose alarmingly between the 13th and 20th from Rs. 66 to Rs. 72 as against last year's price in the same week of about Rs. 55. The rise appears to be due partly to the action of foreign merchants buying up stocks in the expectation that all export restrictions will sooner or later be broken down, partly to the fact that the ryots also are hoping for this and holding up stocks."

"In other words the restriction on the movement of grain acts as a deterrent on the speculative purchase and holding of grain. For that purpose we do want a Director."

"There is one other point which the Honourable Member who moved the resolution has failed to notice, that is, we are not paying for him. The Government of India are paying for him. He was appointed on their initiative. If the Honourable Member will look into the Amended Draft Financial Statement at page 57* he will find 'assignment towards the cost of the Provincial Director of Civil Supplies,' Rs. 50,000 in the revised estimate and Rs. 79,000 in the budget estimate. So that we are not paying for him. We employ this officer under the orders of the Government of India and till they make up their mind to abandon this system of control, we cannot do anything. As it does not cost us anything from the Provincial funds, the Council may leave the entry in the budget as it is."

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBİ MARAKKAYAR:—"In my opinion the control of foodstuffs must continue for some time. In the supply of wagons to bona fide merchants I know from personal experience a good deal of malpractice is played. Had it not been for the establishment of the Director of Civil Supplies and controlling the despatch of food-grains from this Presidency to other countries such as Ceylon and the Straits Settlements, I am sure that a good deal of looting would have taken place and the people and the poor ryots would have undergone great hardship in paying the high rate of prices for their foodstuffs. The control by the Director of Civil Supplies has not only put down the price of rice but also put down the excessive profits made by the merchants. He has put down the freight from Rs. 42 to Rs. 28 per ton to-day and also prevented the price of local paddy from being unduly increased. I therefore consider that in the interests of the subjects of Your Excellency's Government the office of the Controller of Food Supplies is necessary. If a highly paid officer, an able officer like Mr. Wood, cannot be spared, some less paid officer may be appointed and the control must be continued for some time. It is then and then alone that the malpractice that was played by the merchants can be put down. Of course, I am a merchant; I do not mind if I get 3 or 4 rupees profit per bag for myself if allowed. I only get 8 annas a bag as controlled. I wish that such control is exercised by the Government both over Indian and English merchants; otherwise the people will undergo a great deal of hardship."

"One other matter I wish to take this opportunity of explaining to the Council. At a meeting held at Negapatam on the representation made by the railway workshop coolies signed by four or five thousand people headed by Mr V. P. Pakirswami Pillai of the Emergency Committee, of which I am a member, they are strongly pressing the importation of paddy to this place. Until Burma paddy is imported the price of the local paddy will not go down. As the conditions and rules and regulations laid down by the Director of Civil Supplies are not so hard, they will continue to do the malpractice of increasing the prices. The condition is that if anybody goes against the rules and regulations and sells the rice at an excess profit his licence will be refused and his priority certificate will be stopped. These people can get on without it. So there is a likelihood of fraud being committed. So if I am in order, I should take this opportunity of appealing to Your Excellency's Government to make the necessary arrangement to import as much paddy as possible, as the people of this part rather like to import paddy from Burma and boil it here, rather than have the boiling done in Burma which is inferior. The boiling and milling is very cheap here. I strongly recommend that some step or other should be taken to import paddy from Burma. With these few words I beg to say that I am in favour of continuing the control of food supplies, I do not mean to say for years together but at least this year."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"I was of course aware that the expenditure of this department was being met out of the Imperial funds. But if I see that a certain department is not necessary and should be done away with, the mere fact that this Government are not paying the expenses will not deter me from making that proposal. I have heard what the Hon'ble Mr. Ahmad Tambi Marakkayar has said. He has referred to the activities of the department in the past and he has paid a compliment to the department. We are dealing with the future of that department. In my opinion that department will not be necessary after six months. In the second place, that department is not competent to deal with the new situation that will arise out of the failure of the monsoon. As for the remark made by the Hon'ble Sir Alexander Cardew that the prices instead of decreasing are increasing, that is true only in respect of grain. It is not true in respect of other materials. In respect of cloths

(Mr. Yaqub Hasan ; Mr. Rajagopala Achariyar ; 7TH FEBRUARY 1919.
Sir Alexander Cardew ; Mr. Todhunter ;
Mr. Davidson ; the President ; Mr. Rama Ayyangar.)

for example the prices are bound to go down in future. If it is said that steamers are wanted for transport of men and materials between the United Kingdom and Australia and between Egypt and other places and they may not be available for trade, yet the fact is that freight is going down day by day. The homeward freight has decreased considerably during the last few weeks and I understand that outward freights are also coming down in the United Kingdom. So later on facilities are bound to be more and as far as steam ships are concerned there need be no fear that freight is not likely to go down. After all this department is not concerned with steamer freight. It is only railway traffic regulation that it is concerned with. Of course, the rolling-stock will not be replenished for some time. We can see that. But to regulate merely railway traffic I do not think that the whole department should be retained for that purpose. That can be done at less cost. The difficulty is, if the department is retained, you will put upon it the burden of a task which it is not competent to carry and, if this department is abolished, some other department will be able to attend to it more efficiently. That is also one of the reasons why I made this proposal."

The resolution was put to the Council and lost.

XXII. & 29. Superannuations.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" I beg to introduce the head 'Superannuations'."

XXIII. & 30. Stationery and Printing.

The Hon'ble Sir ALEXANDER CARDEW :—" I introduce the head 'Stationery and Printing'."

XXV. & 32. Miscellaneous.

The Hon'ble Mr. C. G. TODHUNTER :—" I beg to introduce the head 'Miscellaneous'."

33. Famine Relief.

The Hon'ble Sir ALEXANDER CARDEW :—" I introduce the head 'Famine Relief'."

XXIX. & 42. Irrigation—Major Works.

The Hon'ble Mr. L. DAVIDSON :—" I introduce the head 'Irrigation—Major Works'."

XXX. & 43. Minor Works and Navigation.

The Hon'ble Mr. L. DAVIDSON :—" I introduce the head 'Minor Works and Navigation'."

XXXI. & 45. Civil Works.

The Hon'ble Mr. L. DAVIDSON :—" I introduce the head 'Civil Works'."

His Excellency the PRESIDENT :—" After luncheon I propose to call upon the Hon'ble Mr. Rama Ayyangar to move his resolution."

The Council then adjourned for a short interval.

RESOLUTION RE GRANTS-IN-AID FOR DISTRICT BOARDS FOR THE CONSTRUCTION AND IMPROVEMENT OF VILLAGE ROADS.

The Council re-assembled after the interval at 3 p.m.

The Hon'ble Mr. K. RAMA AYYANGAR :—" Your Excellency, the resolution that I beg to move runs thus :—

'XLVIII. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 3,00,000 be provided to give grants-in-aid or total grants to the district boards for the construction and improvements of village roads and that the same be met by a corresponding reduction under the head "45-B".'

"My Lord, this resolution I propose to move only to bring to the notice of the Government a prior policy which had been adopted and which considerably worked to the advantage of the local boards in order to remind the Government to start the thing again after this period of stress is over with a view to give a real stimulus to the further construction of village roads. I have to take the Council back to the years 1911-12 and 1912-13. It will be found from a perusal of Table XVI attached to the Local Funds administration reports—which table has since been removed, the contents of the table being extracted in one of the paragraphs of the administration report itself—the previous reports contained in the table the number of miles of village

7TH FEBRUARY 1919.]

(Mr. Rama Ayyangar.)

road which existed at the beginning of the year, the number of miles of new roads constructed and the total expenditure. It will be found on a reference to the administration report of 1913-14, Statement XVI that about 5,681 miles of village roads existed at the commencement of the year; about 67 miles were newly constructed in that year. In the previous years 1912-13 and 1911-12 there were respectively 75 and 79 miles of new village roads constructed. The total outlay on village roads both on repairs and new roads amounted in 1911-12 to Rs. 4,42,000 and in 1912-13 to Rs. 4,73,000 and in 1913-14 to Rs. 4,62,000. Then what was done by this Government will be seen by a reference to the Finance Committee's reports. In each of the years 1914-15 and 1915-16 Rs. 3 lakhs were set apart for village roads and grants were made to the several boards and the effect of it could be seen by a reference to the reports of 1914-15 and 1915-16. In 1914-15 it will be found that actually 293 miles of roads were constructed. That appears again from Table XVI of the administration report for 1914-15 as against 67 in 1913-14 and 75 in 1912-13. The total expenditure on village roads on repairs and new roads ran up to Rupees 6,03,000 while it stood at Rs. 4,62,000 in the previous year. Previous to that it was only less. It can be also seen that in 1915-16 the total construction of new roads was 166 miles as against 67 or 79 miles in previous years, prior to the grants of 1914-15 and 1915-16 because these grants were made in 1913-14 and 1914-15; grants were made according to this budget of 1913-14, and they spent it in 1914-15 partly and in 1915-16 partly. In those two years we find that 293 and 166 miles of new roads were constructed. Since then owing to the stringency on account of war conditions we have not been able to earmark any money for this purpose and the effect of it is seen in the two subsequent reports. The last report I have is the one for 1916-17 which shows that the construction of new roads had gone down by about 80 miles. I find in paragraph 24, clause 2, of the administration report for the year 1916-17 that only 90 miles of new roads were constructed and the total expenditure on village roads reduced itself to Rs. 5,31,000 as against Rs. 5,89,000 in the previous year and as against Rs. 6,03,000 in the year 1914-15.

"Therefore, my Lord, it clearly proves my case; statistics cannot err and they clearly prove that when a comparison of the money that has been given to the various local boards in these various years is made—in the present Amended Draft Financial Statement we find that this is brought out at page 11—grants given in aid of the resources of district boards and for roads and bridges were in 1913-14, 29.70 lakhs and in 1914-15, 29.75 lakhs; and they were subsequently reduced to 19 lakhs, 16 lakhs, etc. Of course in the present year and in the next year the proposal to expend this extra money on trunk roads is a different matter. I am referring to this only to show that when impetus was given by the Government to this matter in 1913-14 and 1914-15 from 40 miles of new roads constructed we ran to 293 and the next year it was 166. Subsequently it has gone down. Of course the financial condition necessitated this being limited to as small as 40 miles. But our conditions this year show that we have chosen to spend about 90 lakhs and odd more than last year and the expenditure is much more than what we had in 1913-14. Therefore I only remind the Government of this with a view to continue the policy which was adopted when affairs were favourable.

"As I have shown the total mileage of village roads now comes only to about 6,000 for about 52,000 villages. If we remove 2,000 villages for municipal towns and taluk board areas, for 50,000 villages we have got 6,000 miles of village roads. I do not say that it should take a very prominent part in the budget, but I do want that this should be recognized and attention paid to it. In fact I know from the experience of district board budgets that without aid from the Government they are not able to provide for the construction of new village roads ordinarily. Even when the Government made a grant of Rs. 3 lakhs each year for two years the question was raised by the district board engineer that the maintenance of these roads would fall upon the district board later and therefore they would prefer not to spend the money on new village roads but would add it on to the usual expenditure on the existing roads. This attempt was got over after a considerable fight on the part of the district boards and it was explained that part of their duty would be to improve the condition of villages and therefore in 1914-15 and 1915-16 though the grants to the Presidency were Rs. 3 lakhs, apparently the rise was only Rs. 1,45,000 in the expenditure, showing that out of the 3 lakhs granted about 1½ lakhs was utilized in getting the previous village roads into order. That is the result of an examination of the figures for the last six or seven years. Therefore, my Lord, my submission is that it is a matter in which unless the Government continue the policy, the tendency of the district boards will be to spend it on the existing roads and not to add to the cost of the maintenance of further mileage of roads.

"I am one of those who would like to press upon the Government the necessity to place as little restriction as possible in making grants to district boards. But while that principle exists, it is necessary for the Provincial Government to see that utilization is made of Provincial funds to improve the condition of the whole area in the Presidency. The ryots who are most concerned and whose money very largely goes to the pocket of the Provincial finance mostly live in the rural areas and they do suffer and everybody knows that they have to walk through ridges of fields in country parts and they have to wade through long distance of water in the rainy season. In these circumstances I only submit that it lies as a specific duty on the Provincial Government to see that as many of these roads as possible are constructed newly, the district boards taking of course the responsibility of maintaining them later on, as in the years 1914-15 and 1915-16 when, as I showed, they ran up from 50 miles to 293 and 166 miles. It was only because subsequently grants were not added, the total expenditure fell down and the

(Mr. Rama Ayyangar; Mr. Ranga Achariyar; Mr. Rajagopala Achariyar.) [7TH FEBRUARY 1919.]

number of new roads also fell down. Therefore the principle ought to be continued, and, my Lord, I press upon the Government this duty that the rural areas ought also to be benefited and when we are adding to our expenditure now for various reasons, it is only very proper that at least Rs. 3 lakhs should be ear-marked. My proposition relating to rural sanitary parties was open to so many objections and has not had the good fortune to be accepted. But this one at least will directly benefit the rural areas and it is not a matter in which we can afford to keep quiet. I request that this 3 lakhs may be provided for the construction of village roads. I have no objection if even a condition is added 'for new village roads.' Unless the Provincial Government take the whole responsibility, the boards would not extend the village communications. The natural tendency, as I have explained by the figures, is to spend money on the already existing roads. Therefore I submit that the matter may be given the full consideration that it deserves and the masses of rural areas may be allowed to benefit by some contribution which necessarily must benefit them. In the case of taluk boards they have some roads which they keep up and their funds are fairly sufficient, and the rural areas, where more than 70 per cent of the people live, do not get any benefit from roads except by way of trunk roads and other roads leading to towns. It is only right that they should be encouraged as much as possible. With all that an eye should be kept for the development of the policy which was started and which has substantially succeeded and which shows that the rural areas have benefited in the two years by grants which enabled us to have 460 miles more, whereas the average prior construction would have been only 80 miles. Therefore it is only very proper that the money should be ear-marked for that purpose and that village communications should be pushed forward as much as possible. I hope the Honourable Member in charge will start in right earnest and I have not the slightest doubt that if he begins to apply himself he will see that it is pushed through with the greatest possible speed. I press the resolution for the acceptance of the Council."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"Your Excellency, to emphasise the importance of the construction of new village roads and also take up the suggestion let fall by my Honourable friend Mr. Rama Ayyangar in his opening, I propose to omit the words 'and improvements' in line 3 so as to earmark the money for the construction of village roads, and that the district boards may not claim this money for improving the existing village roads. I think this subject is of vast importance and I dare say the Hon'ble Mr. Rajagopala Achariyar in his frequent tours into the interior of the Presidency, especially in the deltaic tracts, has witnessed the serious difficulties which the people living in the village parts are put to in having to do their necessary duties, in transhipping their grain from place to place. It is really a great difficulty and in order to draw the prominent attention of district boards to this primary duty on their part, I think if a separate head under village roads is maintained the controlling authority here will keep an eye whether they are dealing with it and pushing it on; whereas if this gets mixed up with the trunk roads the controlling authorities will not have an opportunity to see whether the district boards are performing their duty in this direction or not. I quite appreciate the position of the Government that these local authorities should be left to themselves in the management of their own affairs. That is the answer which I expect the Honourable Member is going to give in respect of this resolution."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"What is it, please?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"That the local authorities should be left to manage their affairs and the central Government should not ear-mark it. I know he gave me this answer in the Finance Committee. While we appreciate that position, I appreciate also control and control from outside is also necessary even for the most self-governing subject. There must be some central controlling authority and they must keep an eye on this for certain purposes. That only shows that we realize the importance of this subject and, as has been pointed out by the Hon'ble Mr. Rama Ayyangar when we did ear-mark money for two years, the district boards showed signs of improvement and made more miles of new roads whereas they have now gone back. I remember that my honourable friend Mr. Siva Rao wanted to omit the reference to village roads in the heading in the Finance Committee. I do not know why he suggested that, I think it is very important indeed that some money should be ear-marked for this purpose so that the district boards and taluk boards may be induced to spend money in that direction. If that is done, applications will come pouring in for grants and the Honourable Member will find it difficult to make the distribution. There is one thing which we must remember. It is human nature; most of these district board members come from taluk boards and the difficulties in those roads attract more attention than village roads. I do not mean any reflection on district board members when I say that very few people go actually from the villages to the district board meetings. I therefore think that prominent attention should be drawn to this aspect of the question. The policy was wise and it should be kept up. I strongly press this resolution on the Government for acceptance."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I think it is better that the Hon'ble Mr. Suryanarayana Rao who has given notice of a similar resolution should speak before I reply."

7TH FEBRUARY 1919.] (Mr. Suryanarayana Rao; Mr. Rajagopala Achariyar.)

The Hon'ble Mr. A. SURYANARAYANA RAO :—"I have no objection. My resolution is with regard to the Vizagapatam District Board. It runs thus :—

'LV. This Council recommends to His Excellency the Governor in Council that a sum of 1 lakh be added under 45. CIVIL WORKS for granting to Vizagapatam District Board for village communication and the corresponding sum be reduced under the sum of unallotted expenditure.'

"In the first edition of the budget nothing was provided for village communications. In the revised budget estimate I noticed that Rs. 46,900 has been provided. When I sent in that resolution I had no idea that Rs. 46,900 has been provided, but now I do notice it and my request is only that it should be rounded off to one lakh."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Is it for village roads or is it the 13 lakhs distribution next year?"

The Hon'ble Mr. A. SURYANARAYANA RAO :—"I ask for one lakh for the Vizagapatam District Board. The difficulty in this matter seems to be that under the Government Order issued by the Madras Government to district boards the boards were asked and they did not know exactly when the money was to be spent and there was some misapprehension in the mind of the Vizagapatam District Board President; hence he did not ask for the full amount. I know of the Vizagapatam District Board President; hence he did not ask for the full amount. I know one lakh is wanted, and in distributing the unallotted amount I would request that one lakh may be distributed to Vizagapatam. My resolution refers to village communications. Village communications are in a very bad condition and there are several roads to be opened and one lakh is not too much. Therefore I pray that the amount asked for in this resolution may be given. I appeal to the Government to give that one lakh."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Your Excellency, the Honourable Member has raised a definite issue of policy in regard to these grants. We may as well deal with it and decide once for all whether in making these grants for communications we would be well advised in saying how much money should be spent on village roads and how much of it on what are called main roads. That is the point which he has urged and it is well to meet that point of view. He has been supported in that by the Hon'ble Mr. Ranga Achariyar, the ground being that unless that is done the local body will not pay that adequate attention to village communications which they deserve. It seems to me it is a rather severe indictment of local self-government to say that local bodies cannot be trusted with a free hand in regard to these sums that you may be able to spare for the development of their communications, and that you should tell them how much of that money should be spent on village communications and how much upon other communications. It may be that in some of the districts village communications may need more expenditure than other communications. In others the reverse may be the case. One would think that this is one of those things which we might leave to the local bodies, contenting ourselves with giving as much money as we can spare, and placing it at their disposal, leaving it to them to settle the distribution without earmarking it in advance. Personally I have never disguised my view that earmarking our help in so many ways is injurious to the development of local self-government. I would rather give them lump allotments and leave them to spend the money themselves. That appears to me to be the correct policy. They will have to judge the requirements of the different departments with reference to the circumstances of each locality, but that probably is a thing which we cannot aspire to just now."

"Now we have got a grant for that purpose, what is called the 14 lakhs grant which has now been stereotyped into 17 lakhs. That is a fixed recurring grant made to the district boards in aid of their resources generally. Personally I think the most satisfactory course will be, if they can spend the money, to give them as much as possible to their general resources leaving them to settle the details as to whether they should spend the money on this or that. Then comes the grant which is generally not fixed, 5 lakhs which is called a grant 'for village and other roads.' Originally it was called 'village roads' and afterwards we put in other roads. That 5 lakhs grant is really intended for the poorer district boards. When this old scheme of 14 lakhs was stereotyped, every board got a grant from us, a certain percentage of what they collected, with the result that the well-to-do boards got a percentage on what they collected which was generally much more than what the poorer district boards could get. The boards which were poor got poor help. It is to correct that, that this 5 lakhs grant has been started and is being utilized. The Honourable Members would see this distribution of 5 lakhs in 1917-18 and 1918-19. The distribution which is provisionally proposed for 1919-20 confines it to eight districts of which four are undoubtedly poor, Anantapur, Bellary, Cuddapah and Kurnool. Two of them get Rs. 80,000 each and two Rs. 90,000 each. I should be glad to know if there is any difference on this point that these are undoubtedly the poorest of our district boards. The district boards in the Ceded districts do require some help because their stereotyped share in the 14 lakhs grant is comparatively small, Bellary gets Rs. 35,100, Cuddapah 37,000, Kurnool 41,000 and Anantapur 26,000. It is to redress the inequality which is incidental to the stereotyping of that 14 lakhs grant or the 17 lakhs that this 5 lakhs is utilized. I propose in the next budget to put the thing on proper footing by calling this 5 lakhs, as specifically intended to help the poorer district boards. It is true that there are four other boards which are getting help from

(Mr. Rajagopala Achariyar; Mr. Siva Rao; Mr. Krishna Rao.) [7TH FEBRUARY 1919.]

the 5 lakhs grant, namely, Salem, Nellore, Chittoor and Chingleput. They get Rs. 40,000 each. I think I am right in claiming that next to those poor district boards of the Ceded districts if you take another group of poor districts these will be the districts. If you are going to increase the allotment under this sum by bringing up other district boards, that will tend to obliterate the distinction which we draw between those which require more help and those who require less help, and the former will not receive the help that we want to give them because on account of their poor collections they get a poor share of the 14 lakhs grant.

"You will also probably find that to give a definition of village roads and to make it work and enable us to control the expenditure in the way which is contemplated is extremely difficult. My own opinion is it will be a wise policy when we have money to give to local bodies—to give it to them for general purposes. If you want to stereotype it for particular purposes, stereotype particular heads, so much for education, so much for sanitation, so much for communications or bridges and culverts: that is intelligible. You had better not draw a distinction between village and other roads. So far as 1919-20 is concerned, the Government are not in a position to increase the grants already made for the local bodies. We have worked it out as far as we can go, and we have done what we could do. What we can do is in the distribution of the allotment already made. We shall not be in a position to give an extra amount of Rs. 3 lakhs and call it grants for village roads.

"In regard to the Vizagapatam District Board the Hon'ble Mr. Suryanarayana Rao referred to another matter in the distribution of 13 lakhs already made. This 13 lakhs had to be distributed in a particular way with reference to the reports we received from the districts as to how much of it they could spend within the year. I recognize that the distribution has been somewhat unequal on that account. But there are 6 more lakhs to be distributed this year and 7 lakhs next year and in making that distribution we will attempt to equalise, so that all the boards will feel that they have been treated with a reasonable amount of fairness. For these reasons I am not able to accept either resolution."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I had no idea originally to take part in the discussion. But the Hon'ble Mr. Ranga Achariyar referred to me and to the part I took in the Finance Committee and to my objection to these grants being described as for village and other roads. I do not know whether we could explain what we did in the Finance Committee; I may say that the discussion arose in this way. Out of the 5 lakhs granted to the poorer district boards, eight of them, the Hon'ble Mr. Ranga Achariyar wanted that 3 lakhs should be earmarked for village roads. Then it was properly objected to by me that unless they were prepared to earmark the 17 lakhs for village roads or any other purpose there was no good of earmarking the five lakhs grant for these village roads and that fetters should not be placed on the discretion of the district boards and they should be left to spend the money as they liked. I have several times explained to the Council the origin of the 5 lakhs grant. The poorer district boards were not getting very much advantage from this 17 lakhs Imperial grant when it used to be distributed on the one-fourth basis and the inequitable nature of that distribution struck me when I came to the Council and I brought it to the notice of the Government and the Government promised to consider it and to revise the distribution. They did so in the revised estimate of 1917-18. They thought that the Imperial grant of 17 lakhs should be left intact, but out of the provincial funds something should be granted to the poorer district boards for the purpose of roads. That is the history of the origin of the 5 lakhs grant. The same grant is repeated in 1918-19 and is proposed to be retained in the budget for the coming year as well. When the 5 lakhs grant was intended to be earmarked for village purposes I did not know what the Hon'ble Mr. Ranga Achariyar meant, whether anything out of the 5 lakhs should be reserved for village roads throughout the Presidency. I understood him to say that a portion of this, namely 3 lakhs should be earmarked for village roads, and I objected that as the 17 lakhs was not earmarked it was unnecessary to earmark these grants for this special purpose.

"As for the resolution on paper it is a harmless thing. It is only a question of funds. We have 13 lakhs grant this year, and if funds permit, it is quite open to the Government to make any grant for the improvement of village communications. As for the 5 lakhs let it not be earmarked for any purpose."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Though I find it difficult to agree with the Hon'ble Mr. Rama Ayyangar and the Hon'ble Mr. Ranga Achariyar in regard to some of their observations, so far as the main object of the resolution is concerned, that of adding three more lakhs for the improvement of village communications, I have no quarrel whatever provided the money at our disposal will permit us to make such an allotment. I think it is necessary to remove a certain impression which might have been created that the district boards have not been alive to the improvement of village roads. I believe it is not fair to judge of the results achieved in the matter of improvement in the village roads by looking at the gradual increase in the construction of new roads or otherwise. The fact is that the normal expenditure of these district boards has been increasing out of proportion to their revenues. That has been the real stumbling block, not that they are not alive to the importance of village communications. If you only go carefully through the budgets they have been submitting to the Government, you will see that they have been finding it difficult to make both ends meet and to maintain the minimum balance. It may be remembered that in most of these districts there have been roads to the extent of thousands of miles. You will find from statement III (c) appended to the

[7TH FEBRUARY 1919.] (Mr. Krishna Rao; Mr. Chidambaranatha Mudaliyar; Mr. M. Ramachandra Rao.)

administration report that several of these taluk and district boards have to maintain roads of 1,500 miles, 1,000 miles and so forth. It is known that of late the cost of maintenance has increased beyond all bounds. If only you examine the schedule of rates published by the Local Fund department—not even the Public Works department—you will find that it has been found necessary to increase the expenditure under every possible item. If you have got thousands of miles of roads in these district boards, it is necessary to spend much larger sums of money, sometimes double and sometimes treble. Is it possible to expect that these district boards can neglect the roads already in existence and take up village roads? I do not know if there is any one who can urge the policy of neglecting the roads already in existence. That is, so far as I have been able to understand, the real difficulty which has been facing these district boards.

"There is an impression which seems to have been created by the remarks of the Hon'ble Mr. Ranga Achariyar that possibly the district board members who own motor-cars might only think of the big roads and not the others. I do not know much of the conditions in other districts. But so far as the Nellore district is concerned, there is not even one member in the mufassal who owns a motor-car. Even the divisional officers come in rickety jukkas or bullock carts. It is quite clear that they themselves know the difficulty of these village roads; but still they find it difficult to make adequate provision for village roads."

"I may point out that Nellore is one of the districts which have had the benefit of this grant. But for the discretion given in that order that this money may be spent on village and other communications, it would not have been possible to utilize it to any appreciable extent. So far as the grant is concerned, every one is anxious to utilize it fully on village roads; but when once you take up new roads, the question of acquisition and of alignment comes up, which must cause delay. The question will arise whether we should allow the money to lie idle. One would naturally come to the conclusion that it is better not to let it lie idle but spend it on the maintenance of the existing roads or on some other important roads. For village roads the acquisition and the alignment will take some time. I believe the Government are therefore freely giving some sort of discretion to the district boards by not earmarking the money for village roads but allowing it for 'village and other communications.' It is true that they draw pointed attention to the fact that village communications should be improved; but they give them some discretion so that they need not look up the money, if they cannot use it for that purpose. Therefore while supporting the objects underlying these two resolutions, namely providing 3 lakhs for this purpose and 1 lakh for Vizagapatam, I agree with the Hon'ble Mr. Rajagopala Achariyar in saying that it is not desirable to earmark this for particular items. It is always desirable in the interests of local self-government to give the local bodies a free hand in the matter. If we ask the Government to fetter their discretion and to prevent them from dealing with it as they please, I believe we will be running counter to the various reforms we have been introducing from time to time."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"Your Excellency, I wish just to say a word. The whole discussion seems to have turned on the question of earmarking or not earmarking a particular grant. I am afraid the main issue raised by this resolution has been entirely lost sight of in this bye-discussion, if I may so call it. The Hon'ble Mr. Rama Ayyangar wants an additional grant of 3 lakhs for the improvement of village communications. In this Council I have as often as I could, pleaded and put forward the importance of improving the village roads and extending them as early as possible in almost all the districts which show such a poor state of village communication. Village communication particularly in an entirely agricultural province like ours means more than mere communications for people to go up and down. It affects the value that the marketable produce gets. The market depends upon the state of the village roads, and the tax-payer has a right to expect the Government to provide money for village roads being kept as efficiently as possible. The contribution to village roads means very much more than what it means in other countries."

"As regards this important question, I am sorry that the Hon'ble Mr. Rajagopala Achariyar has said that the Government cannot possibly go any further. I should very much like, if there is any possibility, they should consider the matter deeply, review their decision and see that something more is provided on behalf of village communications so that the retrogression that has been pointed out in the progress of village roads by the Hon'ble Mr. Rama Ayyangar might not continue and some real attempt might be made by the local boards to improve village roads and maintain them in a better condition than what they were three or four years ago."

"As to the principle of earmarking I think so long as the Government can think of earmarking for communications, it is no greater vice, no greater sin to earmark it for village communications particularly seeing the absolutely hopeless condition of village communications in an entirely agricultural province like ours. I am one of those who feel convinced that the Government will be doing their duty, not only to themselves but also their duty towards efficient communication, as the central power is expected to do by earmarking money for village communications. With these words, I strongly commend this resolution to the earnest consideration of the Council."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, I think it is better not to debate under cover of this resolution the question whether there should be any earmarking in favour of village roads or not. It seems to me it is far better to deal with the main question whether some more money should be put under communications. There are considerations either way and it will take far too long a time to set out all these considerations; and I trust

(Mr. M. Ramachandra Rao; Mr. Rajagopala Achariyar; [7TH FEBRUARY 1919.
the President; Mr. Rama Ayyangar.]

that any vote that may be taken on this resolution should not be regarded as decisive of this question. As regards the question whether any further money should be spared for the purpose—that is the only question that should be properly considered as having been debated in this resolution—we have had the statement of the Hon'ble Mr. Rajagopala Achariyar that the Government are not in a position to find more funds."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"We are not in a position to give more money than what we have already provided to the local boards in the next year. The issue is the issue raised in the resolution and not the issue raised in the speeches. The Hon'ble Mr. Rama Ayyangar raised the issue, and I answered it. The resolution runs thus: 'that a sum of Rs. 3,00,000 be provided to give grants-in-aid or total grants to the district boards for the construction and improvement of village roads'. The answer is we have not got the money to give."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"We are now on the general question whether any portion of the grant should be earmarked for the particular purpose of village roads. My Honourable Friend wanted to give the Government an idea as to why he is asking for 3 lakhs more, and that is, in his view it will be usefully spent by the district board for the purpose mentioned by him. The broad general question whether any grants should be earmarked for this or that purpose is full of complications. It is only yesterday that my Honourable Friend while agreeing to devote one lakh for the relief of congestion in the deltaic tracts told us that it was specially earmarked for that purpose and he accompanied it with a condition that it should be spent during the year and that it would lapse if not spent within the year. These are all restrictions on the liberty of action of the district boards. I see the difficulties either way, and I have a great deal to say on that, but I venture to think this is not the occasion on which to debate this point. If the Honourable Member would find some more money for the purpose and not necessarily earmark it, we shall be satisfied. In this year the Government were good enough to give us 20 lakhs for the improvement of main communications. We have also an additional grant of 6 lakhs for the same purpose next year in addition to our usual grant of 17 lakhs and besides the 5 lakhs grant. These are all very good disposals of monies for the improvement of communications. If we can comply with the Honourable Member's request it is all that is required. I do not wish to raise the general question."

His Excellency the PRESIDENT:—"The Honourable Gentleman need be under no misapprehension. The question has been raised and discussed. So far as the decision of the Council is concerned they can only decide the question raised in this resolution."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"If that is so, the resolution is that 3 lakhs more are required for a particular purpose. There is no question of earmarking."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"It says 'for village roads'."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I should have been very sorry if I had no opportunity to reply. Very cleverly the Honourable Member in charge raised an irrelevant issue and apparently made us all fight here. The question whether the 15 lakhs or 17 lakh grant was given to aid the general resources of boards is one which ought to include others is a point which cannot now be settled. I dare say he has gone through the records. I can tell the Honourable Member that it is a grant that was made in 1914 and since then it was to aid the general resources of the boards, because it was expressly found that as they then stood they could not get on without a deficit balance and they wanted it. The Honourable Member has scrutinized the budgets and he cannot say without that they could live as district boards. That is not relevant to this matter at all, nor was so much money distributed by the Government on the principle of non-earmarking. On the other hand it was earmarked as this 'in aid of the general resources of district boards'. To call it non-earmarked is not proper. I may also add, you have been giving sanitary grants, education grants and other grants. In all these you have earmarked them particularly all through. That is the first issue raised."

"I have to add one more point. This Government have not added to it by more than 1½ lakhs because of the peculiar stand taken by this Government, that in the case of particular district boards when they just added on to their taxation the road-cess they would be given equal grants and they added to that extent to the general resources by 175 lakhs to Malabar and South Kanara. If that is taken off, in aid of general resources this Government have only to add the general resources of district boards."

"The second point about 5 lakhs is absolutely a point that has been newly started, and it has been taken to aid the poorer district boards. To bring that in as a question here is absolutely irrelevant. It is not a matter which the Government are prepared to give all district boards. It was given to the poorer district boards which could not exist without this. It was discussed for three years, and it was after the Honourable Member took charge; and he now persists in calling it provisional money which has to be distributed to them. That money is not placed at the disposal of the boards. That has therefore no relevancy at all. Then what have we given, 13 lakhs or 20 lakhs this year. That again was taken hold of about the close of the year and after three months' notice the people were asked whether they would spend it in the course of the year; if not it would be distributed as the Government pleased. We have taken

7TH FEBRUARY 1919.]

(Mr. Rama Ayyangar; the President;
Sir Alexander Cardew.)

objection to that. The distribution that has been going on is quite unfair. That is a matter that is not relevant either. All the 13 lakhs that was distributed will not be used for anything but those that have deteriorated for want of railway communications. That is earmarked. I do not know why this Government who are now so much pleading for not earmarking thought it fit to earmark this 20 lakhs and to say that they distributed it so that it should be spent on roads which had fallen into disrepair owing to too much traffic. Now for the purpose of my statement and that of the Hon'ble Mr. Ranga Achariyar and for making other people talk of earmarking the matter has been started. My Lord, I do not think it is fair in that discussion. The next point is we have had 201 lakhs balance."

His Excellency the PRESIDENT:—"I must really ask the Honourable Gentleman to confine his remarks to the subject matter of this resolution. I have done my best to give an indulgence to all who have spoken on this matter, but there must be some consideration for rules and the convenience of Members which is founded on the rules and protected by the rules."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I am just explaining."

His Excellency the PRESIDENT (interrupting):—"The Honourable Gentleman has been explaining the whole time."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Within the time allotted to me."

His Excellency the PRESIDENT:—"He has been going over the ground already covered. He has been giving the ancient history with which he admitted that my Honourable Friend is well acquainted. That is at the expense of the time of the other Honourable Members. I am bound to ask him to stick to his resolution."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I am quite willing to obey the chair, but I must submit that the point that I am taking is a point which raises the very question before us. I am only dwelling on the balances you have accumulated, 201 lakhs. In fact it is only this year we have been able to draw upon it and we are spending 74 lakhs out of it. We were spending before 100 lakhs."

His Excellency the PRESIDENT:—"The Honourable Gentleman does not propose to take it out of the general balance or out of something else."

The Hon'ble Mr. K. RAMA AYYANGAR:—"The balance of 74 lakhs is included under this head. I am referring to the 74 lakhs included under this head. The other balance has been settled both by this Government and by the Government of India and I cannot go into it. Therefore we are asked when moving resolutions to propose reductions in the budget to explain how from this balance, money can be found for a proposition like this and to show that it is properly placed before the Council."

His Excellency the PRESIDENT (interrupting):—"I understand that no further reduction of the balance is in order."

The Hon'ble Sir ALEXANDER CARDEW:—"No further reduction of the balance is possible."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I admit it but—"

His Excellency the PRESIDENT (interrupting):—"That subject is not open to discussion. Will the Honourable Gentleman kindly follow the subject matter of the resolution?"

The Hon'ble Mr. K. RAMA AYYANGAR:—"May I explain that the 74 lakhs taken out of the balances is included in the money provided for next year?"

His Excellency the PRESIDENT:—"Does it come under the head 45-B?"

The Hon'ble Mr. K. RAMA AYYANGAR:—"It does come under it."

His Excellency the PRESIDENT:—"Will the Honourable Gentleman continue?"

The Hon'ble Mr. K. RAMA AYYANGAR:—"So far as this portion goes, my submission is that we are able to spend from our balances. I should have pointed out that this should have been distributed over 20 or 25 years to district boards for general purposes by gradually reducing the balances. We have got an extraordinary contingency to meet and we are reducing the balances. What I say now is when we have these balances, let us have a programme by which we will be able to improve village communications. This principle has been adopted by the Government and it has been found quite successful in bringing into existence 400 miles of new roads. I therefore only request in continuation of that policy to just give 3 lakhs for such purposes. That is my main point. Having created these local boards, district boards, taluk boards and unions which serve particular areas, areas which are absolutely unable to spend money on this in spite of their collecting all the revenue from their areas, we must see that they do not neglect their duty and they are not indifferent; but, it is known to all here and the Government know it definitely, they have no means otherwise even to keep themselves going. Therefore when we are giving further grants, while we are spending money on trunk roads, it will be very wise to have a small grant which will be distributed over a number of years which will be utilized for this purpose of communications in the villages where the masses live who contribute most of the money and most of the road-cess that is spent by the taluk boards and the district boards. The money will serve the masses properly. I only want, if it is 25 lakhs—I want you to give them 3 lakhs. It is said there is 20 lakhs and 5 lakhs here and the two together make 25 lakhs. Out of that give us 3 lakhs to help our villages. When it is earmarked for trunk roads and poorer district boards, it is necessary to earmark some of that money for village communications. It is a policy which was started and it is necessary it should be continued."

(Mr. Rama Ayyangar ; the President ;
Mr. Suryanarayana Rao ; Mr. Ahmad Tambi Marakkayar.) [7TH FEBRUARY 1919.]

It was kept in abeyance owing to exceptional circumstances. The question of the boards being restricted in the disposal of the money does not arise because the boards go long as they want it for other needs will continue to expend it like that. It is only proper that it should be set apart. No apple of discord is thrown. The matter must be taken in the spirit in which it is placed before the Council, that the provincial funds must be made actually beneficial to the masses. It is a matter in which I feel strongly. I do not think I am wrong in saying that the villagers deserve protection from this Government to some extent. I am not claiming much. Out of an expenditure of 820 lakhs, I am only claiming 3 lakhs for this purpose, in a year in which non-recurring expenditure which is not obligatory comes up to 100 lakhs. I ask the Government to place 3 lakhs for this purpose. I think this resolution deserves favourable consideration."

The resolution of the Hon'ble Mr. Rama Ayyangar was put to the Council and lost.

The Hon'ble Mr. K. Rama Ayyangar demanded a poll which was taken with the result that 15 voted for and 22 against the resolution. The following was the result of the division:—

For	Against
The Hon'ble Mr. V. K. Ramanuja Achariyar.	The Hon'ble Sir Alexander Cardew.
" " M. Ramachandra Rao.	" Mr. L. Davidson.
" " P. Siva Rao.	" " C. G. Todhunter.
" " K. Rama Ayyangar.	" " A. Y. G. Campbell.
" " K. Sadasiva Bhat.	" " R. Ramachandra Rao.
" " K. Suryanarayanamurti	" " M. Young.
" " Nayudu.	" " L. E. Buckley.
" " B. Venkatapati Raju.	" " R. B. Wood.
" " A. Subbarayalu Reddiyar.	" " N. E. Marjoribanks.
" " T. Ranga Achariyar.	" " M. Aziz-ud-din Sahib.
" " Yaqub Hasan Sahib	" the Rev. G. Pittendrigh.
" " Bahadur.	" Sir Francis Spring.
" " Ahmad Tambi Marakkayar.	" Mr. R. Littlehales.
" " K. Chidambaranatha Mudaliyar.	" Sir Fairless Barber.
" " A. Suryanarayana Rao.	" Sir Gordon Fraser.
" " A. S. Krishna Rao.	" Mr. J. H. Thonger.
" " B. V. Narasimha Ayyar.	" Archbishop Aelen.
	" Mr. W. Hutton.
	" " W. J. J. Howley.
	" the Advocate-General.
	" Mr. P. Rajagopala Achariyar.
	" " H. G. Stokes.

His Excellency the PRESIDENT:—"I understand this disposes of Resolution No. LV standing in the name of the Hon'ble Mr. Suryanarayana Rao."

The Hon'ble Mr. SURYANARAYANA RAO:—"I do not think it need go to the vote. I am satisfied with the assurance of the Honourable Member."

With the permission of His Excellency the President Resolution No. LV was withdrawn.

RESOLUTION RE GRANT TO TANJORE DISTRICT BOARD FOR IMPROVEMENT OF ROADS.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBİ MARAKKAYAR SAHİB Bahadur:—"Your Excellency, the resolution that stands in my name runs as follows:—

'XLIX. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 1,50,000 be provided to the District Board of Tanjore out of the allotment of 13 lakhs set apart for district boards for improvement of important roads under 45-A. CIVIL WORKS.'

"I see from the Amended Draft Financial Statement that a sum of 20 lakhs has been given for the district boards by adding another 7 lakhs in excess of last year's allotment. The balance left for 1919-1920 is only Rs. 6 lakhs.

"The importance of this resolution was explained by me in the Finance Committee. It is a well-known fact that the communication of the main roads was overlooked, and the wanting deal. Further, from the standpoint of Government, it is absolutely necessary, in case of necessity and emergency it is always better to have the communication in good order and condition, especially from one port to another. Tanjore district and her importance is well known, especially that she possesses a large number of important sea-port towns. Consequently, it is only proper that such communications are encouraged. In the list of grants given to district boards last year, nothing was given to Tanjore district and I am sure Your Excellency's Government will see its way to set apart at least a lakh and a half rupees for the purpose of maintaining important roads. As a matter of fact, there are already a number of gravel roads in existence, leading from Negapatam taluk, in several branches, to Tanjore district and the

7TH FEBRUARY 1919.] (Mr. Ahmad Tambi Marakkayar ; Mr. Rajagopala Achariyar ; Mr. Ranga Achariyar.)

maintenance of which was overlooked for want of funds and therefore the condition of the road is very bad at present. I therefore hope that my resolution will receive the sympathetic consideration of the Council."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"This is a small matter. The Honourable Member evidently feels sore that in that distribution of Rs. 13 lakhs we have recently made, the Tanjore District Board finds no place. That is his point. The explanation is no grant was given to the Tanjore District Board as the President reported that the district was well supplied with bridges and it would not be possible to incur any special expenditure on roads for want of materials. When the Government of India sanctioned 26 lakhs to make up for the deterioration of roads all over the Presidency on account of the restriction of railway traffic, they said they had no objection to money being drawn from the Provincial balances and they said you may incur an expenditure of 13 lakhs provided the money is spent within the year. We asked all the district boards how much they could spend, we got their replies and we distributed the fund. The Tanjore District Board said it was well served with bridges and culverts and apparently it is not in a position to spend more. That is perfectly right. The Honourable Member will support me that in Tanjore it is not a question of money but they could not get the materials by rail on account of the restriction of railway traffic and they could not use the money. Now we have allotted another seven lakhs this year. The other 13 lakhs we had originally intended to give the next year, but it is found more convenient to give seven lakhs out of that this year and the balance next year. In making the distribution we have a freer hand and we hope to consider the claims of all the district boards to rectify inequalities as much as possible. The Hon'ble Mr. Rama Ayyangar has been so good as to bring up this matter separately. By all means let him do so and let him take this into consideration."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"There is one statement of the Honourable Member that the district of Tanjore was well supplied with bridges and culverts."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Bridges."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"The Honourable Member will remember that I brought forward a resolution last year about the sad want of bridges for four rivers for connecting the taluk headquarters with my portion of the district. I am glad that the Hon'ble Mr. Wood is here. He personally investigated the matter when he was Collector of Tanjore, and as District Board President he recommended that it should be undertaken. I know there are several such places where the district is in want of bridges. I cannot allow that statement to go unchallenged. There are places where bridges are wanted and if money were forthcoming, the difficulty will be rectified and the district will be greatly obliged to the Government. I support this motion of my Honourable Friend for a grant for the maintenance of trunk roads which are very important there as a means of communication. The Honourable Member will find from the correspondence on my resolution that they could not find money to maintain village roads and therefore the villagers are in a very deplorable condition. It is from that district that the land revenue and land cess is collected most heavily and yet the village roads are grossly neglected. The district board cannot find money to keep up trunk roads and to have bridges over the numerous rivers and canals which cut through the district. The district board has unfortunately been prevented from improving urgent communications by not being allowed to open the Tirutturaippundi-Vedaranniyam line by which they could have made an income of about Rs. 90,000. It is a pertinent appeal which the Hon'ble Mr. Ahmad Tambi Marakkayar has made on behalf of the District Board of Tanjore."

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBİ MARAKKAYAR SAHİB Bahadur:—"With reference to the remark of the Honourable Member in charge of the portfolio that the district board refused to accept a grant, it may be true last year on account of the difficulty of securing wagons for transport of materials. What about this year? I think wagons are freely supplied and the materials are freely coming. Gravel is available in Tanjore and they can extend the roads. There are a number of roads which are half metalled, some portions of them have been metalled up to 1 mile and 2 miles and the other portion comes up to 1 or 2 miles, and in the intermediate places it stopped for want of funds. For want of repairs a number of roads are lying idle. The roads are so bad that people are undergoing a great deal of difficulty. The Hon'ble Mr. Wood is here; he has great experience of the Tanjore district and he will testify that Tanjore district badly requires funds for maintaining gravelled roads. The rice and other grains have to be brought by roads. In that way the roads have become bad and the heavy rains have washed away the remaining portion. It is only proper to be plain, Your Excellency; I heard from a number of high European officials it is absolutely necessary because we do not expect any more war like this to come on but if at all anything is to be done it is better we should have communications in the interests of Government so that traffic can go by the roads when the sea is blockaded; if as a matter of fact Negapatam is blockaded by enemies, it is better to have communications by roads so that we could march away our troops with arms and ammunitions. I strongly recommend that the sum asked for should be granted."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I wonder what view the Honourable Member takes of my assurance, that in distributing the balance of this money—the balance of the 26 lakhs, we will give due consideration to the Tanjore district with reference

(Mr. Rajagopala Achariyar ; Mr. Ahmad Tambi Marakkayar ; [7TH FEBRUARY 1919.
Mr. Rama Ayyangar ; the President.)

to its own importance and also with reference to the fact that it got nothing in the first distribution. Does the Honourable Member accept my assurance or does he want 1 lakh to be given immediately? If he accepts it, I have nothing to say."

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR SAHIB Bahadur :— "I see from the accounts that there are 7 lakhs distributed and 6 lakhs for next year. So there are 13 lakhs already. Though 7 lakhs are included in last year's estimate, still there are 6 lakhs available. I only ask for 1½ lakhs; in the face of the refusal of last year's grant 1½ lakhs is not a great thing. I ask Your Excellency to grant this. There is no use of refusing every grant. They asked for village roads and that was refused; if this is also refused it will create heart-burning. There is no use of refusing. I hope the Honourable Member in charge will not make any more refusal."

The resolution was put to the Council and lost.

RESOLUTION RE INCREASED GRANTS TO DISTRICT BOARDS FOR THE IMPROVEMENT OF IMPORTANT ROADS.

The next resolution which stood in the name of the Hon'ble the Raja of Ramnad was as follows :—

'L. This Council recommends to the Governor in Council that a sum of one lakh of rupees be added to distribution of grant (of Rs. 13 lakhs) to local boards for the improvement of important roads, and the same be given to the Ramnad District Board for the completion of the Paramagudi-Mudukulattur, Ramnad-Kilakkarai roads and improvement of other roads in the Ramnad district generally, and a corresponding reduction be made in 45-B. CIVIL BUILDINGS.'

The Hon'ble Mr. K. RAMA AYYANGAR :—"I have been asked by the Hon'ble the Raja of Ramnad to move this resolution No. L. This may be taken up along with resolution No. LIX standing in my name."

His Excellency the PRESIDENT :—"Resolutions Nos. L and LIX will be taken together."

Resolution No. LIX which stood in the name of the Hon'ble Mr. K. Rama Ayyangar was as follows :—

'LIX. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 1 lakh be provided under the head 45-B for a contribution to be made to the Ramnad District Board for the completion of the new roads under construction and that the same be met by a corresponding reduction under the head 45-B.'

The Hon'ble Mr. K. RAMA AYYANGAR :—"In both the resolutions the object is to have 1 lakh provided for the Ramnad District Board for the completion of the particular roads referred to in resolution No. L and generally for new roads under construction. This, My Lord, is a subject which in one form or other was brought up by me last year and there was a full discussion over it. I found in the reply made by the Honourable Member in charge to the other resolution that of the eight district boards which are helped by the 5 lakhs grant, four are really very poor and the other four were brought in under a questionable category. The question I raised last year is the Ramnad District Board, if not a poor board it is a board which is placed under the exceptional circumstance and which does not attain to the average of the rest of the Presidency in the matter of roads. I explained it by a full discussion last year and I would not repeat it here, I will only say that the average number of miles in that district as compared with the extent of village areas is much smaller than in other districts in the Presidency. The poorest district board has much more roads, though this district covers a much larger area and a much larger population and it contains in itself lot of sandy tracts. Among the districts we have the largest number of villages in this district, except the Agency tracts. We have got about 4,000 villages in the district. In spite of that the extent of roads is poor. I have explained why it is so, because when it was mixed up with Madura greater attention was paid to Madura which was the capital city and to the main roads. I do not want to repeat the arguments now. I have no doubt that the Honourable Member in charge who has been in that district knows that district in detail and need not be further told about the needs of that district. It is only recently that they have been trying to put up communications connecting the main centres, taluk centres. The two roads referred to there, the Paramagudi-Mudukulattur and the Ramnad-Kilakkarai roads are very important roads. They are in flourishing parts, they have been commenced and they have not yet been finished. In these circumstances I thought in this 13 lakhs grant which was distributed that district board would have got enough, but when I saw the Draft Financial Statement I found that it only got about Rs. 18,000. When I made inquiries I learnt that they were asked to state how much they could spend within the year and apparently with the staff they had and with the difficulty of finding pebbles and gravel in that area they said they could not spend more. Whatever that

7TH FEBRUARY 1919.] (Mr. Rama Ayyangar ; Mr. Rajagopala Achariyar.)

may be, now that the whole matter has been explained in connexion with the resolution of the Hon'ble Mr. Ahmad Tambi Marakkayar, I think it will be granted one lakh this year as proposed in resolution No. L and another lakh as proposed in resolution No. LIX for the next year. That is a board which deserves the greatest consideration at the hands of the Government. As I said last year, if only Your Excellency had to go through the Ramnad portion of it to Tirupattur side the whole difficulty would be realized. There are no proper roads. Mr. Tottenham while he was there took it up in right earnest and tried to push it through. He was not able to get much money because in the interim war conditions began. Even in the matter of trunk roads the Madura-Ramnad road is in the worst condition. If the Honourable Member goes that side, he will probably find that for many years he would not think of that road. He will ask his man to drive to Tirupachiyur from Manamadurai. He will not care to travel on this road. If it is a motor-car it cannot travel more than three miles; if it is a jutka the horse will have to be renewed every fourth mile. This is a board with which I hope the Honourable Member will sympathise and it deserves the consideration of the Government till it is brought at least up to 700 miles. It is only 500 miles for 4,000 villages. Till it is brought up to 700 miles of trunk roads, taluk board and district board roads, it is absolutely necessary that it should be borne in mind by the Government as an exceptional board which deserves exceptional treatment. I hope both the resolutions will be accepted and provision made not only this year but next year."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"The Honourable Member has not referred to his Resolution No. LI for the construction of a bridge over the Kodavanar river."

The Hon'ble Mr. K. RAMA AYYANGAR :—"I was dealing with L and LIX."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I thank you very much. The Hon'ble the Raja of Ramnad's resolution really refers to the way in which we ought to distribute the 13 lakhs grant. I understand what the Honourable Member says. His complaint is also mainly on the ground that that distribution has not been equitable. I have already explained that matter and given the assurance to such of the Honourable Members whose district boards have had a smaller share of that money that we would try to redress the inequality as far as possible in distributing the remaining 13 lakhs, 7 lakhs this year and 6 lakhs the next year. But we are not in a position to spare any more money. I consider the Government have given as much money as they could and it would not be possible to add an extra lakh as proposed by the Honourable Member."

"The Honourable Member has reminded us of what I would otherwise have been bound to say, namely, that we gave him one lakh for this very purpose which went into the accounts of the year 1917-18. Now we did that in view of the necessity of the Ramnad District Board in the matter of communications. We have to be fair to all boards in this matter and I cannot commit the Government in advance to any promise, but in the further distribution of the 13 lakhs I will try to make it as even as possible and I will take note of what has been already done in the matter."

The Hon'ble Mr. K. RAMA AYYANGAR :—"Is the reply the same to Resolution No. LIX?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Yes."

The Hon'ble Mr. K. RAMA AYYANGAR :—"I am satisfied with the assurance. I do not press the resolution though I want to say, because the Honourable Member has not referred to it, that the exceptional needs of this district should also be taken into consideration. It is not merely a question of judging the proportion of the several districts. It has exceptional needs and they have to be noted. I beg to withdraw the resolutions."

With the permission of His Excellency the President the resolutions were withdrawn.

RESOLUTION RE GRANTS TO THE DINDIGUL TALUK BOARD FOR THE CONSTRUCTION OF A BRIDGE OVER THE KODAVANAR.

The Hon'ble Mr. K. RAMA AYYANGAR moved the following resolution :—

"LI. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 20,000 be provided for grants to the Dindigul Taluk Board through the Madura District Board for the construction of a bridge over the Kodavanar river and that the same be met from the provision for bridges and causeways or by a corresponding reduction under the head '45-B'."

In doing so he said :—"This is a small matter. There is a provision for bridges, causeways and culverts. This Kodavanar river has to be bridged and it is one of the portions which connects the main portion of Dindigul taluk. I have been told that this bridge should be put up as early as possible. I dare say the Honourable Member was there in Dindigul some time back and he knows the needs of the place. I dare say the money I ask for will be provided if it can be done."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Your Excellency, the subject of this bridge for the Kodavanar river stands thus. We have no information whether any sanctioned estimates are ready for this work and we have no information as to what the estimated cost is. We have no information what the district, board or taluk board think of the

(Mr. Rajagopala Achariyar; Mr. Rama Ayyangar; [7TH FEBRUARY 1919.
Mr. M. Ramachandra Rao.]

need of this work. I think the proper thing in a case like that is not to make a provision in the budget for a bridge for a river in regard to the need of which no pronouncement is made by either the district board or the taluk board. If either the district board or taluk board takes it up and applies for a grant, we will apply our usual rules with regard to grants for the construction of bridges and culverts. In the absence of any information as to what the local bodies think of it, it is premature that the Council should say that this money should be provided."

The Hon'ble Mr. K. RAMA AYYANGAR:—The estimates and plans are ready, but they have not been submitted. I do not think I can press this resolution at this stage."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE PROVISION FOR THE KODAIKANAL MUNICIPALITY FOR SCAVENGERS' HUTS AND FOR IMPROVEMENTS OF THE MARKETS AND ROADS.

The Hon'ble Mr. K. RAMA AYYANGAR moved the following resolution:—

"**LII. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 20,000 be provided for the Kodaikanal municipality for—**

(a) constructing additional huts for scavengers and improving the existing market,

(b) widening and improving the roads,

and that the same be met by a corresponding reduction under the head 45-B. and from the minor sanitary grants."

In doing so he said:—"This is another special case which I had to place before the Council last year and they made a grant of Rs. 10,000 for widening the roads. I am sorry to see that Your Excellency has not been there. It is one of the fine places which deserve to be noticed. That place is suffering very much. Just at the entrance we have this market and the neighbouring huts which present a sorry appearance and the roads are as small as possible. It is one of the finest places in the Presidency; some people would even put it above even Ootacamund, and he seemed to like that place. I had a personal interview with him. It deserves special treatment. We find that 1.07 lakhs have been provided as a special grant from 1913 for Ootacamund. We know the circumstances under which that has been continued. This is another place where there were about 3,500 people and during the war conditions many more people were sent there last year. This is a station which deserves special treatment."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Kodaikanal!"

The Hon'ble Mr. K. RAMA AYYANGAR:—"I only ask for Rs. 20,000 which may be given every year, Rs. 10,000 for the sanitary portion and Rs. 10,000 for roads till they are widened. I do not know if my Honourable Friend's interjection means that he is not quite of that opinion. I would join issue with him. He may be going to Ootacamund more often than to Kodaikanal. I go to Kodaikanal much more frequently than he. The Government will be the best judges in the matter. It is expending like anything. I do not know if the Honourable Member in charge knows that a lot of extra lands are being put to auction and they fetch a fair amount of money. All that will have to be kept in a sanitary condition. In these circumstances I do not suppose the Government will grudge this small amount to this municipality which is very poor. It has a very small population. There is a taluk office, there is a registration office and there is also the observatory; but during the summer season we find it overcrowded, and it is bound to get greater importance. For the health of the elite of the people in the Presidency it is very necessary to maintain that station in a sanitary condition. There is a ghat road and it is bound to get into importance very soon. We had a contribution from the Government which gave us Rs. 30,000 towards the construction of the roads. Unless this kind of help is given and the whole thing is brought into a condition fit to hold any further extension, it will be in a very poor condition. Therefore I press this resolution for the acceptance of the Council."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the Honourable Member wants a sum of Rs. 20,000 to be given to the Kodaikanal municipality for three purposes, firstly for constructing additional huts for scavengers, secondly improving the existing market and thirdly widening and improving the roads. So far as the construction of additional huts for scavengers is concerned, an application for a grant of Rs. 6,000 has come from the municipality and that application will be considered along with applications from other local bodies when we distribute the 5 lakhs grant under the head 'Minor Sanitary Improvements'."

"In regard to the improvements to the market I would point out that the market is a work of a remunerative nature, and the principle I brought to the notice of the Council yesterday would preclude us from giving any grant to the municipal council for this purpose."

"In regard to roads I would remind the Council that last year in March we gave a special grant of Rs. 10,000 to the Kodaikanal municipality for improving its roads. It was a special grant. The Chairman in May 1918 wrote that the grant made by the Government of

7TH FEBRUARY 1919.] (Mr. Rajagopala Achariyar; Mr. M. Ramachandra Rao;
Mr. Ranga Achariyar; Mr. Rama Ayyangar.)

Rs. 10,000 for improving the roads was very welcome and enabled a beginning to be made with a scheme prepared several years ago for rendering the main roads more nearly what they should be in a station of that importance and that detailed estimates were under preparation. That money has been given to them and it has not been expended. He has not reported further on the subject nor has he applied for an additional grant for 1919-20, and rightly so, for I find that on the 31st December 1918 the Council had a balance of Rs. 7,769 left out of the grant of Rs. 10,000 already sanctioned. It seems to me, therefore, premature to think of any further subvention in that direction in 1920. They have framed a scheme and they have to spend the money they have and then to prove that they are entitled to a greater volume of help. There is no need for setting aside any money for the Kodaikanal municipality during 1919-20 as proposed by the Honourable Member."

The Hon'ble Rao Bahadur M. RAMACHANDRA RAO:—"Your Excellency, I think I must oppose this resolution for more than one reason. My Honourable Friend was encouraged by the grant which was given last year to the Kodaikanal municipality and he has given us a hint that he would like to have this grant of Rs. 20,000 stereotyped for improvements. That is a fair indication of what last year's grant is leading us to. That is one reason why I wish to say a few words. My Lord, I have no quarrel with Kodaikanal or Ootacamund. They are fine stations and we go there and enjoy ourselves. But that is no reason why public funds should be devoted, in the way in which the Honourable Member proposes, for improving the Kodaikanal municipality. So far as municipalities are concerned, there has been to the best of my recollection, no road grant at any time. The Hon'ble Mr. Rajagopala Achariyar would notice that Resolution No. LIV raises the substantial question that some help should be given out of the special grant for the improvement of important roads in other municipalities. If this request of the Kodaikanal municipality for the improvement of roads is to be admitted, I should be very much delighted because I would advise every Municipal Chairman to flood Your Excellency's Government with applications for improvement of roads. Let us once for all know whether a grant for the improvement of roads in municipalities is admissible. In that case we shall be in a position to have a fair treatment of all municipalities."

"As regards the rest of it, namely, the construction of huts for scavengers, it is also a very praiseworthy object to remove them from insanitary places, but there are more wants of a similar nature and much more insistent than that. While I appreciate all that has been done for the municipality already—because 7 lakhs have been spent in the last so many years—I must oppose this resolution for the various grounds I have urged."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I wish also to oppose this resolution but on a higher ground. These hill stations are the luxurious resort for the wealthy, and if the municipal resources are not sufficient to meet their demands, then the proper plan is to increase the rates of taxes and not to deprive the general public revenue of any sum of money. There are vast masses of people grovelling in dust and poverty and we are unable to find money for village roads and primary education. But for the fact that my Honourable Friend represents the Kodaikanal municipality I do not know whether his heart is in the resolution. It is on that ground that the hill stations should find the money out of the people who resort to them. I oppose the resolution. If people should choose to linger on the hills they should pay for that luxury and not the public revenues."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I am sorry that two prominent members of this Council should have raised their voice against the resolution, knowing as they do, after the reference by me to that matter, that for so many years they have been allowing a special grant to the Ootacamund municipality. I do not know whether the question of a general grant for roads to municipalities is relevant. The whole thing proceeds on ideas of beauty which I do not think will be compatible with other views. I dare say the Government would like to have such sanatoria in good condition and it is not right to compare them with ordinary municipalities. I do not want to press this to a division after the remarks of my Honourable Friends. I withdraw the resolution."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE GRANTS TO DISTRICT BOARDS FOR THE CONSTRUCTION OF BRIDGES AND CULVERTS IN DELTAIC TRACTS.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO moved the following resolution:—

"**LIII. This Council recommends to the Governor in Council that a sum of Rs. 1,00,000 be set apart under 45. CIVIL WORKS for grants to district boards for the construction of bridges and culverts in the deltaic districts."**

In doing so he said:—"I shall be as brief as possible in regard to this resolution. This year Your Excellency's Government have been good enough to allow 20 lakhs for the improvement of important roads and another 6 lakhs for the same purpose are to be given for the next year. Then we have the usual allotment of 17 lakhs and the 5 lakhs for the poorer district boards, so that nearly 40 lakhs are set apart for the improvement of main communications. What is required in districts like Tanjore, Godavari, Kistna, Periyar tract and Guntur is the

(Mr. M. Ramachandra Rao; Mr. Rajagopala Achariyar.) [7TH FEBRUARY 1919.]

construction of bridges and culverts. I am aware that for some years Your Excellency's Government have been setting apart a certain sum of money for bridges and causeways. There is also an allotment of 3 lakhs for next year in the budget. I maintain, my Lord, that this amount is absolutely insufficient. Under the existing orders no grant is being made except for bridges or culverts or main communications which have to be constructed on a main thoroughfare or main road."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Has the Honourable Member any authority for the statement that no grant is made except for the main roads?"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"The bridges and causeways, proposed for grants, should be situated on trunk roads. My Lord, all that I can say is, on behalf of the Ellore Municipal Council I sent up an application for a grant of a sum of money for the construction of a bridge, about Rs. 13,000. Instead of having a trunk road we have a canal separating one portion of the town from another. I was informed by the Government that the grant was not admissible because this grant is intended for bridges and causeways proposed to be constructed on trunk roads. So there seems to be no doubt that that is the state of things."

"My Lord, our difficulty in the deltas is that canals and irrigation channels cut up the lines of communication between village and village and this grant is specially required if through communications between village and village is to be maintained. My Hon'ble Friend Mr. Kanga Achariyar has already referred to the state of things in Tanjore, notwithstanding the report of the President of the District Board. As regards the districts which I represent, I can assure the Honourable Member that there is a great deal of need for bridges in the Kistna delta and Godavari delta. I have here a statement prepared by the District Board Engineer in one of these districts, which is a programme of continuous construction of bridges and culverts costing 25 lakhs. I take it also that the same state of things prevails in the district of Guntur. The President of the Guntur District Board writing to me a few days ago lays special stress on the difficulties felt on account of the want of bridges in these deltaic tracts. I do not wish to make this debate more lengthy than it need be. I do not wish to raise the points as to whether bridges or whether a subsidy should be given for the present. It seems to me that this grant of three lakhs may be raised as suggested here and as suggested in another resolution. This amount will be usefully spent on the construction of necessary bridges. Finally I may say that in the district of Kistna, three villages situated on either side of the canal have come forward with a substantial contribution to the district board of Rs. 10,000 and Rs. 7,000 for the construction of bridges across the canal. There were three applications; one of them has already been complied with and the bridge is under construction and I have no doubt whatever that this money will be very usefully spent and the return would be increased comfort for the people living there."

As regards the question whether this should be earmarked, I am perfectly certain that the presidents of the district boards would not complain of any interference with their liberty of action if it is earmarked in the manner suggested in this resolution. If one lakh is given to all the deltaic tracts and they are informed that it should be spent on bridges, I rather think their feeling would be one of thankfulness that after all they have got some money for the construction of bridges. Therefore I can assure my Honourable Friend that we would not feel any qualms of conscience that we interfere by giving this grant of one lakh for the purpose. I may also assure my Honourable Friends who represent the deltaic tracts that I do not ask this for the districts I represent. I ask it also for the Periyar valley and the Tambraparni valley. I hope that my Honourable Friend who wanted to stereotype the grant to a place like Kodaikanal would join with me in stereotyping the grants for bridges in deltaic tracts."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I have very little to say. We have not got the one lakh to give. As I have already said, we have gone as far as we can, and it will not be possible to give a lakh for this purpose. I do not want to go into the general question of earmarking it for bridges and culverts, but we have an allotment for bridges and culverts of Rs. 3 lakhs this year, that is only a provisional distribution. We are now bound to look into all applications that have come in, and choose those that are most necessary. I only mention that, because it is said there that it is a provisional distribution. Whatever each district requires will have to be got from that."

"The Council will be interested to learn that the Kistna district, my Honourable Friend's district, got out of the 13 lakhs 2-90 lakhs, that is nearly 3 lakhs. I am sure it will use it most profitably."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Not for bridges."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"For communications which includes bridges and causeways on main lines. If this is utilized for bridges and causeways on main lines, my Honourable Friend cannot say that we have not been liberal with him. So far as this thing is concerned, I must say I endorse what he has said about the need of a number of culverts in that tract of country—Tenali and Repalle. Unless you have them in a number of places, the communication is completely shut off. I think the proper thing will be for the district board to prepare a scheme comprehensively and formally pass it and send it up to Government saying how it proposes to finance it. Then there is a chance of its being passed and the work being carried out during a series of years. That would be the suitable course for

7TH FEBRUARY 1919.] (Mr. Rajagopala Achariyar; Mr. Krishna Rao; Mr. Siva Rao.)

the Honourable Member's district board. I myself had a talk with the District Board Engineer and saw a scheme which he put before me. It had better be elaborated and passed by the district board and sent up to us. Then it will be possible for us to examine it, and whatever orders are passed will be carried out over a number of years. I ask them to do that and I hope the Honourable Member will accept the suggestion and not press this upon the Government at present."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE GRANTS TO MUNICIPALITIES FOR THE IMPROVEMENT OF ROADS.

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I beg to move—

'LIV. This Council recommends to His Excellency the Governor in Council that a sum of 2 lakhs be provided for grants to municipalities for the improvement of important roads and that a corresponding reduction be made under 45. CIVIL WORKS—CIVIL BUILDINGS.'

"It will be within the recollection of this Council that there are 26 lakhs provided for improvement of the roads which have been burdened with increased traffic in recent years on account of the restrictions on railway traffic, and there are a number of resolutions dealing with that subject. This is a grant sanctioned by the Government of India and we have just been informed that 13 lakhs has been already distributed and that it is proposed to distribute 7 lakhs in the course of this year and 6 lakhs in the course of next year. I do not wish on this occasion to raise the general question as to whether grants can or cannot be made to municipalities for improvement of roads. I think that as my Hon'ble friend Mr. Ramachandra Rao has raised that point, that general question may be reserved for a future occasion. I do not propose to raise a debate on that question, because I am making a specific request in view of special circumstances. I am quite sure that, so far as the general question is concerned, it can be argued with any amount of vehemence and warmth on both sides; but this is not the occasion when we need consider it from the theoretical point of view, whether grants can be made to municipalities or not. For the present I request your Excellency's Government to consider whether in a year wherein grants have been specially made up to 26 lakhs for the improvement of these roads on which traffic has increased in recent years in consequence of the restrictions on railway traffic it ought to be refused in the case of roads running through the district board areas through the been distributed to district boards for the purpose of improving roads running through the district board areas; but when the same roads pass from the district board areas through municipal areas, they have also to be improved for the same reasons for which they have to be improved in the case of district board areas. Is there any principle of differentiation so far as district boards or municipalities are concerned? It strikes me that in a year when with the help of the Government of India it has been possible to allot 26 lakhs to improve such communications on which there has been pressure of traffic owing to restrictions on railway traffic, municipalities also should be helped to a reasonable extent. There are several municipalities through which trunk roads pass. Owing to the increased cost of maintenance of these roads it is certainly difficult for these municipalities to maintain these roads in as efficient a condition as they ought to be maintained; and help is required because their resources are very limited. This point was raised in 1919-20, this question would be specifically considered. The point was the distribution in 1919-20, this question would be specifically considered. The point was raised whether help could not be given for trunk roads passing through municipalities; and it was suggested that this point would be considered in the distribution of 1919-20. In framing this resolution I have suggested that the money may be taken from 45. Civil Works—Civil Buildings, because if the Government have earmarked the money so far as district boards are concerned, I do not want to be a party to cutting short that provision. But all the same I wish to impress on the Council that when it has been possible to make an allotment for district boards, it is necessary to make an allotment for the improvement of similar roads in municipalities under the same circumstances and for the same reasons for which district boards are helped."

The Hon'ble Mr. P. SIVA RAO:—"I wish to say a few words, your Excellency. A reference came to our municipality in the course of last year asking for our views as to whether or not it was desirable to effectively repair trunk roads; and reference was also made to us as to whether we had any causeways or culverts within the municipal limits which ought to be repaired. I dare say this reference went to all municipalities in the Presidency. We all said that it was quite necessary to keep the trunk roads in an efficient condition and we said that we could not afford to spend any money on these roads or in repairing the causeways, bridges and culverts over such roads in our present state of finance. When I looked at the Draft Financial Statement, I happened to find in the annexure the distribution of 13 lakhs and it was stated that this distribution was to be made to the local boards. I at once draw the attention of the Hon'ble the Finance Member that there was no reason to draw any invidious distinction between municipalities and local boards in a matter like this. I must state for the information of the Council that there are trunk roads within municipal limits as well. I may state that there are 8 miles of trunk roads in the Bellary municipality. There may be similar roads in other municipalities. If the benefit of this 13 lakhs in the current year and

(Mr. Sadasiva Bhat; Sir Francis Spring; Mr. Rajagopala Achariyar; the President; Mr. Rama Ayyangar.) [7TH FEBRUARY 1919.]

and it will be a matter of life and death to this important industry whether transport of these articles into Mangalore from other places in the district can be made cheap and easy to enable it to hold its own in the market. To the coffee industry too it is of the utmost importance that the transport of coffee from the plantations in Mysore to the coast should be as cheap as possible. The construction of bridges over the many rivers of our districts is therefore of the utmost importance. The District Board of South Kanara has been keeping this in view so far as its finances permitted. Some of the smaller streams have been bridged and the Government recently enabled the board to complete the Pane Mangalore bridge. The board is anxious if it can find the money to bridge the other streams particularly in the taluks not served by the railway. The Gurpur bridge will be on the main trunk road from Mangalore to Mysore via Agumbi Ghat and it will give Kanara a trunk road whereon all the streams will have been bridged. On account of the numerous estuaries on the coast road from Mangalore northwards motor travelling or any fast mode of travelling cannot be thought of, but if the Gurpur bridge is completed the administration will have a thorough motor road from Mangalore to any part of the district. I urge therefore that this bridge should be taken in hand as soon as possible.

"The other bridge referred to in the resolution is Pavangi on the coast road from Mangalore to Udupi. It is the smallest of unbridged rivers there and may be undertaken first."

The Hon'ble Sir FRANCIS SPRING:—"Your Excellency, I would suggest that the only true and broad solution of the communication problem in South Kanara is that the local Government should press the Government of India or the Railway Board to extend the railway from Mangalore through Udupi to Baindur along the coast road. Merely to mend roads and bridges along that impassable road is only paltrying with the question."

The Hon'ble Mr. K. SADASIVA BHAT:—"The Gurpur bridge is not on the coast road."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The other bridge is"

The Hon'ble Mr. K. SADASIVA BHAT:—"Yes."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency this is the situation in regard to the two bridges. I did not gather whether any plans and estimates have been sanctioned."

The Hon'ble Mr. K. SADASIVA BHAT:—"My information is they have been sanctioned."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"We have received no applications for any grant from the district board for either bridge. What the district board could do is to send up the plans and estimates for our scrutiny and then the question of a grant will be considered. We cannot consider it in advance. The Council is aware that we do give grants for bridges when estimates come, especially for large works we give a percentage of the cost, a moiety. There is no reason to think that South Kanara will be treated differently, and not given such consideration as we are showing to a number of other places. If plans and estimates have been prepared, they should send them up for scrutiny with a statement as to how they propose to finance it. As the Hon'ble Sir Francis Spring has pointed out it is a matter for consideration in regard to the Gurpur bridge whether not being on the coast it would be more important than one on the coast. Does the Honourable Member move the other resolution also with regard to foot-bridges?"

The Hon'ble Mr. K. SADASIVA BHAT:—"I do not intend to move it because I understand some grant has been made."

His Excellency the PRESIDENT:—"Does the Honourable gentleman withdraw resolution No. LVI?"

The Hon'ble Mr. K. SADASIVA BHAT:—"Yes."

With the permission of His Excellency the President the resolution was withdrawn.

The Hon'ble Mr. K. Sadasiva Bhat did not move the resolution No. LVII of which, he had given notice and which was in the following terms:—

'LVII. This Council recommends to His Excellency the Governor in Council that a provision of Rs. 10,000 be made under 45-A as a grant to the South Kanara District Board for putting up foot-bridges in the South Kanara district.'

RESOLUTION RE PROVISION FOR MAKING UP THE DEFICIT BALANCE OF THE USILAMPATTI TALUK BOARD.

The Hon'ble Mr. K. RAMA AYYANGAR moved the following resolution:—

'LVIII. This Council recommends to His Excellency the Governor in Council that a sum of Rs. 16,270 be provided for making up the deficit balance of the Usilampatti Taluk Board as recommended by the Madra District Board and that the same be met by a corresponding reduction under the head 45-B.'

In doing so, he said:—"This taluk board has been for many years in an impoverished condition. It has been utilizing all the money it could get otherwise for keeping up its present

[7TH FEBRUARY 1919.] (Mr. Rama Ayyangar; Mr. Rajagopala Achariyar; Sir Alexander Cardew; Mr. M. Ramachandra Rao.)

condition fairly all right. In fact Usilampatti is a tract which I dare say the Honourable Member in charge knows. If he does not, I will describe it as an almost arid tract of country which serves a very large area of Kallarnad mainly and the area served is about 2,000 square miles. The district board has tried to give subventions to make up this deficit during the last 6 or 7 years but this could not be wiped off. The Government have been pleased to give grants in cases where there is a deficit balance. So that if it is once started with nil balance it will be able to keep within bounds. The matter I understand is placed before the district board and it has also recommended it and the reasons are also given in detail. I only suggest that it may be considered as an exceptional case."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I am most unwilling to raise general questions or questions of policy but they do come up and I do not see how we can ignore them. The Honourable Member proposes that we should now take upon ourselves the financing of the budget of the taluk board. The practice is we do not deal directly with the taluk boards. The taluk boards are subordinate to the district boards and it is the district boards which should finance the budgets of the taluk boards. The district board is the proper authority to take note of the wants and conditions of finance of taluk boards and to balance them and then whatever we could give to the district boards in aid of their funds for this or that purpose. If we take it upon ourselves to say, 'here is the Usilampatti Taluk Board which has closed with a deficit balance, we will give it Rs. 16,000,' we take away the necessity for the district board to take an interest in the taluk board. This is really vicious in principle."

The Hon'ble Mr. K. RAMA AYYANGAR:—"It is an application from the district board."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Either it has asked or it has not. In no case can the district board be right in saying that it will shift the responsibility from its shoulders to the shoulders of the Government. If the finances of the district board are bad and they ask for money to finance their balances, that is a different matter. But when the district board asks us to meet the deficit of the Usilampatti Taluk Board while the district board has balances to its credit, I cannot understand it. I know nothing about the merits of the case. I know that the Usilampatti Taluk Board is in a deficit; it may be for perfectly unavoidable reasons. But I say it is wrong in principle to ask us to meet the deficit of a taluk board, and on that ground I oppose the resolution."

The Hon'ble Mr. K. RAMA AYYANGAR:—"From what I could gather, Your Excellency, the letter of the district board is not before the Honourable Member or he has not read it. The district board has tried all it can and it explained that it cannot meet it out of its balance. What is its balance? The ordinary percentage available as balance. Probably the balance shown includes various heads such as charitable endowments and it appears as there is a balance. The letter explains the matter fully and I dare say the Honourable Member in charge will see that it has been after considerable hesitation they have put forth this request. I think the matter deserves to be considered sympathetically."

The resolution was put and lost.

RESOLUTION RE ADDITIONAL ALLOTMENT FOR THE IMPROVEMENT OF THE RAMNAD HEADQUARTER HOSPITAL.

The next resolution which stood in the name of the Hon'ble the Raja of Ramnad was as follows:—

'LX. This Council recommends to the Governor in Council that a sum of Rs. 50,000 be added to 45-B for the improvement of the Ramnad headquarter hospital, and a corresponding reduction be made under 32-E. Miscellaneous (Miscellaneous and unforeseen charges).'

The Hon'ble Mr. K. RAMA AYYANGAR:—"After this resolution was sent up the Finance Committee's report shows that it was promised to be provided for under 45. CIVIL WORKS."

The Hon'ble Sir ALEXANDER CARDEW:—"No plans and estimates have come; when they do come, we will find funds."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE PROVISION FOR THE RELIEF OF DISTRESS IN THE GODAVARI DISTRICT.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO moved the following resolution:—

'LXI. This Council recommends to the Governor in Council that a sum of Rs. 2,00,000 be provided in the budget estimate for 1919-1920 under 45. CIVIL WORKS to the Godavari District Board on works for the relief of distress in the upland taluks of the Godavari district and that a corresponding reduction be made under 45. CIVIL WORKS—CIVIL BUILDINGS.'

In doing so he said:—"The President of the district board Mr. Seshagiri Rao has, I believe, informed the Government about the state of things in the uplands of the Godavari district."

(Mr. Siva Rao; Mr. Rajagopala Achariyar; [7TH FEBRUARY 1919.
Mr. M. Ramachandra Rao.)

13 lakhs in the coming year is not to be given to municipalities, up to a limit of 3 miles from the municipality the district board will repair these roads out of this grant of 13 lakhs or 26 lakhs, and when it comes to municipal limits this road will not be repaired. Is there any reason why these roads should not be repaired within the municipal limits as well? I know some of the roads within municipal limits are in a hopeless condition. I do not think the principle enunciated by the Hon'ble Mr. Ramachandra Rao will ever apply in a case like this, because the Government have decided upon a policy of keeping trunk roads in an efficient condition. Whether they are within the limits of taluk boards or district boards or municipal limits it matters very little. The Finance Committee have unanimously recommended that the claims of municipalities in this matter should be considered. I leave it to your Excellency's consideration. A reference might be sent to the municipalities to make any proposals in the matter, how many important trunk roads or causeways they have within their limits and if so how much will be required and the distribution may be kept in abeyance until such information is forthcoming."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the Hon'ble Mr. Krishna Rao told us that it was far from his wish that any general question of principle should be raised on this matter. But that is what he has raised. His resolution says 'that a sum of 2 lakhs be provided for grants to municipalities for the improvement of important roads.'"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Out of that grant."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I beg your pardon. It says 'that a sum of 2 lakhs be provided for grants to municipalities for the improvement of important roads and that corresponding reduction be made under 45. Civil Works—Civil Buildings.' So the question does arise what our policy in regard to grants should be and whether grants could be made to municipalities for the maintenance of roads. I do not want to raise that question, but all that I can say is we cannot give the 2 lakhs. I feel bound to say that our policy is against our giving any grant for this particular purpose. The Hon'ble Mr. Ramachandra Rao has anticipated much of what I had to say in his speech on a previous resolution. I may at once tell him that after a careful examination of all the points I find that while the Government have been giving money to municipalities for minor sanitary works, medical buildings, water-supply and drainage schemes, all sums come under the head of 'aid to municipalities.' It is a matter for consideration whether we should now make a deliberate departure and commit the Government to this new course. The Council is already aware that I always as far as possible deprecate the earmarking of grants for specific purposes. If you want to give money to municipalities I would rather give it in aid of the general balances. I do not say that there have never been any grants to municipalities for roads; but in the grants made for a series of years we find that on the whole grants were not made for roads to municipalities unless they are hopelessly impassable, or there is a special calamity such as recently happened in Kurnool. The only exception is in the case of hill municipalities where we have been subsidising them substantially for the maintenance of roads. I would deprecate an extension of that principle to mufassal municipalities. While I know that some of these roads passing through municipalities have suffered heavily and while it is open to the Government to take that into consideration in distributing that grant, I wish it to be distinctly understood that it does not commit us to any policy. In any case I am not prepared to agree to a sum of 2 lakhs being set apart for this specific purpose. I therefore feel bound to oppose this resolution."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I should just like to say a few words. Apparently my remarks on the previous resolution have caused some misapprehension. From the wording of the resolution I might perhaps draw the attention of the Honourable Member to the description of this grant given on page 63 of the Amended Draft Financial Statement. It is described there 'distribution of the grant of 20 lakhs in 1918-19 to local boards for the improvement of the condition of important roads on which the traffic has increased in recent years as a consequence of the restrictions on railway traffic.' My Honourable Friend has practically adopted this description in his resolution, because he says it is required 'for grants to municipalities for the improvement of important roads.' I do not think it was my Honourable Friend's intention that independently of this grant you should make a discrimination between important and unimportant roads. What was really meant was that trunk roads passing through municipalities have equally suffered with trunk roads within the limits of district boards. I may perhaps draw attention to the proceedings of the Finance Committee of where it was agreed that in the distribution of this 20 lakhs grant the question of giving a part of it for the repair of trunk roads in municipalities should be considered. The Honourable Member is perfectly aware that in framing resolutions we have also the Amended Draft Financial Statement before us and we have regard to what has transpired in the Finance Committee. My Honourable Friend has not raised in this resolution the question of a general grant to municipalities but only to such trunk roads in municipal limits as have suffered in consequence of heavy traffic. Therefore there should be no misunderstanding that we are raising any large issue in the present case. What is wanted really is that a portion of this grant should be set apart for municipalities for the repair of trunk roads which have suffered equally with district board roads and that the municipalities should share it along with the district boards. We are

7TH FEBRUARY 1919.] (Mr. Ramachandra Rao; Mr. Krishna Rao;
Mr. Rajagopala Achariyar; Mr. Sadasiva Bhat.)

not raising on the present occasion any question of setting apart any portion of the public revenue for the maintenance of roads. Both of my Honourable Friends have disclaimed that suggestion. The Honourable Member cannot oppose it on a ground which has been disclaimed. He must proceed on the basis on which the Finance Committee proceeded in the discussion of this item. Therefore, my Lord, I can assure the Hon'ble Mr. Rajagopala Achariyar that neither of my Honourable Friends who have spoken before me have any intention of raising the larger issue at this part of the year though they may do so later on."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I may recall the attention of the Council to the compendious way in which these grants have been described in paragraph 138-A of the Amended Draft Financial Statement. The Hon'ble Mr. Ramachandra Rao drew the attention of the Council to the description given on page 63. The compendious way in which it is described in paragraph 138 is 'grants to district boards for improvement of important roads'—Rs. 20 lakhs in the revised estimate, 6 lakhs in the budget estimate! Adopting the same compendious method I have framed this resolution; and I have made my intention perfectly clear that we need not discuss the general question. We can confine ourselves to the question whether in the case of trunk roads and through communications in municipalities some relief may not be given. Notwithstanding the fact that the Hon'ble Mr. Rajagopala Achariyar has opposed this resolution, I find there is something in his remarks which, if I am not mistaken, raises some hope that so far as municipalities are concerned, he will give more consideration to the question before finally disposing of it. He has assured this Council that he is himself aware that there are several main trunk roads passing through municipalities and that they have suffered largely on account of the restrictions on railway traffic."

"Secondly he said that though he objected to deviating from the principle of giving grants to municipalities for roads, he would rather think of giving relief to them in aid of their balances. That is another important fact which he stated. I believe he also said that in any case, he could not consent to a sum of 2 lakhs being provided. I do not wish to commit the Government to any further step before the final decision is arrived at; but I draw the attention of this Council that these three statements make it clear that in accordance with the statement of this Council that these three statements make the question as to whether relief should be given in the proceedings of the Finance Committee the question as to whether relief should be given to municipalities in this important respect is still under consideration. I believe—I do not say that he expressly stated it, but I believe—that we can reasonably expect him to be in a position to find if not the full 2 lakhs at least 1 or 1½ lakhs to relieve the municipalities, though not technically for the improvement of important roads, at any rate to help them in their general balances. I do not want to fight about words. I only want the Government to give relief to these municipalities which are handicapped in carrying on their administration, owing to this restriction on railway traffic. What name the Government may adopt I am not concerned with; but I want that some substantial relief may be given to them. I, therefore, hope that the Government would still see their way to help these municipalities for the purpose which I have stated. If not 2 lakhs, let it be 1 or 1½ lakhs. I do not know if the Hon'ble Mr. Rajagopala Achariyar can throw any more light."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"All the light I have I have shed. I have really nothing to add. So we may proceed to divide upon the thing."

The resolution was put and lost.

RESOLUTION RE GRANT TO THE SOUTH KANARA DISTRICT BOARD FOR CONSTRUCTING BRIDGES OVER THE GURPUR AND THE PAVANGI.

The Hon'ble Mr. K. SADASIVA BHAT:—"I beg to move:—

'LVI. This Council recommends to His Excellency the Governor in Council that a provision of Rs. 1,00,000 under 45-A be made as a grant to the South Kanara District Board in this budget for constructing the Gurpur and the Pavangi bridges in South Kanara and the said amount may be met by a corresponding reduction under 45-B.'

"While each district through its representatives has been calling attention to its needs and setting forth its claims for a share in the distribution of the available funds, I am anxious that the claims of South Kanara should not go by default. I wish to say that in regard to bridges and culverts, South Kanara is in greater need of them than any other district. It was said that several lakhs were required for bridges and culverts in the deltaic tracts of Godavari, Kistna and some other districts. As a matter of fact many more bridges than those that are now in South Kanara are very badly required in that district. Honourable Members know that our district is in a part of the Presidency where for four months in the year there is very heavy rain—the heaviest in the Presidency. Owing to this heavy rainfall and the broken nature of the country, rivers and streams are innumerable, which on account of their rapid current in the monsoon and shallow breadth in the rest of the year are, instead of being easy means of communication, themselves impede travelling even by roads by intercepting them at every interval of a few miles, and conveyances have to be ferried across these by means of jangars or wooden platforms on boards involving much expense and delay. One result of this is that the cost of transport of all necessaries and material for the main industries in Mangalore and other large towns in the district is very heavy. The principal industry in Mangalore is the manufacture of tiles. The supplies of clay and fuel in the vicinity of Mangalore are being fast exhausted."

(Mr. M. Ramachandra Rao ; Sir Alexander Cardew ; [7TH FEBRUARY 1919.
the President.)

My Lord, he has written to me to say that the condition of things is not at all satisfactory. The season has failed and there is considerable distress and a grant may be made to the district board to start some works, such as the laying of roads, and to provide employment for those who cannot get any. This is a question of famine relief and as the request has come from the President of the district board, if any money can be passed to the district board, it can only be by way of a grant. If Your Excellency's Government have any other mode of relieving distress it will be equally satisfactory. All that is required is that some relief should be afforded in these uplands which are suffering on account of the failure of the season."

The Hon'ble Sir ALEXANDER CARDEW :—"The question of relief in these taluks is under the consideration of the Collector, the Board of Revenue and the Government, and whatever funds are required to provide measures of relief will be found under 33. FAMINE RELIEF. It will not be done through the district board. We hope that the circumstances are not really quite so alarming as Mr. Seshagiri Rao has said. I have had demi-official letters from the Collector forwarding reports from the Tahsildars, and the general upshot of it is this that the view of the President of the district board is somewhat unnecessarily pessimistic. If any money were required, relief work will certainly be done and the money will be provided under 33. FAMINE RELIEF."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"I do not wish to press it."

With the permission of His Excellency the President the resolution was withdrawn.

His Excellency the PRESIDENT :—"I assume the Council will meet at 11 a.m. to-morrow for the Agricultural Pests Bill. That will take till 1 or 2 p.m. and then we will adjourn till Monday and take up the City Municipal Bill, if that meets the convenience of the Council."

The Council then adjourned till 11 a.m. on Saturday, the 8th February 1919.

H. G. STOKES,

Acting Secretary to Government, L. & M. (Legislative) Dept.

ANNEXURE.

572 (1).

GOVERNMENT OF MADRAS
FINANCIAL DEPARTMENT

AMENDED DRAFT FINANCIAL STATEMENT FOR 1919-1920

CONTENTS

	PAGE
PART I	
BALANCE STATEMENT OF PROPOSED RECEIPTS AND CHARGES FOR 1919-1920, EMBODYING ALSO THE REVISED AND BUDGET ESTIMATES FOR 1918-1919 AND THE ACCOUNTS FOR 1917-1918	(2)-(3)
PART II	
MEMORANDUM BY THE FINANCE MEMBER EXPLAINING THE GENERAL FINANCIAL POSITION OF THE PRESIDENCY FOR 1919-1920	(4)-(13)
PART III	
MEMORANDUM BY THE CHIEF SECRETARY EXPLANATORY OF THE FIGURES UNDER EACH MAJOR REVENUE HEAD AND UNDER EACH MAJOR EXPENDITURE HEAD OF ACCOUNT.	
INTRODUCTORY	(14)-(15)
I. & 3. LAND REVENUE	(15)-(17)
IV. & 6. STAMPS	(17)-(18)
V. & 7. EXCISE	(18)-(20)
VIII. & 10. INCOME-TAX	(20)-(21)
IX. & 11. FOREST	(21)-(22)
X. & 12. REGISTRATION	(22)-(23)
1. REFUNDS AND DRAWBACKS	(24)
2. ASSIGNMENTS AND COMPENSATIONS	(24)
XII. & 13. INTEREST	(25)
18. GENERAL ADMINISTRATION	(26)
XVI-A. & 19-A. LAW AND JUSTICE—COURTS OF LAW	(26)-(28)
XVI-B. & 19-B. LAW AND JUSTICE—JAILS	(28)-(29)
XVII. & 20. POLICE	(29)-(31)
XVIII. & 21. PORTS AND PILOTAGE	(31)
XIX. & 22. EDUCATION	(31)-(36)
XX-A. & 24-A. MEDICAL	(37)-(39)
XX-B. & 24-B. SANITATION	(39)-(41)
25. POLITICAL	(41)
XXI-A. & 26-A. AGRICULTURE	(41)-(43)
XXI-B. & 26-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS	(43)-(45)
XXII. & 29. SUPERANNUATIONS	(45)
XXIII. & 30. STATIONERY AND PRINTING	(46)
XXV. & 32. MISCELLANEOUS	(47)-(49)
33. FAMINE RELIEF	(49)
XXIX. & 42. IRRIGATION—MAJOR WORKS	(49)-(51)
XXX. & 43. MINOR WORKS AND NAVIGATION	(51)-(52)
XXXI. & 45. CIVIL WORKS	(52)-(55)
TRANSFERS BETWEEN IMPERIAL AND PROVINCIAL REVENUES	(56)-(58)
PROVINCIAL ADVANCE AND LOAN ACCOUNT	(58)-(62)
ANNEXURE I SHOWING DISTRIBUTION OF THE GRANT OF 17.28 LAKHS IN 1919-1920 TO DISTRICT BOARDS IN AID OF THEIR RESOURCES	(63)
ANNEXURE II SHOWING THE DISTRIBUTION OF THE GRANT OF 20 LAKHS IN 1918-1919 TO LOCAL BOARDS FOR THE IMPROVEMENT OF IMPORTANT ROADS	(63)
PART IV	
MEMORANDUM DETAILING THE VARIATIONS BETWEEN THE FIGURES IN THE DRAFT FINANCIAL STATEMENT AND THOSE IN THE PRESENT AMENDED DRAFT FINANCIAL STATEMENT	(64)-(68)

PART

Balance Statement of proposed Receipts and Charges for 1919-1920,
and the Accounts

Heads of Revenue.	Accounts, 1917-1918.	Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
1	2	3	4	5
LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.
I. LAND REVENUE	297.45	305.69	291.54	305.17
IV. STAMPS	77.12	79.75	78.37	80.00
V. EXCISE	201.76	208.14	226.16	229.08
VIII. INCOME-TAX	38.30	37.50	40.50	45.00
IX. FOREST	54.58	48.45	42.63	49.36
X. REGISTRATION	24.72	25.50	25.60	26.50
XII. INTEREST	4.57	5.00	4.78	5.28
XVI. LAW AND JUSTICE—				
A. Courts of Law	11.34	10.79	10.10	10.91
B. Jails	7.70	6.10	9.92	7.08
XVII. POLICE	5.40	5.32	5.33	5.46
XVIII. PORTS AND PILOTAGE			.01	.01
XIX. EDUCATION	3.55	4.28	3.79	5.20
XX-A. MEDICAL	1.57	2.35	2.90	2.71
XX-B. SANITATION	.16	.14	.47	.15
XXI-A. AGRICULTURE	1.89	1.99	2.31	3.74
XXI-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.	18.72	17.21	17.88	19.56
XXII. RECEIPTS IN AID OF SUPERANNUATION.	1.26	1.20	2.04	1.47
XXIII. STATIONERY AND PRINTING	1.68	1.25	1.55	1.42
XXV. MISCELLANEOUS	2.02	3.12	2.56	2.64
XXIX. IRRIGATION—MAJOR WORKS—				
Direct Receipts	1.60	1.60	1.63	1.61
Portion of Land Revenue due to Irrigation.	54.16	51.83	53.23	53.61
XXX. MINOR WORKS AND NAVIGATION—				
In charge of Civil Officers	.25	.23	.22	.25
" of Public Works Officers.	2.92	2.50	2.75	2.90
XXXI. CIVIL WORKS—				
In charge of Civil Officers	.42	.10	.84	.10
" of Public Works Officers	4.41	4.29	4.33	4.25
Total Receipts	817.55	824.33	831.44	863.46
Transfers between Imperial and Provincial Revenues.	+ 16.75	+ 21.11	+ 26.33	+ 21.12
Total	834.30	845.44	857.77	884.58
Opening Balance	152.38	193.57	201.08	203.19
Grand Total	986.68	1,039.01	1,058.85	1,087.77

I.
embodying also the Revised and Budget Estimates for 1918-1919
for 1917-1918.

Heads of Expenditure.	Accounts, 1917-1918.	Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
1	2	3	4	5
LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.
1. REFUNDS AND DRAWBACKS	2.71	2.80	3.70	3.10
2. ASSIGNMENTS AND COMPENSATIONS	2.78	3.05	3.12	3.10
3. LAND REVENUE	124.81	127.63	129.50	134.24
6. STAMPS	2.44	2.26	2.33	2.31
7. EXCISE	9.03	9.21	10.40	11.23
10. INCOME-TAX	.34	.34	.46	.55
11. FOREST	30.20	30.17	31.30	37.25
12. REGISTRATION	13.40	13.53	15.07	16.20
13. INTEREST ON ORDINARY DEBT	3.50	3.86	3.84	4.20
18. GENERAL ADMINISTRATION	15.85	15.86	16.35	17.09
19. LAW AND JUSTICE—				
A. Courts of Law	85.13	89.13	89.70	98.76
B. Jails	16.70	16.03	20.56	18.23
20. POLICE	117.33	120.73	120.46	136.51
21. PORTS AND PILOTAGE	.51	.43	.49	.49
22. EDUCATION	94.05	112.98	106.77	128.98
24-A. MEDICAL	21.73	26.34	25.95	36.57
24-B. SANITATION	16.43	14.38	14.70	22.35
25. POLITICAL	.89	.89	.91	.92
26-A. AGRICULTURE	12.87	15.68	15.65	20.97
26-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.	13.78	17.77	17.09	22.93
29. SUPERANNUATION ALLOWANCES AND PENSIONS.	33.33	35.65	35.98	37.00
30. STATIONERY AND PRINTING	14.43	14.63	14.16	14.84
32. MISCELLANEOUS	5.53	13.81	5.25	16.00
33. FAMINE RELIEF			.19	.25
42. IRRIGATION—MAJOR WORKS—				
Working Expenses	11.07	11.50	9.95	8.62
Interest on Debt	15.41	14.79	15.56	15.69
43. MINOR WORKS AND NAVIGATION—				
In charge of Civil Officers	7.69	8.75	7.28	8.69
" of Public Works Officers	32.95	33.50	37.50	36.30
45. CIVIL WORKS—				
In charge of Civil Officers	28.83	27.05	48.19	36.34
" of Public Works Officers	51.88	59.35	53.25	68.87
Total Expenditure	785.60	842.10	855.66	958.58
Closing Balance	201.08	196.91	203.19	129.19
Grand Total	986.68	1,039.01	1,058.85	1,087.77
Surplus	48.70	3.34	2.11	..
Deficit	..	..	..	74.00

C. G. TODHUNTER,
Acting Chief Secretary

3rd February 1919.

(4) AMENDED DRAFT FINANCIAL STATEMENT OF THE

PART II

Memorandum by the Finance Member.

General Financial Situation.

Before referring to the financial situation of the Province, as exhibited in the budget figures for the current and the ensuing years, I desire to draw the attention of Honourable Members to the change in the Financial Rules which, with the sanction of the Government of India, has lately been introduced. Under Rule 10 of the Financial Rules, as it formerly ran, three preliminary versions or issues of the Financial Statement were prepared and were usually supplied to the Council before it became merged in the budget. The first was called the Draft Financial Statement and was circulated to Honourable Members early in February. The second was called the Amended Draft Financial Statement and was supplied to Honourable Members in the first week of March. Finally, there was a third edition known as the Revised Financial Statement which was issued to Honourable Members in the second week in March and which was discussed at a meeting of the Council not later than the 13th of March. By that date the orders of the Government of India upon the second edition of the budget had been received, the Government of India's own budget was complete and had generally been presented to the Imperial Legislative Council, and it was already too late, except at the cost of great inconvenience, to make any changes in the budget estimates for the ensuing year. The result of this was that except on one occasion no such changes have been carried out during recent years, and the Legislative Council, although it was intended to discuss the Financial Statement with a view to making any amendments deemed desirable, was practically presented with the final figures which could only be altered with great inconvenience. With a view to remove this anomaly in the Financial Rules, this Government addressed the Government of India last year and proposed that, instead of the latest preliminary issue of the Financial Statement being presented to the Legislative Council on a date not later than the 13th of March, it should in future be presented on a date not later than the 5th of February. This latest preliminary edition of the Financial Statement is now to be called the Amended Draft Financial Statement. The Revised Financial Statement is thus no longer necessary and there will in future be only two preliminary editions or issues of the Financial Statement, viz., the Draft Financial Statement, which is circulated to the Council in the last week of January, and the Amended Draft Financial Statement, which is presented to the Council on the 5th of February, copies being supplied to Honourable Members on the preceding day. The Government hope that these amendments of the rules will be welcomed by the Council as affording it a better opportunity for discussing the figures of the budget estimates before they have taken such final shape as to render it very difficult to alter them.

2. I now turn to the general financial position of the Presidency in the current and coming financial years so far as it is at present ascertained. The following figures give a general view of the position:—

	Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	LAKHS.	LAKHS.	LAKHS.
Opening balance	193.57	201.08	203.19
Receipts	845.44	857.77	844.58
Expenditure	842.10	855.66	958.58
Surplus or deficit	3.34	2.11	74.00
Closing balance	196.91	203.19	129.19

Two features presented by these figures are likely to attract attention. In the first place, the growth of revenue, which has been so marked a feature of recent years, has continued during the current year in spite of the facts that the south-west rains which are due in this Presidency in June were markedly deficient over a very large area and that the north-east monsoon was more than a month behind time and

GOVERNMENT OF MADRAS FOR 1919-1920

(5)

was excessive in some areas and deficient in others. The unfavourable season has resulted in diminished receipts under Land Revenue of 25½ lakhs of which the Provincial share is 12½ lakhs. But this loss has been more than made good by increases under other heads, notably Excise and Income-tax. The great rise in grain prices which has marked recent years in India has given the agriculturist a larger price for his crop and has enabled him to pay higher wages to his labourers. While those persons whose incomes are fixed and who have been unable to add to their resources are greatly prejudiced by the rise of prices, the agricultural producer has often benefited and the wage-earning classes have secured higher wages, without which indeed they could not have borne the high prices of foodstuffs which have prevailed. It may well be assumed that both these causes have contributed to swell the receipts from various sources of revenue, especially Excise which, as we shall see below, has yielded a much larger sum than in previous years although the actual consumption of liquor has remained practically stationary or has decreased.

3. The other main feature which will strike the observer of the figures given in paragraph 2 relates to the opening and closing balances of the year. Honourable Members will observe that at the end of the year 1917-1918 the closing balance amounted to 201.08 lakhs. In the year 1918-1919, in spite of the fact that the Provincial expenditure has increased by 13½ lakhs over and above the budget estimate of the year, the closing balance is expected to be still higher than that of the year 1917-1918 and to reach the very high figure of 203.19 lakhs. Under the orders of the Government of India Local Governments were hitherto precluded from budgeting for expenditure within the year in excess of the revenues of that year, but in view of the cessation of hostilities and of the very large Provincial balances which have accumulated, this Government applied to the Government of India to permit a draft on balances to be made in the year which will now shortly commence and it will be seen that, according to the estimates which are now presented to the Council, no less than 74 lakhs are proposed to be spent in the year 1919-1920 in excess of the receipts of that year. This large excess expenditure over receipts will be met from balances and will reduce the balance at credit of this Presidency from 203.19 lakhs to 129.19 lakhs. The manner in which this extra expenditure is going to be employed will appear later in the statement, but it may be stated in passing that it is to be used for three main objects—first the grant of more liberal war allowances to Government servants on pay of Rs. 50 and under in order to relieve them to some extent from the hardship caused by the increased price of the necessaries of life. This accounts for an additional expenditure of 37 lakhs. Secondly, it is proposed to make a special grant of 20 lakhs to local bodies in the current year and 6 lakhs in the coming year in order to enable them to execute special repairs to the trunk roads upon which the restriction of railway traffic due to the war has thrown an exceptional burden. In the third place, a large additional provision has been made for expenditure on education, the budget for the coming year for this object being 16 lakhs more than that for the current year.

4. In Part III of this Financial Statement will be found the usual memorandum prepared by the Chief Secretary explaining in detail the estimates of revenue and expenditure under each major head. I shall therefore confine myself to the more important variations in the figures, dealing first with the revised estimate of the current year and next with the budget for the ensuing year.

Revised Estimate, 1918-1919.

5. The broad results of the figures in the revised estimate for the current year as compared with the budget are as follows:—

	Actuals, 1917-1918.	Budget, 1918-1919.	Revised, 1918-1919.	Difference.
	LAKHS.	LAKHS.	LAKHS.	LAKHS.
Opening balance	152.38	193.57	201.08	+ 7.51
Receipts	834.30	845.44	857.77	+ 12.33
Expenditure	785.60	842.10	855.66	+ 13.56
Surplus	48.70	3.34	2.11	— 1.23
Closing balance	201.08	196.91	203.19	+ 6.28
				2

(6)

AMENDED DRAFT FINANCIAL STATEMENT OF THE

6. *Revised Estimate—Receipts.*—The table below exhibits the figures for receipts relating to the budget and revised estimates for the current year:—

Heads of Revenue.	Actuals. 1917- 1918.	Budget estimate, 1918- 1919.	Revised estimate, 1918- 1919.	Variation of revised from budget [column (4) (3) - (2)]
(1)	(2)	(3)	(4)	(5)
	LAKHS.	LAKHS.	LAKHS.	LAKHS.
I. LAND REVENUE (PROPER) AND XXIX. PORTION OF LAND REVENUE DUE TO IRRIGATION	351.61	377.52	344.77	- 12.75
IV. STAMPS	77.12	79.75	78.37	- 1.38
V. EXCISE	201.76	208.14	226.16	+ 18.02
VIII. INCOME-TAX	38.30	37.50	40.50	+ 3.00
IX. FOREST	54.58	48.45	42.63	- 5.82
X. REGISTRATION	24.72	25.50	27.60	+ 2.10
XVI-B. LAW AND JUSTICE—JAILS	7.70	6.10	9.92	+ 3.82
XXI-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS	18.72	17.21	17.88	+ .67
OTHER HEADS	43.04	44.16	45.61	+ 1.45
TOTAL ..	817.55	824.33	831.44	+ 7.11
TRANSFERS BETWEEN IMPERIAL AND PROVINCIAL ..	16.75	21.11	26.33	+ 5.22
TOTAL RECEIPTS ..	834.30	845.44	857.77	+ 12.33

7. It will be seen that the main increases of revenue occur under Excise, Income-tax and Jails. The increase under Jails has resulted from the large demands by the Military Department for jail manufactures, while that under Income-tax is due to the collection of large outstanding arrears of the past year. But it is the Excise revenue which has added most to the resources of the year. While the budget estimate of 1918-1919 was under consideration, it was decided to introduce some considerable enhancements of the duties on liquor, details of which are given in paragraph 15 of the Chief Secretary's memorandum. These enhancements followed on previous drastic increases in taxation and the results of this policy will be seen in the following table:—

	Foreign liquor.			Country spirits. Gallons.	Toddy. Gallons.	Total excise revenue. RS.
	Wines. Gallons.	Spirits. Gallons.	Beer. Gallons.			
1912-1913	Not available.			1,773,673	111,787,131	3,31,86,831
1913-1914	29,520	162,164	662,784	1,782,032	112,845,489	3,05,11,075
1914-1915	49,354	228,095	1,140,630	1,646,649	107,280,834	3,66,18,734
1915-1916	24,924	173,781	845,051	1,491,470	103,932,557	3,51,18,758
1916-1917	28,340	145,083	792,413	1,644,466	105,936,414	3,72,02,608
1917-1918	25,933	124,380	815,917	1,648,150	111,258,719	4,03,52,100
1918-1919 (estimated) ..	Not available.			1,682,000	105,895,000	4,52,32,000

It will be seen that, while consumption has been reduced since 1913-1914 by 100,000 proof-gallons of country spirits and by 6,950,000 gallons of toddy, the revenue has increased in the same period by 87½ lakhs. Thus for a period of six or, if 1912-1913 is taken into account, of seven years, the abkārī administration has succeeded in arresting and to some extent reducing the consumption of country spirits and toddy while adding greatly to the revenues of the Presidency. The extent to which the taxation of alcoholic liquor and drugs has been enhanced of late years will be clear from the statement given below. No reasonable person will believe that if these enhancements of taxation had not been imposed the consumption would not have enormously increased instead of being kept stationary.

GOVERNMENT OF MADRAS FOR 1919-1920

(7)

Country spirits.		Tree tax (Coconuts).		Ganja.		Opium.	
Per proof gallon for an average district. RS. A.		For an average district. RS. A.		Per seer. RS. A.		Per seer. RS. A.	
1894-95 ...	4 6	1896-97 ...	2 4	1899-00 ...	4 0	1908-09 ...	12 8
1906-07 ...	5 0	1906-07 ...	3 0	1906-07 ...	5 0	1909-10 ...	15 8
				1911-12 ...	7 8	1910-11 ...	20 8
1909-10 ...	5 10	1909-10 ...	3 6	1914-15 ...	10 0	1912-13 ...	25 8
1911-12 ...	6 4	1913-14 ...	3 12	1915-16 ...	12 8	1913-14 ...	30 8
1913-14 ...	6 14	1918-19 ...	4 8	1918-19 ...	15 0	1918-19 ...	32 0
1918-19 ...	7 8			1919-20 ...	17 8	1919-20 ...	37 0

8. The increases thus contributed by Excise, Income-tax, Jails and other heads have been a good deal cut down by decreases under Land Revenue, Forest and Stamps. The receipts from Land Revenue must always be dependent on the character of the season, and defective or untimely or even excess rains may at any time upset the forecast. The only course open is to budget on the assumption of a normal season as was done for 1918-1919. The short collection of nearly 12.75 lakhs is due to the remissions and suspensions caused by the bad season which we are at present suffering from. Under Forest, the failure to realize the revenue expected is due mainly to an arrangement entered into with the Munitions Board by which they have assumed complete control over tan-stuffs in return for an annual payment of an amount equal to the average of the pre-war receipts from the lease of such materials. This arrangement was not entered into until after the budget of the year had been framed. Its effect is to deprive Provincial revenues of some of the benefit they had previously derived from the enhanced prices due to the war. The Government did not feel justified in claiming to continue to profit from the inflated rates due to this cause. The fluctuations under Stamps and other heads hardly call for remark here.

9. *Revised Estimate—Expenditure.*—The statement below gives the details for the more important heads of expenditure in the current year:—

Heads of Expenditure.	Actuals. 1917-1918.	Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Variations between budget and revised [column (4) - column (3).]
(1)	(2)	(3)	(4)	(5)
	LAKHS.	LAKHS.	LAKHS.	LAKHS.
3. LAND REVENUE	124.81	127.63	129.50	+ 1.87
11. FOREST	30.20	30.17	31.30	+ 1.13
12. REGISTRATION	13.40	13.53	15.07	+ 1.54
18. GENERAL ADMINISTRATION	15.85	15.86	16.35	+ .49
19-A. LAW AND JUSTICE—COURTS OF LAW ..	85.13	89.13	89.70	+ .57
19-B. LAW AND JUSTICE—JAILS	16.70	16.03	20.56	+ 4.53
20. POLICE	117.33	120.73	120.46	- .27
22. EDUCATION	94.05	112.98	106.77	- 6.21
24-A. MEDICAL	21.73	26.34	25.95	- .39
24-B. SANITATION	16.43	14.38	14.70	+ .32
26-A. AGRICULTURE	12.87	15.68	15.65	- .03
26-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS	13.78	17.77	17.09	- .68
29. SUPPLEMENTARY ALLOWANCES, ETC. ..	33.33	35.65	35.98	+ .33
30. STATIONERY AND PRINTING	14.43	14.63	14.16	- .47
32. MISCELLANEOUS	5.53	13.81	5.25	- 8.56
42. IRRIGATION—MAJOR WORKS—WORKING EXPENSES	11.07	11.50	9.95	- 1.55
42. IRRIGATION—MAJOR WORKS—INTEREST ON DEBT	15.41	14.79	15.56	+ .77
43. MINOR WORKS AND NAVIGATION—CIVIL OFFICERS	7.69	8.75	7.28	- 1.47
43. MINOR WORKS AND NAVIGATION—PUBLIC WORKS OFFICERS	32.95	33.50	37.50	+ 4.00
45. CIVIL WORKS—CIVIL OFFICERS	28.53	27.05	48.19	+ 21.14
45. CIVIL WORKS—PUBLIC WORKS OFFICERS ..	51.88	59.35	53.25	- 6.10
OTHER HEADS	22.20	22.84	25.44	+ 2.60
TOTAL EXPENDITURE ..	785.60	842.10	855.66	+ 13.56

(8) AMENDED DRAFT FINANCIAL STATEMENT OF THE

10. These figures show that we expect to spend in the year 1918-1919 some 13½ lakhs more than was budgeted for. Two main causes contribute to this result. One is the grant of the war allowances to Government servants on pay of Rs. 50 and under. This is expected to cost about 15 lakhs in the current year, and as already stated 37 lakhs next year, but I do not think that any Member of the Council will grudge this assistance to the poorer servants of Government whose incomes are fixed and who have therefore suffered severely from the high prices of the necessities of life. It is distributed under practically all heads. The other main cause is the distribution among district boards of a special contribution of 20 lakhs to enable them to carry out special repairs to certain trunk roads which were burdened with heavy traffic as a result of the restrictions on railway traffic and also for the construction of bridges and causeways on some of the more important roads. The Government of India were asked to make a special contribution from Imperial funds for this purpose, but were unable to give a reply more favourable than that we were at liberty to draw on our balances, if necessary, which has been done.

The reduction under Miscellaneous is of course due to the provision made under this head for unforeseen expenditure having been reappropriated during the course of the year. I do not think it is necessary to give further explanation of the changes under other heads, as they are dealt with in the Chief Secretary's Memorandum.

Budget Estimate, 1919-1920.

11. *Budget Estimate—Receipts.*—I turn now to the estimates for the coming year, the main outline of which has already been given in paragraph 2. The chief features of the budget proposals under receipts are summarized in the following table:—

Heads of Revenue.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.	Difference.
(1)	(2)	(3)	(4)
	LAKHS.	LAKHS.	LAKHS.
I. LAND REVENUE and XXIX. PORTION OF LAND REVENUE DUE TO IRRIGATION	344.77	358.78	+ 14.01
IV. STAMPS	78.37	80.00	+ 1.63
V. EXCISE	226.16	229.08	+ 2.92
VIII. INCOME-TAX	40.50	45.00	+ 4.50
IX. FOREST	42.63	49.36	+ 6.73
X. REGISTRATION	25.60	26.50	+ .90
XXI-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.	17.88	19.56	+ 1.68
OTHER HEADS	55.53	53.18	— .35
TOTAL	831.44	863.46	+ 32.02
TRANSFERS BETWEEN IMPERIAL AND PROVINCIAL	26.33	21.12	— 5.21
TOTAL RECEIPTS	857.77	884.58	+ 26.81

12. Assuming, as we must do, that the seasonal conditions of the coming year will be normal, we take credit for the normal revenue, including the recovery of suspended items and the introduction of resettlement rates in certain portions of South Arcot and Madura. The estimates under Excise have been framed on a conservative basis. It may be argued that with both wages and the prices of agricultural produce as high as they are now we ought to have assumed a larger growth of revenue under this head and the point is certainly arguable. But in view of the very large expansion during the current year it seemed safer to adopt an attitude of caution. Other variations are explained in the Chief Secretary's Memorandum.

13. *Budget estimate—Expenditure.*—The budgeted expenditure under the main heads is compared in the following table with that of 1918-1919:—

Heads of expenditure.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.	Difference.
(1)	(2)	(3)	(4)
	LAKHS.	LAKHS.	LAKHS.
3. LAND REVENUE	129.50	134.24	+ 4.74
11. FOREST	31.30	37.25	+ 5.95
12. REGISTRATION	15.07	16.20	+ 1.13
18. GENERAL ADMINISTRATION	16.35	17.09	+ .74
19-A. LAW AND JUSTICE—COURTS OF LAW	89.70	98.76	+ 9.06
19-B. LAW AND JUSTICE—JAILS	20.56	18.23	— 2.33
20. POLICE	120.46	136.51	+ 16.05
22. EDUCATION	106.77	128.98	+ 22.21
24-A. MEDICAL	25.95	36.57	+ 10.62
24-B. SANITATION	14.70	22.35	+ 7.65
26-A. AGRICULTURE	15.65	20.97	+ 5.32
26-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS	17.09	22.93	+ 5.84
29. SUPERANNUATION ALLOWANCES, ETC.	35.98	37.00	+ 1.02
30. STATIONERY AND PRINTING	14.16	14.84	+ .68
32. MISCELLANEOUS	5.25	16.00	+ 10.75
42. IRRIGATION—MAJOR WORKS—			
WORKING EXPENSES	9.95	8.62	— 1.33
INTEREST ON DEBT	15.56	15.69	+ .13
43. MINOR WORKS AND NAVIGATION—			
CIVIL OFFICERS	7.28	8.69	+ 1.41
PUBLIC WORKS OFFICERS	37.50	36.30	— 1.20
45. CIVIL WORKS—			
CIVIL OFFICERS	48.19	36.34	— 11.85
PUBLIC WORKS OFFICERS	53.25	68.87	+ 15.62
OTHER HEADS	25.44	26.15	+ .71
TOTAL EXPENDITURE	855.66	958.58	+ 102.92

14. A glance at the statement above will show that the budget provides for a considerable increase in expenditure under almost all heads. The only substantial decrease shown—that appearing under CIVIL WORKS—CIVIL OFFICERS—is apparent rather than real, since the figure of the revised estimate is swelled by the grant of 20 lakhs referred to in paragraph 3.

As already explained, one of the main causes contributing to the increase is the grant of war allowances to lower paid subordinates.

I will touch briefly upon the main heads of interest below.

15. The most important item is Education which shows an increase of 22.21 lakhs over the revised estimate for the current year, while as compared with the budget estimate for 1918-1919 the increase is 16 lakhs. The chief items contributing to the latter sum are—

	LAKHS.
(i) Grant for University buildings	1.00
(ii) Government Schools—General—Subsidies to local bodies, mainly for opening new elementary schools	4.00
(iii) Government Schools—General—Subsidies to local bodies—Elementary and Secondary schools (buildings and equipment)	4.48
(iv) Government Schools—Special—Institute of Commerce, Madras, (32), agricultural middle schools (25), opening three additional elementary training schools (66)	1.23
(v) Grants-in-aid	3.33

16. The following statement shows the expenditure on education including industries, incurred in recent years from all public sources, i.e., Imperial, Provincial, Local and Municipal funds. It includes both recurring and non-recurring charges

(12) AMENDED DRAFT FINANCIAL STATEMENT OF THE

Balances.

21. The non-recurring grants given by the Government of India for specific objects of expenditure since the year 1910-1911 amount to about 180 lakhs. At the end of the current year 1918-1919 the unexpended balance of these special grants will be 16.43 lakhs. The amount which will be spent in 1919-1920 and the balance expected to remain at the end of that year are given below :—

Object of grant.	Balance on 31st March 1919.	Expenditure in 1919-1920.	Balance on 31st March 1920.
	LAKHS.	LAKHS.	LAKHS.
Education	10.30	4.54	5.76
Technical education	.75	.50	.25
Agricultural education	3.50	1.50	2.00
Buildings required under the district reorganization	1.88	.09	1.79
Total ..	16.43	6.63	9.80

Our total balance at the end of 1919-1920 will be 129.19 lakhs, but 9.80 lakhs of this will consist of the balances of special Imperial grants as shown above so that our Provincial balance proper on the 31st March 1920 will be 119.39 lakhs as against the minimum obligatory balance of 20 lakhs.

It may be contended that a budget which has the effect of reducing the Provincial balance from 203 lakhs to 129 lakhs and which involves a Provincial expenditure of 958½ lakhs, by far the highest on record, is open to the charge of extravagance. It should, however, be remembered that with the restoration of peace conditions and with a normal rainfall, such as we hope the next seasons will enjoy, the present high prices of the necessities of life may be expected to fall and the temporary war allowances to low-paid Government servants can then be withdrawn, while the special grant of 6 lakhs to District Boards for trunk roads as well as the whole of the 22 lakhs of grants to local bodies for other purposes are not necessarily recurring and could be omitted in future years. Thus a sum almost equal to the whole of the draft on balances is proposed to be devoted to objects which will not commit future framers of the budget to permanent outlay. On the other hand the large Provincial balance which had accumulated during the war has been paid for by the taxpayer in this Presidency and it seemed better to disburse some of it for his benefit than to hoard it for an uncertain future.

Recommendations of the Finance Committee.

22. Following the usual practice, I append a list of the recommendations made by the Finance Committee and accepted. The discussions of the Committee covered a very wide field and were, it may be hoped, of advantage to the non-official members of the Committee in furnishing them with information as to the progress of schemes in which they were interested and in enabling them to bring forward points to which they attached importance. Even where the suggestions of individual members of the Committee could not from one cause or another be at once adopted they were often of use in drawing attention to the subjects dealt with.

Service head.	Nature of item.	Amount.
		LAKHS.
(1) 22-E. Education—Gov- ernment Schools, General—Payments in support of local board and municipal schools.	Grants to local bodies for elementary school buildings.	3.85
(2) Do.	Grants to local bodies for secondary school build- ings, including buildings in connexion with the programme for increasing the number of secondary schools.	2.50
(3) Do.	Grants for the equipment of secondary schools under public management.	1.00

GOVERNMENT OF MADRAS FOR 1919-1920

(13)

Service head.	Nature of item.	Amount. LAKHS.
(4) 22-G. Education— Grants-in-aid.	Grants for the equipment of aided secondary schools.	1.00
Do.	For playgrounds	.50
(5) 22. Education	Medical inspection of schools (.08 already entered, raised to .14).	.06
(6) 24-A. Medical	Grants to local bodies for medical buildings ..	3.00
(7) 24-B. Sanitation	Do. minor sanitary works.	5.00
(8) Do.	Grant to the Madras Corporation for minor sanitary works.	1.00
(9) 26-B. Scientific and Miscellaneous Depart- ments.	Scholarships in industrial and technical schools to provide for industrial scholarships for students to be sent to Europe or America. (Rs. 9,260 already entered, raised to Rs. 18,260).	.09
(10) 32-D. Miscellaneous ..	Contributions in aid of municipal balances ..	.50
(11) 45. Civil Works—in charge of Civil Officers.	Grants to local bodies for bridges and cause- ways.	3.00
(12) Do.	Grants to poorer district boards for village or other roads.	5.00
(13) Do.	Works in the Ganjam Agency	.09
(14) Do.	Grant to the Vizagapatam District Board ..	.47
(15) Do.	Grant to the Koraput District Board	.79
(16) Do.	Works in the Vizagapatam Agency	.01
(17) Do.	Grant to the Gōdāvari District Board	.72
(18) Do. —Public Works Department— Works in charge of Civil Officers acting as Public Works Disbur- sers.	Works in the Vizagapatam Agency	.30
Total ..		28.88

3rd February 1919.

A. G. CARDEW.

PART III.

Memorandum explanatory of the figures under each Major Revenue head and under each Major Expenditure head of account.

Introductory.

The conditions of Provincial finance are determined by the terms of an administrative arrangement subsisting between the Government of India and the Local Government and known as the Provincial Settlement. The revenue and expenditure of the province as classified in the public accounts are divided between the two Governments in accordance with the terms of this settlement.

With effect from the 1st April 1911 this Provincial Settlement, which had hitherto been subject to change, was made permanent subject to the following conditions:—

- (1) It shall not be subject to revision in the future, except by way of commuting fixed assignments into growing revenue;
- (2) in case of serious famine the question of assistance from Imperial revenues will be duly considered by the Government of India;
- (3) in special cases where the Local Government are unable to meet their requirements from their current revenues or by drawing on their balances, they should take the necessary amount as a short interest-bearing loan from the Government of India repayable in suitable instalments; and
- (4) the Government of India reserve the right to call for assistance from Provincial revenues in case of serious embarrassment in their own finances.

At the same time Forest revenue and expenditure, which had hitherto been divided, were made wholly Provincial.

2. The present statement does not deal with the heads which are wholly Imperial. The following table shows the several heads of revenue and expenditure which are divided between Imperial and Provincial:—

Revenue.			Expenditure.		
Major heads.	Imperial share.	Provincial share.	Major heads.	Imperial share.	Provincial share.
1	2	3	4	5	6
I. LAND REVENUE ..	One-half	One-half	1. REFUNDS AND DRAWBACKS.	The share in the minor heads under this major head follows that of the corresponding major heads of receipts.	
IV. STAMPS ..	One-half	One-half	2. ASSIGNMENTS AND COMPENSATIONS.		
V. EXCISE ..	One-half	One-half	6. STAMPS ..	One-half	One-half.
VIII. INCOME-TAX ..	One-half	One-half	7. EXCISE ..	One-half	One-half.
XXIX. MAJOR IRRIGATION WORKS.	One-half	One-half	10. INCOME-TAX ..	One-half	One-half.
			33. FAMINE RELIEF ..	Three-fourths.	One-fourth.
			42. MAJOR IRRIGATION WORKS.	One-half	One-half.

The remaining heads dealt with in this statement are wholly Provincial.

Preliminary.

3. Before proceeding to a detailed explanation of the figures for the current and ensuing years under the various major heads, it may be pointed out that, on the expenditure side, both the revised estimate for 1918-1919 and the budget for 1919-1920 include charges on account of the grant of temporary allowances to lower paid Government servants in order to enable them to meet the existing high prices of food-stuffs and other necessities due to the war and other causes. These allowances, which were sanctioned for a period of one year from the 1st March 1918, were at first confined to inferior servants in the public offices in Madras City. They were subsequently extended to all public servants under the control of the Local Government (with the exception of village service establishments and members of the executive police staff) drawing a monthly salary of Rs. 50 and under. The extra cost involved on Provincial funds was about 8.00 per annum. Later on, however, it was found necessary to afford a more substantial measure of relief to subordinates whose salaries did not exceed Rs. 20 per mensem and with this object, additional allowances, involving a total extra cost of about 7.00 per annum to Provincial, were sanctioned with effect from the 1st September 1918.

The question of the adequacy of these allowances again came up for consideration in December last, and on a careful examination of the existing conditions, it was decided to enhance the rates of allowances and to sanction a revised scale with effect from the 1st January 1919. Besides affording a more adequate measure of relief to the subordinates already enjoying the concession, this scheme has been made applicable to members of the executive police staff including police talaiyaris who were hitherto excluded from its scope. This last decision involved a further additional expenditure of about 22.00 per annum, of which about two months' charges are included in the revised estimate for 1918-1919 and a full year's provision appears in the budget for 1919-1920 in the summary under the various major heads.

The revised estimate for 1918-1919 and the budget for 1919-1920 thus include a total extra expenditure of about 15.00 and 37.00, respectively, on account of the grant of these allowances.

I. & 3. Land Revenue.

Revenue.						
	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Ordinary revenue	692.47	693.18	694.51	708.86	682.64	710.47
Sale-proceeds of waste lands and redemption of land-tax	2.00	2.56	3.78	2.00	1.90	2.50
Miscellaneous	3.47	4.43	4.94	4.18	5.00	4.59
Total shared ..	697.94	700.17	703.23	715.04	689.54	717.56
Deduct—Portion of Land Revenue due to Irrigation	106.97	102.08	108.33	103.66	106.47	107.22
Net total shared ..	590.97	598.09	594.90	611.38	583.07	610.34
Provincial share ..	295.48	299.04	297.45	305.69	291.54	305.17

5

AMENDED DRAFT FINANCIAL STATEMENT OF THE

26-43

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Charges of District Administration.	47.12	47.86	48.11	48.58	50.78	51.67
Survey and Settlement	12.20	10.83	13.18	13.38	14.66	14.76
Land Records	29.48	29.33	29.01	29.81	29.61	30.38
Inam Commissioner	20	12	07	17	07	17
Allowances to District and Village officers.	34.55	34.62	34.44	35.09	34.38	35.36
Additional provision for enhanced war allowances.	..	..	..	..	..	1.30
Total ..	123.55	122.76	124.81	127.63	129.50	134.24

Revenue.

4. *Ordinary Revenue.*—The budget estimate for the current year was framed on the basis of normal conditions. The large decrease in the revised estimate is due to a fall in collections of water-rate and miscellaneous revenue and an increase in remissions on account of the unfavourable conditions in the districts of Ganjam, Vizagapatam, Gōdāvari, Kistna, Kurnool, Cuddapah, Anantapur, Bellary, Chingleput, North Arcot, Chittoor, Tanjore, Madura, Salem and South Kanara. It is also anticipated that the collection of revenue will have to be suspended till the next official year in five districts, the largest amounts being 1.95 in South Kanara and .50 in Salem. The budget estimate for 1919-1920 has been fixed on the assumption that the seasonal conditions in the ensuing year will be better. The budget also takes credit for the introduction of resettlement rates in certain taluks of the South Arcot and Madura districts, and for the collection of the suspended revenue.

5. *Sale-proceeds of waste lands and redemption of land-tax and Miscellaneous.*—The figures under these two minor heads are fluctuating and are based on actuals. One of the items under the minor head *Miscellaneous* is "Fees charged for the time and labour of the Land Records staff." The receipts under this item amounted to 1.25 in 1916-1917 and are estimated at 1.12 for 1919-1920.

Expenditure.

6. *Charges of district administration.*—The increase in the revised estimate is caused mainly by the grant of war allowances to subordinates drawing Rs. 50 and under, and by heavy charges on account of payments for land taken up by the Revenue Department. The lump provision aggregating .60 for the revision of the pay of taluk shroffs and peons will be utilized in the current year. The budget estimate for next year includes a similar provision. It also provides for larger expenditure on temporary establishments for the revision of adangals prior to re-settlement, and war allowances, and includes lump provisions of

(a) .03 for the creation of a leave reserve, as an experimental measure, for the revenue establishments in the North Arcot district; and

(b) .06 for the appointment of accountants in some of the independent Deputy Tahsildars' offices.

No provision has been made for allowances to officers of the Indian Civil Service on account of the stoppage of promotion due to the war as the embargo on leave has been withdrawn. There will be a small reduction in the charges on account of the pay of Collectors owing to the issue of orders that three district charges are to be held by officers of the Provincial Civil Service in addition to the post of Home Secretary now held by an officer of that service.

7. *Survey and Settlement.*—As in 1917-1918 the budget for the current year provided for one party for estate surveys the cost of which is recoverable from the estates concerned. The increase in the revised estimate is due mainly to the grant of war allowances and to increased expenditure on temporary establishments attached to survey parties, partly counterbalanced by larger recoveries from estates.

8. *Land Records.*—The budget for 1919-1920 includes provision for proceeding with the revision of village establishments in ryotwari and proprietary areas.

GOVERNMENT OF MADRAS FOR 1919-1920

42-43

9. *Allowances to District and Village officers.*—To this minor head is debited the expenditure on account of village establishments other than karnams and assistant karnams. The decrease in the revised estimate for 1918-1919, as compared with the budget for that year, occurs under payments on account of Ryotwari Village Service Establishments. The budget estimate for 1919-1920 contains enhanced provision for charges on account of village establishments both in ryotwari tracts and proprietary estates, besides a lump provision of .51 to give effect to revisions of establishments in ryotwari tracts, which have already been sanctioned, but have not yet been introduced owing to the financial stringency caused by the war.

IV. & 6. Stamps.

* Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Sale of general stamps	49.31	52.79	52.68	54.50	55.20	55.80
Sale of court-fee stamps	99.85	101.14	99.90	102.98	99.93	102.70
Duty on impressing documents ..	.98	1.08	.83	1.12	.78	1.12
Fines and penalties	.79	.81	.77	.82	.75	.80
Miscellaneous	.09	.07	.05	.08	.07	.08
Total ..	151.02	155.89	154.23	159.50	156.73	160.00
Provincial share (one-half) ..	75.51	77.95	77.12	79.75	78.37	80.00

* This head is not open to discussion.

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Superintendence	.31	.29	.51	.29	.52	.31
Charges for the sale of general stamps	2.10	2.21	2.22	2.23	2.31	2.29
Charges on sale of court-fee stamps ..	.94	.93	.91	.94	.89	.92
Stamp paper supplied from Central Stores	.79	1.03	1.24	1.06	.95	1.06
Additional provision for enhanced war allowances	..	..	..	..	..	.04
Total ..	4.14	4.46	4.88	4.52	4.67	4.62
Provincial share (one-half) ..	2.07	2.23	2.44	2.26	2.33	2.31

Revenue.

10. The receipts represent the share, credited to this major head, of the sale-proceeds of the unified postal and revenue stamps, the sale-proceeds of bills of exchange and other general stamps, of court-fee stamps, and of stamped papers for copies of documents, the duty for embossing one-anna receipt and cheque stamps, the duty levied under the Indian Stamp Act, 1899, on documents brought for adjudication and on documents unstamped or insufficiently stamped, and fines and penalties levied by Judicial and Revenue officers under the Stamp Act on insufficiently stamped instruments.

11. The revenue from the unified postal and revenue stamps is credited to the Imperial head Post Office. Out of this revenue, the Government of India have sanctioned the credit to the head STAMPS of a sum of 3.50 per annum, the amount being included under the minor head *Sale of general stamps*.

12. The budget estimate for 1918-1919 allowed for a small expansion in receipts, but the latest actuals on which the revised estimate is framed do not indicate that this will be realized. The increase in the budget estimate for the coming year represents the ordinary growth of revenue which may be expected in a normal year.

Expenditure.

13. The expenditure under this major head relates to the Central Stamp Office, and to charges connected with the sale of general and court-fee stamps, and to the cost of stamp paper.

14. *Superintendence*.—The clerical establishments of the Stationery and Stamp offices at Madras are placed on a single list, and the total cost of the combined establishment was distributed between the heads 6. STAMPS and 30. STATIONERY AND PRINTING in the proportion of 10 to 17 up to the 1st March 1915. Since then, owing to the revision of the establishment, the proportion has been altered to 13 to 25.

The revised estimate for 1918-1919 includes freight charges on large supplies of post-cards manufactured by the Controller of Stamps, Calcutta.

V. & 7. Excise.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1916-1917.	1916-1917.	1917-1918.			
Licence and distillery fees and duties for the sale of liquors and drugs.	329.67	351.00	381.23	393.72	427.94	432.71
Gain on sale-proceeds of excise opium	14.03	13.32	14.08	14.48	14.20	16.00
Duty on ganja	5.36	5.44	5.70	5.70	7.05	6.70
Fines, confiscations and miscellaneous	2.13	2.27	2.51	2.38	3.13	2.76
Total ..	351.19	372.03	403.52	416.28	452.32	458.17
Provincial share (one-half) ..	175.59	186.01	201.76	208.14	226.16	229.08

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1916-1917.	1916-1917.	1917-1918.			
District Executive establishment ..	.03	.06	.02	.05	.02	.03
Portion of the combined Salt and Excise establishments ..	18.49	18.10	18.03	18.37	20.78	21.89
Additional provision for enhanced war allowances	..	..	..	..	..	.54
Total ..	18.52	18.16	18.05	18.42	20.80	22.46
Provincial share (one-half) ..	9.26	9.08	9.03	9.21	10.40	11.23

Revenue.

15. *Licence and distillery fees, etc.*—Previous to the year 1914-1915 there was a steady increase in the revenue under this minor head consequent upon successive enhancements of the rates of excise duty on country spirits, larger collections under tree-tax, an increase in consumption of country spirits—notwithstanding successive reductions in the number of shops sold—and increased rentals from toddy, arrack and opium shops. This increase received a check in the year 1914-1915 from the disturbance of economic conditions caused by the war, and the actuals for that year showed a small decline of .74. The year 1915-1916 witnessed a further decline of 15.30. Since 1916-1917, however, there has been a marked recovery and the actuals for that year and the year following show an advance of 21.33 and 30.23, respectively, over those of the previous years. The budget estimate for the current year was on a conservative basis. The progress of actuals however indicates that the revenue will exceed budget anticipations, the increase occurring especially under country spirits and toddy as a result of enhanced rates of taxation on both, and to some extent of high wages. The rates of excise duty on country spirits were raised from 1st April 1918 by 10 annas per proof gallon in most of the districts, by Re. 1-4-0 in the Ceded Districts, Kurnool, Ganjam, Vizagapatam, Madras and South Kanara and by Rs. 2-8-0 in Malabar. The rates of tree-tax were enhanced from 1st October 1918 by 25 per cent in the districts of Ganjam, Vizagapatam, South Kanara and Malabar, by 33½ per cent in the Ceded Districts and Kurnool and by 20 per cent in the rest of the Presidency except Rannad and Tinnevely. The budget estimate for 1919-1920 has been framed after taking into account the present unfavourable agricultural situation in certain districts of this Presidency.

The consumption of country spirits was actually smaller in 1916-1917 than in 1914-1915 and much lower than in 1913-1914 and 1912-1913. There was a trifling increase in consumption in 1917-1918, as compared with the previous year, but it still remained far below that of 1913-1914 and 1912-1913. The figures of consumption of country spirits in the current year, 1918-1919, so far as they are available, indicate that, though there will be a large increase in revenue, there will be a comparatively small increase in consumption as compared with 1917-1918.

16. *Gain on sale-proceeds of excise opium.*—This Presidency is supplied with Ghazipur opium, free of cost in the first instance. Of the gross sale-proceeds, an amount calculated on the quantity actually sold at a fixed rate representing the estimated cost of production is credited to the Imperial head II. OPIUM, and the balance to the shared head V. EXCISE—*Gain on sale-proceeds of excise opium*. The rentals derived from opium shops are, however, shown under the minor head *Licence and distillery fees, etc.* The cost price of opium was raised from Rs. 11 to Rs. 13 per seer with effect from the 1st April 1918. The issue price of opium, which now stands at Rs. 45 per seer will, with effect from the 1st April 1919, be raised to Rs. 50 per seer.

The revised estimate for the current year is based on the latest actuals available, and the budget estimate for the coming year takes account of the increase in the issue price of opium referred to above.

17. The duty on ganja which then stood at Rs. 5 per seer was raised to Rs. 7½ from 1st April 1911, to Rs. 10 from the 1st April 1914, to Rs. 12½ from the 1st April 1915 and to Rs. 15 from the 1st April 1918. There will be a still further increase to Rs. 17½ per seer from the 1st April 1919.

The receipts from this source are credited to the third minor head, viz., *Duty on ganja*, while the rents from retail shops are shown, as in the case of opium shops, under the minor head *Licence and distillery fees, etc.*

Expenditure.

18. Under the head *District Executive establishment* are recorded the charges for registration of agreements of renters of vend areas, and of holders of independent shops, the annual rental of which exceeds Rs. 1,000, and expenditure on rewards and contingencies.

AMENDED DRAFT FINANCIAL STATEMENT OF THE

Expenditure.

25. To the minor head *Conservancy and Works* are debited (a) the outlay on the improvement, extension and protection of forests generally, (b) the outlay on communications and buildings under charge of the Forest department, (c) the cost of the extraction and transport to sale depots of timber and other forest produce exploited departmentally, (d) the cost of supervision of the removal of similar produce by private agency, (e) charges for the survey and demarcation of forests and (f) the cost of cattle, stores, tools and plant. The actuals for 1915-1916 include a special expenditure of 1.72 for the acquisition of certain leased forests. The absence of this special item of expenditure accounts for the fall in the actuals for 1916-1917. The increase in the actuals for 1917-1918 and the revised estimate for 1918-1919 is chiefly on account of charges for the preparation of hay for the Munitions Board. Timber operations also contribute to the increase in the revised estimate. The excess in this estimate is however counterbalanced to a certain extent by smaller expenditure on "Communications and buildings" and fire protection and other works in connexion with the organization, improvement and extension of forests.

The budget estimate for 1919-1920 contains enhanced provision for the following items:—

Roads and bridges	+	1.21
Buildings	+	.71
Construction of a tramway in the leased forests at Tekkadi	+	.40
Fire protection	+	.24
Other works in connexion with the organization, improvement and extension of forests	+	.40
	+	2.96

26. *Establishment*.—The decrease in the revised estimate for the current year as compared with the budget is chiefly under salaries due to the deputation of officers for military duty and under contingencies, counterbalanced by increase under 'Establishments' due mainly to the grant of war allowances. The increase in the budget estimate for 1919-1920 as compared with the revised estimate for the current year is chiefly due to increments payable to officers under the time scale of pay, to the provision made for the continuance during the whole of the coming year of the additional temporary forest staff sanctioned in the course of the current year and to a full year's provision being made for the grant of war allowances and for contract contingencies.

27. The budget estimate for 1919-1920 also provides for the reorganization of (1) the controlling staff of the Forest Department (.25) and (2) the subordinate forest establishment (1.00). The provision of .25 for item (1) represents the pay of a Chief Conservator for nine months in the coming year (.19) and of two Provincial Service officers (.06). The main features of the scheme for the reorganization of the subordinate forest establishment are an increase in the number of Rangers, Deputy Rangers, Foresters and Forest guards and an improvement in their scales of pay. The scheme involves a net extra cost of 3.74 per annum after taking into account savings under temporary establishments, and is to be introduced gradually. The Secretary of State's sanction has not yet been received and the lump provision of 1.00 covers the expenditure likely to be involved in the portion of the scheme that, it is anticipated, will be introduced in the ensuing year.

X. & 12. Registration.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Fees for registering documents	19.46	20.51	20.39	21.00	21.20	21.86
Fees for copies of registered documents	.58	.63	.63	.68	.64	.66
Miscellaneous	3.34	3.56	3.70	3.82	3.76	3.98
Total	23.38	24.70	24.72	25.50	25.60	26.50

GOVERNMENT OF MADRAS FOR 1919-1920

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Superintendence	.51	.54	.50	.51	.52	.55
District charges	12.05	12.58	12.90	13.02	14.55	15.35
Additional provision for enhanced war allowances	..	..	..	..	..	.30
Total	12.56	13.12	13.40	13.53	15.07	16.20

Revenue.

28. The budget estimate for 1919-1920 has been framed with due regard to the growth of revenue which may be expected under this head on a return to normal conditions.

Expenditure.

29. The minor head *Superintendence* comprises charges on account of the Inspector-General of Registration, his office establishment and contingencies, while *District charges* represent the salary of district registrars and sub-registrars and their establishments, and contingent charges.

30. *District charges*.—The actuals of 1917-1918 included expenditure on account of (1) the reopening of the District Registrars' offices at Nellore and Vizagapatam, (2) the raising of the remuneration of section-writers from Rs. 12 to Rs. 15 per mensem and (3) the formation of a separate Registration district for Ramnad.

The budget estimate for 1918-1919 contained, in addition to the expenditure for a full year on the three schemes mentioned above, a provision of .09 for opening District Registrars' offices in the Kurnool and North Arcot districts, which were sanctioned with effect from the 1st April 1918 and 1st July 1918, respectively. The increase in the revised estimate for 1918-1919 as compared with the budget is accounted for by (a) the grant of war allowances and (b) the introduction from the 1st April 1918, of a scheme for the reorganization of the clerical establishments in Registration offices. The main features of the latter scheme, which involves a net extra cost of .92 per annum, are:—

- (1) a permanent addition of 379 clerks, and
- (2) the introduction of a new scale of pay comprising five grades on Rs. 30, Rs. 27½, Rs. 25, Rs. 22½ and Rs. 20 in lieu of the previous scale of Rs. 25 and Rs. 20.

The budget estimate for 1919-1920, besides providing for enhanced war allowances, includes provision for the following items:—

					LAKHS.	
(a) Opening a District Registrar's office at Anantapur	..	..	..	.07		55
(b) Constitution of a Registration district of Palghat	..	..	..	.07		55
(c) Revision of pay of District Registrars	..	..	..	.12		55
(d) Opening new Sub-Registry offices	..	..	..	.15		55

AMENDED DRAFT FINANCIAL STATEMENT OF THE

* 1. Refunds and Drawbacks.†

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Land Revenue	·80	·80	·89	·75	1·21	·80
Stamps	·81	·86	·87	·88	·80	·88
Excise	·30	·26	·27	·28	·26	·28
Income-tax	·13	·16	·27	·50	1·00	·75
Forest	·31	·57	·36	·34	·37	·34
Registration	·05	·04	·05	·05	·06	·05
Total	2·40	2·69	2·71	2·80	3·70	3·10

* Purely Imperial minor heads which are not under the financial control of the Government of Madras are not shown here.

† Drawbacks occur under Customs only and are wholly Imperial.

31. The amounts shown above represent the debits to Provincial funds of the expenditure under *Refunds* in proportion to the Provincial shares of the revenues under the respective heads in connexion with which refunds are made. The charges under the head are of a fluctuating character and are not subject to any departmental control. The revised estimate for 1918-1919 and the budget for 1919-1920 provide for increased refunds anticipated under Income-tax with reference to the provisions of the Indian Income-tax Act, 1918.

* 2. Assignments and Compensations.†

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Landlords and other grantees ..	·05	·05	·05	·06	·05	·05
Pensions in lieu of resumed lands ..	2·06	2·00	1·87	2·00	2·04	1·98
Malikhana	3·14	2·97	2·91	2·97	3·01	2·97
Miscellaneous Land Revenue com- pensations	·94	·93	·73	1·07	1·14	1·20
Excise compensations	·94	·93	·73	1·07	1·14	1·20
Total	6·19	5·95	5·56	6·10	6·24	6·20
Provincial share (one-half) ..	3·10	2·98	2·78	3·05	3·12	3·10

* Purely Imperial minor heads which are not under the financial control of the Government of Madras are not shown here.

† This head is not open to discussion.

32. The minor heads here are treated as wholly Imperial, wholly Provincial, or divided between Imperial and Provincial, according to the classification of the corresponding heads of revenue. The charges consist chiefly of pensions paid to landholders as compensation for lands resumed by Government, malikhana allowances and other special compensations. *Excise compensations* represent mainly the compensation paid by Government in lieu of abkārī and opium privileges which have been either leased or resumed in Native States. The main items under this head are an annual payment to the Nawab of Bangauapalle for the lease to Government of the abkārī and opium revenue of that State, a compensation to the Travancore State for the suppression of ganja cultivation, and an annual refund to the French Government of the duty on opium and ganja supplied to French renters.

GOVERNMENT OF MADRAS FOR 1919-1920

XII. & 13. Interest.

* Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
REVENUE	4·43	4·83	4·57	5·00	4·78	5·28

* Purely Imperial minor heads which are not under the financial control of this Government have been left out.

† Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
EXPENDITURE	3·28	3·28	3·50	3·86	3·84	4·20

† This head is not open to discussion.

Revenue.

33. The revenue represents mainly the interest received by the Local Government on advances and loans made from the Provincial advance and loan account. This account, the capital transactions of which are outside the current budget figures, provides for the grant of loans to agriculturists, local bodies, etc. The moneys required for the loans are furnished by the Government of India. The Local Government pay interest thereon and bear losses on account of bad debts. In order to cover risks and cost of management, the Local Government charge a higher rate of interest than that which they have to pay to India.

The revenue under this head also includes interest on Government securities belonging to institutions taken over by Government, along with the endowments for the upkeep of such institutions. In spite of the enhancements which are noticed below of the rate of interest charged by the Government of India to this Government no change has at present been made in the rate charged by this Government for loans to agriculturists. The rate of interest charged on loans to local bodies made after the enhanced rates charged by the Government of India came into force has, however, been raised to 6 per cent.

Expenditure.

34. The interest which is paid to the Government of India by the Local Government on sums placed at the disposal of the latter for advances and loans to local bodies, agriculturists, etc., is shown as expenditure under this head, this interest being calculated on the mean between the outstanding balance of the Provincial advance and loan account at the beginning and at the end of each year. The rate of interest charged to the Local Government was, until recently, $3\frac{1}{2}$ per cent per annum, but with effect from the 1st October 1916 this rate was raised to $4\frac{1}{2}$ per cent in respect of loans sanctioned by them on or after that date, and again to $5\frac{1}{2}$ per cent in respect of loans sanctioned on or after 1st April 1917, while loans sanctioned prior to those dates are charged at the old rate of $3\frac{1}{2}$ per cent.

AMENDED DRAFT FINANCIAL STATEMENT OF THE

* 18. General Administration. + Expenditure.

59-71

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Salary of the Governor	1.20	1.20	1.20	1.20	1.20	1.20
Staff and household of the Governor	1.12	1.08	1.03	1.34	1.15	1.90
Expenditure from contract allowance	.69	.59	.59	.59	.59	.59
Sumptuary allowance	.07	.07	.07	.07	.07	.07
Tour expenses	.37	.39	.38	.55	.39	.55
Executive Council	2.26	2.26	2.25	2.27	2.30	2.30
Legislative Council	.18	.20	.22	.20	.23	.21
Civil Secretariats	6.45	6.27	6.96	6.55	7.19	7.01
Board of Revenue, Financial Commissioner and Establishments ..	2.00	1.91	1.95	1.88	1.99	1.89
Civil Offices of Account and Audit.	1.17	1.18	1.20	1.21	1.24	1.27
Additional provision for enhanced war allowances	..	..	..	..	..	.10
Total ..	15.51	15.15	15.85	15.86	16.35	17.09

* Purely Imperial minor heads which are not under the financial control of this Government are not shown here.
† Statutory charges under this head are not open to discussion.

62-63 35. *Staff and household of the Governor.*—The expenditure on the purchase and maintenance of furniture, carpets, and other equipment for Government houses, is shown under this minor head. The increased provision in the budget estimate for 1919-1920 over the revised estimate for the current year represents mainly the non-recurring allowances for renewal of furniture and carpets for the incoming Governor.

62 36. *Civil Secretariats.*—The increase in the revised estimate for 1918-1919 over the current year's budget estimate is chiefly due to the formation of the Revenue (Special) Department for dealing with matters connected with the war and the developmental departments such as Industries. It has not yet been found possible to abolish this additional Secretariat because there is much work still continuing in connexion with demobilization, winding up enemy concerns, and the like. Meanwhile the question of converting it into a development Secretariat to deal with the branches of administration concerned with the development of the industries, agriculture, fisheries, forests and other resources of the Presidency is under consideration.

The provision under the Home Secretaryship has been increased by .03 with reference to the decision of the Government of India to grant any officer of the Provincial Civil Service who may hold this appointment a local allowance of Rs. 250 in addition to the duty allowance of Rs. 160.

XVI-A. and 19-A. Law and Justice—Courts of Law.

* Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Sale-proceeds of unclaimed and escheated property	.23	.34	.79	.24	.23	.24
Court-fees realized in cash	.32	.36	.38	.37	.36	.39
General fees, fines and forfeitures ..	10.89	9.88	9.58	9.70	8.99	9.67
Pleadership examination fees	.12	.14	.14	.18	.12	.14
Miscellaneous fees and fines	.16	.16	.16	.17	.16	.17
Miscellaneous	.28	.51	.29	.13	.24	.30
Total ..	12.00	11.39	11.34	10.79	10.10	10.91

* This head is not open to discussion.

GOVERNMENT OF MADRAS FOR 1919-1920

72-88

* Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
High Court	12.45	11.89	11.16	12.16	11.19	12.02
Law Officers	2.57	2.79	2.62	2.81	2.71	2.82
Administrator-General	.26	.23	.23	.26	.20	.27
Presidency Magistrates' Courts	.69	.72	.74	.70	.75	.76
Civil and Sessions Courts	38.72	39.55	40.08	42.09	43.29	47.02
Court of Small Causes	1.05	1.31	1.33	1.31	1.34	1.35
Criminal Courts	27.43	27.63	27.62	28.38	29.04	29.82
Pleadership Examination charges ..	.05	.06	.10	.10	.09	.10
Refunds	1.26	1.29	1.25	1.32	1.09	1.35
Additional provision for enhanced war allowances.	..	..	..	..	..	3.25
Total ..	84.48	85.47	85.13	89.13	89.70	98.76

* Statutory charges under this head are not open to discussion.

Revenue.

37. The principal source of revenue is *General fees, fines and forfeitures*. The revenue under this minor head is, however, liable to fluctuations as it depends largely on the amount of judicial fines inflicted. The receipts under the minor head *Pleadership Examination Fees* are also liable to fluctuations, as they depend upon the number of candidates appearing.

Expenditure.

38. *High Court.*—Under this minor head are shown the salaries of the Judges and officers and establishments of the High Court, and the connected contingent expenditure. The high actuals in 1915-1916 were due chiefly to expenditure on printing and translation work executed on behalf of suitors. The charge is covered by receipts credited to the same account.

The decrease in the revised estimate for 1918-1919 as compared with the budget is due mainly to savings in establishment charges and to smaller expenditure on printing and translation work. The budget estimate for 1919-1920 has been framed on the basis of the continuance of the twelve Judges throughout the year.

39. *Law Officers.*—This minor head comprises the charges on account of the Advocate-General, the Government Solicitor, the Government Pleaders at Madras and in the mufassal, and the appointment of a separate Public Prosecutor in Madras to discharge duties formerly devolving on the Government Pleader. It also includes the fees paid by Government to pleaders in civil and criminal cases.

40. *Civil and Sessions Courts.*—To this minor head are debited the charges in connexion with the City Civil Court, the Courts of District and Sessions Judges, Subordinate Judges and Munsifs, the judicial establishments of the Government Agents in Ganjam, Vizagapatam and Godavari, and process-serving and copyist establishments. The gradual increase in expenditure is due mainly to the additional temporary courts which it has been found necessary to open in various districts.

The grant of war allowances to establishments drawing Rs. 50 and under accounts for the increase in the revised estimate for 1918-1919 over the budget. The increase is, however, partly counterbalanced by the lapse of the lump provision of .40 for the creation of a District and Sessions Court at Anantapur and savings under copyists' establishments and in the contract contingent expenditure of mufassal courts.

The budget estimate for 1919-1920 includes .20 representing 6 months' charges on account of the creation of a District and Sessions Court at Anantapur and provides for the continuance throughout the year of 22 temporary Sub-Courts and

(28) AMENDED DRAFT FINANCIAL STATEMENT OF THE

27 District Munsifs' Courts; it also contains an enhanced provision of .70 on account of war allowances in addition to the enhanced allowances included in the sum of 3.25 entered in the summary. The following lump provisions have also been entered in the budget:—

.30, anticipated increase for additional process-serving establishment.

.82, to pay for a permanent increase in the number of civil courts and the consequent permanent appointment and regrading of Sub-Judges and District Munsifs and

.73, to pay for revision of the pay of clerical establishments in mufassal courts.

41. *Criminal Courts*.—Under this minor head, the variations in the figures follow the corresponding alterations under the minor head 3-A. LAND REVENUE—Charges of District Administration, a portion of which is transferred to this head. A larger provision under 'supplies and services' and 'contingencies' contributes to the increase in the budget estimate for 1919-1920 over the revised estimate for 1918-1919.

XVI-B. & 19-B. Law and Justice—Jails.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1916-1918.	1916-1917.	1917-1918.			
Jails	.08	.07	.09	.07	.12	.08
Jail manufactures	5.03	5.62	7.61	6.03	9.80	7.00
Total	5.11	5.69	7.70	6.10	9.92	7.08

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1916-1918.	1916-1917.	1917-1918.			
Jails	11.36	11.41	11.10	11.58	12.72	12.78
Jail manufactures	3.92	4.22	5.60	4.45	7.84	5.31
Additional provision for enhanced war allowances.	..	..	..	..	..	.14
Total	15.28	15.63	16.70	16.03	20.56	18.23

Revenue.

42. The main source of receipts under the major head LAW AND JUSTICE—JAILS is the sale-proceeds of articles manufactured in jails and supplied to public departments.

43. *Jail manufactures*.—Large supplies to the Military Department contribute to the increase in the revised estimate for 1918-1919.

Expenditure.

44. Under this head are shown (a) the expenditure connected with the staff employed in the supervision of jails, (b) the charges for the maintenance of convicts, and (c) the cost of the purchase of raw materials for jail manufactures. Items (b) and (c) are fluctuating, being dependent on the strength of the jail population and on demands for jail industries. Variations in the prices of food-grains, and outbreaks of epidemic diseases in jails, also affect the charges for maintenance of prisoners.

45. *Jails*.—The increase in the revised estimate for 1918-1919 as compared with the budget for that year occurs mainly under "Dietary Charges". Against the current year's budget estimate of 4.95 for this item, the revised estimate for 1918-

GOVERNMENT OF MADRAS FOR 1919-1920

1919 and the budget for 1919-1920 are placed at 5.72 and 5.50, respectively. The budget for 1919-1920 contains additional provision for the salaries of officers and war allowances.

46. *Jail manufactures*.—The estimates have, as usual, been framed with reference to the probable demands for jail manufactures next year. The increase in the revised estimate for 1918-1919 as compared with the budget for that year is due to heavy demands for jail-made goods, chiefly from the Military Department. The budget for 1919-1920 does not anticipate a continuance of such demands.

XVII. & 20. Police.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1916-1918.	1916-1917.	1917-1918.			
Police supplied to Municipal, Cantonment and Town funds ..	.01	..	..	..	..	..
Police supplied to public departments, private companies and persons	.49	.56	.63	.58	.64	.72
Presidency Police	.61	.67	.66	.69	.65	.65
Fees, fines and forfeitures	3.70	3.70	3.87	3.76	3.79	3.82
Superannuation receipts	.04	.03	.04	.04	.04	.04
Miscellaneous	.22	.24	.20	.25	.21	.23
Total	5.07	5.20	5.40	5.32	5.33	5.46

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1916-1918.	1916-1917.	1917-1918.			
Presidency Police	5.65	5.88	5.86	6.11	6.12	6.60
Superintendence	2.20	2.28	2.24	2.23	2.31	2.23
District Executive Force	79.96	84.50	86.79	89.00	89.07	90.42
Village Police	15.40	15.40	15.45	15.77	15.48	15.94
Criminal Investigation Department	1.68	1.63	1.61	1.69	1.65	1.68
Railway Police	1.46	1.38	1.40	1.50	1.43	1.49
Cattle Pounds	2.33	2.37	2.30	2.36	2.27	2.39
Miscellaneous	1.41	1.30	1.67	2.06	2.11	2.25
Refunds	.01	.01	.01	.01	.02	.01
Additional provision for enhanced war allowances	..	..	..	..	..	13.50
Total	110.10	114.75	117.33	120.73	120.46	136.51

Revenue.

47. The receipts under this head consist mainly of (a) fees and fines levied under the Cattle Trespass Act, 1871, (b) the recovery of the cost of the police supplied to public departments, private companies and persons, and (c) fees levied under the Madras Hackney Carriage Act, 1911, and the Indian Motor Vehicles Act, 1914.

Expenditure.

48. The cost of the establishments maintained in connexion with cattle pounds is debited to this head, but the bulk of the expenditure relates to the Police department. The charges relating to the establishment and maintenance of settlements for

AMENDED DRAFT FINANCIAL STATEMENT OF THE

the reclamation of criminal tribes and for the reception of prisoners are also recorded under the minor head *Miscellaneous*. The settlements for the reception of prisoners have however been abolished as such since July 1917 and have been constituted as reformatory settlements under the Criminal Tribes Act.

94-98 49. *Presidency Police*.—The budget estimate for 1919-1920 allows for a full year's provision for a second Assistant Commissioner of Police in the Madras City, an increase in the number of city sub-inspectors and sergeants and better recruitment in the town and suburban police force. It also includes the usual lump grant of .22 for the renting of quarters for subordinate police officers in the Madras City. All subordinate officers of the City Police are entitled to free quarters, and residences are being constructed for them as funds are available. In the meanwhile the Inspector-General of Police has been empowered to rent houses for such of these officers as have not yet been provided with Government quarters.

99-107 50. *Superintendence*.—The salaries of the Inspector-General and of the Deputy Inspectors-General and of their establishments are accounted for under this minor head.

51. *District Executive Force*.—The salaries of District Superintendents, Assistant and Deputy Superintendents and of their establishments, and the cost of the District Police force, the Provincial Training School at Vellore and the recruit schools for constables are included under this minor head.

52. The scheme for the revision of the pay of the mufassal constabulary was brought into effect during 1916-1917 and it has contributed to increased expenditure from and after that year. The budget for 1918-1919 provided for the full sanctioned strength of the District Police force less probable savings representing the cost of so much of the force as was not likely to be recruited in 1918-1919. Savings are anticipated under 'Salaries' owing to several Assistant Superintendents having joined the Indian Army Reserve of Officers. There is also a saving under Police Force—General and Rewards. These savings are more than counterbalanced by the increases due to the grant of war allowances to the Police executive staff from the 1st January 1919 and by larger expenditure on the police entertained in consequence of plague. The budget estimate for 1919-1920 provides for the return of officers now on military duty and better recruitment. Larger provision has been made under travelling allowances as police constables have now been granted increased daily allowances and the concession of drawing family travelling allowance for journeys on transfer exceeding 200 miles. Larger provision has also been made under 'Supplies and services', chiefly in connexion with clothing, uniforms, arms and accoutrements and rewards. The lump provision of .73 entered in the budget for 1918-1919 for the renting of quarters for the mufassal constabulary has been repeated in the ensuing year's budget.

53. The expenditure in connexion with police talaiyaris appears under the minor head *Village Police*. Savings anticipated in the provision for talaiyaris in proprietary tracts account for the decrease in the revised estimate under this minor head.

54. The charges of the *Criminal Investigation Department* including the finger-print establishment, which forms part of this branch, are shown under the fifth minor head. The department is controlled by a Deputy Inspector-General who also supervises the Railway Police.

55. The minor head *Railway Police* includes the cost of the police staff employed on railways, and one-fourth of the salary of the Deputy Inspector-General for Criminal Investigation and Railways, and of his office establishment. The cost of supervision and of the police executive staff is distributed among the railway companies concerned in proportion to mileage. Seven-tenths of the aggregate cost is recoverable from the companies, the recoveries being shown as deductions from charges.

56. Under the next minor head is shown the expenditure on account of *cattle pounds* in the mufassal, the charges on account of the pounds in Madras being debited to the minor head *Presidency Police*.

57. *Miscellaneous*.—The budget estimate for 1918-1919 included a lump provision of .50 for the construction of school buildings in connexion with the industrial home for the children of criminals at Perambūr. A sum of .20 only is expected to be

GOVERNMENT OF MADRAS FOR 1919-1920

spent in the current year and a provision of .40 has been included in the budget estimate for 1919-1920. The budget for 1919-1920 also includes provision for non-recurring expenditure in the settlement at Bhumannagadda, Chittoor district, on various objects, such as the construction of a boarding school and an inspection bungalow.

XVIII. & 21. Ports and Pilotage.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Revenue	..	.01	.004	..	.01	.01

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Marine establishments	.47	.37	.51	.43	.49	.49

Revenue.

58. The actuals for 1917-1918 (Rs. 410) represent chiefly the value of unserviceable stores taken over by the Public Works Stores from the Agent for Government Consignments.

Expenditure.

59. The charges under this head relate to the office of the Agent for Government Consignments.

XIX. & 22. Education.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Fees—Government Colleges—General.	1.20	1.27	1.33	1.30	1.40	1.63
Fees—Government Colleges—Professional.	1.09	1.23	1.29	1.19	1.48	1.49
Fees—Schools—General	.40	.42	.43	1.32	.40	1.46
Fees—Schools—Special	.13	.14	.14	.15	.17	.23
Income from Endowments	.01	.01	..	..	..	..
Contributions	..	..	.04	..	.07	.05
Miscellaneous	.27	.47	.32	.32	.27	.34
Total	3.10	3.54	3.55	4.28	3.79	5.20

AMENDED DRAFT FINANCIAL STATEMENT OF THE

GOVERNMENT OF MADRAS FOR 1919-1920

122-140.

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
University	85	103	85	99	99	205
Direction	91	92	94	91	102	87
Inspection	847	847	871	926	906	994
Government Colleges—General ..	406	461	448	492	459	547
Government Colleges—Profes- sional.	254	280	329	357	338	368
Government Schools—General ..	2115	2234	3151	3183	3849	4667
Government Schools—Special ..	761	819	873	1019	957	1244
Grants-in-aid	2950	3291	3352	3874	3763	4316
Scholarships	144	158	167	171	168	193
Miscellaneous	43	30	33	36	33	36
Refunds	01	02	02	02	03	02
Lump allotment for the development of primary education.	..	..	..	550	..	..
Lump allotment for taking over the management of four secondary schools.	..	..	..	111	..	132
Lump allotment for opening three Government secondary schools for girls.	..	..	..	..	..	23
Lump allotment for Medical inspec- tion of schools.	..	..	..	08	..	14
Other lump allotments	..	..	..	379	..	..
Additional provision for enhanced war allowances.	..	..	..	..	..	70
Total ..	7697	8317	9405	11298	10677	12898

Revenue.

60. *Fees—Government Colleges—General and Professional.*—The figures under these two minor heads depend upon the strength of the Government Arts Colleges and of the Law College. The budget estimate for 1919-1920 under "Government Colleges—General," takes credit for 23 being the anticipated fee-income from the Victoria College, Palghat, to be taken under Government management.

61. *Fees—Schools—General.*—The budget for 1918-1919 took credit for 89, being the estimated fee-income from secondary schools to be taken under Government management. The scheme will, however, not be introduced in 1918-1919. The budget for 1919-1920 includes (a) 89, being the fee-income from the schools referred to above, and (b) 14 being the fee-income from the school department of the Palghat College which is also to be taken under Government management.

Expenditure.

62. *University.*—The budget estimate of 205 for 1919-1920 is made up of (a) 65 being the recurring Imperial grant, (b) 20 for expenses in connexion with travelling allowances to Fellows, (c) 20 (against 13 in 1918-1919) as a grant towards the cost of publishing a Tamil lexicon, making a total of 87 out of 1 lakh promised, and (d) 100 for a further instalment for expenditure on the construction of the University library buildings, thus completing the promised grant of 300.

63. *Inspection.*—Of the 75 posts of additional Sub-Assistant Inspectors of Schools which have been sanctioned temporarily from time to time in order to cope with the increased work resulting from the advance of primary education, 54 posts have since been added to the permanent cadre. The variations between the figures relating to the budget and revised estimate for 1918-1919 occur mainly under "Salaries" and "Allowances." The budget for 1919-1920 includes a total provision of 60 (which comes out of the recurring imperial grant of 550 for the development of primary education—vide paragraph 73 infra), for (i) appointment of an additional inspectress of schools (13), (ii) addition of four Inspectors' circles (23), and (iii) appointment of twelve additional Sub-Assistant Inspectors (24).

* The expenditure in the revised estimate for 1918-1919 is included under "Government Schools—General—Second-ary schools for boys—Supplies and Services" (page 132, Civil Budget Estimate).

64. *Government Colleges—General.*—The decrease in the revised estimate for 1918-1919 as compared with the budget for that year occurs chiefly under "Supplies and Services—European Stores". The revised estimate for the current year includes expenditure on account of (1) the Ceded Districts College at Anantapur which has been raised to the status of a first-grade College, (2) additional Assistant Lecturers in the Presidency, Kumbakonam, Rajahmundry and Mangalore Colleges, and (3) the College for Muhammadans which has been opened in the Government Madrasa-i-Azam, Madras.

The budget for 1919-1920 contains provision for the Palghat College which it is proposed to take under Government management, and for larger allotments under "Supplies and Services."

65. *Government Schools—General.*—The details of the figures under this minor head are :—

	Accounts, 1917-1918.	Budget, 1918-1919.	Revised, 1918-1919.	Budget, 1919-1920.
(a) Government Schools, proper (secondary and elementary schools for boys and girls) ..	421	482	480	567
(b) Payments in support of local board and municipal schools (secondary, elementary and sessional).	2730	2701 + 220 *	3369	4100
Total ..	3151	3183 + 220 *	3849	4667

* For opening new board high and middle schools (209) and night schools (11).

66. *Government Schools—Proper.*—The budget for 1919-1920 contains larger provision for "Allowances," "Supplies and Services" and "Contingencies" and includes allotments of (i) 13 for Muhammadan secondary schools recently opened at Kurnool and Guntur, (ii) 05 for a Muhammadan secondary school to be opened at Trichinopoly, (iii) 14 for the opening of three secondary schools for girls (Masulipatam, Cuddalore and Mangalore), (iv) 06 for the reorganization of the girls' schools at Vizianagram, Suryaraopet and Guntur, and (v) 09 for improvement of Muhammadan education.

67. *Payments in support of local board and municipal schools.*—It is under this sub-head and under the minor head "Grants-in-aid" that the bulk of the expenditure in connexion with the expansion and improvement of elementary education occurs. The following statement shows the details of the charges under this sub-head :—

	Actuals, 1917-1918.	Budget, 1918-1919.	Revised, 1918-1919.	Budget, 1919-1920.
<i>Recurring.</i>				
(i) Elementary schools	1901	1628 (a) + 450 (b) + 123	2194 + 01	2194 + 01
(ii) For opening new elementary schools and strengthening existing elementary schools..	..	..	160	407 + 200
(iii) For raising the minimum pay of teachers in elementary schools	..	..	..	127 12
(iv) Night schools	..	..	11	..
(v) Secondary and sessional schools	169	192 + 11	205	205
(vi) New Board high and middle schools ..	..	..	209	209
Total ..	2070	2404 [(c) + 220]	2619 + 161	3027 + 328

NOTE.—The figures in italics represent expenditure from the recurring Imperial grant of 550—vide paragraph 73 infra.

- (a) For opening new elementary schools, proposals in regard to which were sanctioned in 1917-1918.
(b) For raising the minimum pay of teachers proposals in regard to which were sanctioned in 1917-1918.
(c) These were entered as lump allotments in the summary under the major head in the budget for 1918-1919.

126-128

128

131-134

131-134

132

133

134

131

131

122-140

132

123-126

124

124-125

125

AMENDED DRAFT FINANCIAL STATEMENT OF THE

	Actuals, 1917-1918.	Budget 1918-1919.	Revised 1918-1919.	Budget 1919-1920.
<i>Non-recurring.</i>				
(vii) Elementary schools	3.41	1.00	{ 2.00 + 1.94 (a) 1.95	3.85 (a) 3.60
(viii) Secondary schools	3.19	(a) 1.97	{ 3.95 + 1.94	7.45
Total ..	6.60	2.97		
Grand Total ..	27.30	27.01 [+2.20]	30.14 + 3.55	37.72 + 3.28

NOTE.—The figures in italics represent expenditure from the recurring Imperial grant of 5.50—vide paragraph 73 infra.

(a) Includes 10 for equipment.

68. *Item (ii).*—Proposals costing 6.07 per annum have been sanctioned recently. They are made up of—

- 4.48 for opening 1,170 new elementary schools (1,023 under local boards and 147 in municipalities);
- .87 for strengthening the staff of 562 schools; and
- .72 for opening higher standards in 300 existing schools.

6.07

69. *Item (vi).*—With the object of providing additional facilities for secondary education and of relieving congestion in the existing secondary schools in the Presidency, 18 of the incomplete secondary schools managed by local bodies have been raised to the grade of complete secondary schools and 49 new middle schools have been opened in the course of the current year under the management of local bodies.

70. *Items (vii) and (viii).*—The budget for 1919-1920 includes the following allotments which have been entered in accordance with the recommendation of the Finance Committee of January 1919:—

- Grants to local bodies for elementary school buildings 3.85
- Grants to local bodies for secondary school buildings 2.50
- Grants to local bodies for the equipment of secondary schools 1.00

Total .. 7.35

71. *Government Schools—Special.*—The decrease in the revised estimate for 1918-1919 as compared with the budget for that year occurs chiefly under the provision for training schools for masters and mistresses and in the allotment of .62 for opening manual training centres. Of this latter amount, a sum of .06 will be spent on equipment, while .21, representing expenditure on buildings, will appear under the head “45. CIVIL WORKS—Public Works Department.” The balance of .35 has been resumed and provided for in the budget for 1919-1920 under “45. CIVIL WORKS—Public Works Department.”

The revised estimate for 1918-1919 includes expenditure on account of (1) the Civil Engineering School, Vizagapatam (a provision of .31 was entered in the budget in the summary under the major head); and (2) the Institute of Commerce, Madras.

The budget for 1919-1920, besides providing for a full year's charge on account of these two institutions, contains enhanced provision for training schools for masters and mistresses and allotments for the following purposes:—

- .20 for manual training centres (in addition to .35 entered for buildings under 45. Civil Works—Public Works Department).
- .25 for opening two agricultural middle schools (in addition to .25 entered for buildings under 45. Civil Works—Public Works Department); and
- .66 for opening three elementary training schools

GOVERNMENT OF MADRAS FOR 1919-1920

It also includes .53 from the recurring Imperial grant of 5.50—vide paragraph 73 infra—for opening (1) a higher elementary training school at Amalapur (.23), (2) a training school for Muhammadan women at Trichinopoly (.12), (3) a secondary training class at Ranipet (.04) and (4) an additional elementary training school (.14).

72. *Grants-in-aid.*—The total figures under this minor head may be broadly classified as follows:—

classified as follows:—

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
<i>A—Recurring.</i>						
(1) Teaching grants—elementary schools	16.07	17.50	19.25	19.89	20.89	21.39 + 1.00*
(2) Teaching grants—training schools, including stipendiary grants	1.44	1.36	1.60	2.27	2.36	2.45 + .09*
(3) Teaching and other grants to colleges, secondary schools, and schools other than elementary	7.85	7.92	8.71	9.32	9.47	9.97
Total (recurring) ..	25.36	26.78	29.56	31.48	32.72	33.81 + 1.09*
<i>B—Special.</i>						
(4) Grants for buildings, furniture, apparatus, hostels, etc. ..	4.14	6.13	3.96	7.26	4.91	8.26
Grand total ..	29.50	32.91	33.52	38.74	37.63	42.07

* From the Imperial recurring grant of 5.50.

Item (4).—The decrease in the revised estimate occurs under building grants.

In accordance with the recommendation of the Finance Committee of January 1919, the budget for 1919-1920 includes a total provision of 1.50 for (i) grants to aided secondary schools for equipment (1.00) and (ii) grants for playgrounds (.50).

73. *Lump allotment for the development of primary education.*—With effect from 1918-1919 the Government of India have sanctioned a recurring assignment of 5.50 from Imperial revenues for the development of primary education. This sum, which was entered as a lump allotment in the budget for 1918-1919 in the summary under the major head has been distributed among the several minor heads both in the revised estimate for 1918-1919 and in the budget for 1919-1920 as shown below:—

REVISED ESTIMATE FOR 1918-1919.

<i>22-E. Government Schools—General—</i>		
(1) Subsidies to local bodies for opening elementary schools ..	1.60	
(2) Subsidies to local bodies for elementary school buildings ..	1.94	
(3) Subsidy to Gudiyattam municipality	.01	
<i>22-F. Government Schools—Special—</i>		
(4) Schools for boys of fishermen under the Fisheries department ..	.22	
	3.77	

BUDGET FOR 1919-1920.

<i>(a) 22-B. Inspection—</i>		
(i) Appointment of an additional Inspectress of Schools (including allowances, supplies and services) ..	.13	
(ii) Addition of four Inspectors' circles	.23	
(iii) Appointment of twelve additional Sub-Assistant Inspectors	.24	
	.60	

AMENDED DRAFT FINANCIAL STATEMENT OF THE

(b) 22-E. Government Schools—General—			
(iv) Opening of new elementary schools	2.00		
(v) Raising the minimum pay of teachers in elementary schools	1.27		
(vi) Subsidy to Gudiyattam municipality	.01		
		3.28	
(c) 22-F. Government Schools—Special—			
(vii) Opening of a higher elementary training school at Amalapur	.23		
(viii) Opening of a training school for Muhammadan women at Trichinopoly	.12		
(ix) Opening of a secondary training class at Ranipet	.04		
(x) Opening an additional elementary training school	.14		
		.53	
(d) 22-G. Grants-in-aid—			
(xi) Raising the teaching grant of teachers in aided elementary schools	1.00		
(xii) Subsidy to aided secondary schools for training teachers	.09		
		1.09	
		5.50	

73a. Lump allotment for medical inspection of schools.—In accordance with the recommendation of the Finance Committee, the provision of .08 originally entered in the budget for 1919-1920 has been raised to .14.

74. Other lump allotments.—The following items which appeared as lump allotments in the budget estimate for 1918-1919 have, in the revised estimate for 1918-1919 and budget estimate for 1919-1920, been entered under the minor heads specified against each:—

(a) Opening new Board high and middle schools. 2.09	Government Schools—General.
(b) Improvement of Muhammadan education. .75	{ Government Colleges—General. Government Schools—General— Scholarships.
(c) Civil Engineering school, Vizagapatam. .31	Government Schools—Special.
(d) Female education .. .. .53	{ Government Schools—General. Government Schools—Special.
(e) Night schools .. .. .11	Government Schools—General.
	3.79

75. The budget figure under the major head which stood at 94.79 in 1917-1918 given by the 12.98 in 1918-1919 after including the recurring Imperial grant of 5.50 for improvement of elementary education. The budget for 1919-1920 is placed at 125.98 which exceeds the current year's budget by 16.00. Of this excess, a sum of 6.34 represents recurring charges for the improvement and expansion of elementary education. This sum of 6.34 is made up of 4.00 for subsidies to local bodies for teaching grants to aid the opening of three elementary training schools, and 1.68 for elementary and training schools.

GOVERNMENT OF MADRAS FOR 1919-1920

XX-A. & 24-A. Medical.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Medical School and College fees	.41	.43	.49	.50	.61	.60
Hospital receipts	.37	.40	.44	.45	.54	.48
Lunatic Asylum receipts	.23	.23	.25	.25	.24	.25
Contributions	.20	.29	.30	1.04	1.40	1.26
Miscellaneous	.07	.07	.09	.11	.11	.12
Total	1.28	1.42	1.57	2.35	2.90	2.71

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Medical establishment	4.21	4.55	4.43	4.63	4.61	5.33
Hospitals and dispensaries	7.63	8.29	11.75	14.35	14.42	22.39
Grants for medical purposes	.17	.01	.02	.02	.15	.15
Medical Schools and College	2.78	3.21	3.53	4.86	4.64	5.32
Lunatic Asylums	1.68	1.60	1.63	1.89	1.60	2.10
Chemical Examiner	.27	.32	.32	.33	.30	.33
Refunds	.03	.01	.02	.02	.03	.02
Revision of pay of Sub-Assistant Surgeons.	..	..	..	.24	..	..
Constitution of a women's subordinate medical service.	..	..	..	..	..	.15
Post-graduate course for Civil Assistant Surgeons.	..	..	..	..	..	.25
Medical School for Women at Madras.	..	..	..	..	..	.50
Additional provision for enhanced war allowances.	..	..	..	..	..	.03
Total	16.77	17.99	21.73	26.34	25.95	36.57

76. The receipts and charges on account of sanitation were prior to the year 1916-1917 exhibited under the major head 'Medical.' In view of the increased interest now taken in sanitation, it was decided in 1916-1917 to create a separate major head for this purpose in order to bring out more prominently the provision made and the expenditure incurred on this object. The former heads XX. & 24. MEDICAL were accordingly subdivided into XX-A. & 24-A. MEDICAL and XX-B. & 24-B. SANITATION.

Revenue.

77. Medical school and college fees.—The increase from 1917-1918 is due to the increased rate of fees levied from private pupils and students coming from other provinces and Native States, to the opening of an additional medical school at Calicut and to increases in the number of pupils.

78. The minor head Lunatic Asylum receipts comprises payments by private persons for the maintenance of lunatics, and the sale-proceeds of work executed by patients in lunatic asylums.

79. Contributions.—The figures for 1918-1919 and 1919-1920 under this minor head include (i) the contributions from local bodies in consequence of the transfer of headquarter hospitals to Government, and (ii) the contribution of .29 from the Madras Corporation, towards the maintenance of Government hospitals and dispensaries in the city (.20) and of the Georgetown dispensary (.09).

AMENDED DRAFT FINANCIAL STATEMENT OF THE

Expenditure.

141-177

141

80. *Medical establishment.*—Since 1914-1915, there has been a decrease under this head, owing mainly to savings in the salaries of Indian Medical Service officers transferred to military duty in connexion with the war. The figures from 1916-1917 include additional expenditure on account of the revision of the pay of civil assistant surgeons, under which they were placed on a time-scale of pay rising from Rs. 100 to Rs. 300 with two senior grades on Rs. 325 and Rs. 350.

142

The increase in the budget estimate for 1919-1920 allows for the return of officers from military duty on demobilization being ordered.

143-169

143

81. *Hospitals and dispensaries.*—With effect from the year 1915-1916, grants to local and private bodies in aid of medical buildings have been shown under this minor head instead of under CIVIL WORKS.

145-146

The figures from 1916-1917 include expenditure on account of the maintenance of the new Rayapuram Hospital.

143

The increase in the actuals for 1917-1918 as compared with the previous year represents mainly large non-recurring grants given to local bodies for medical buildings. The revised estimate for the current year, besides including provision for similar grants to local and private bodies, takes account of the charges in connexion with the transfer of the management of headquarter hospitals to Government for which a lump provision of 2.50 was entered in the budget estimate for 1918-1919.

82. The large increase in the budget estimate for 1919-1920 is due to the following causes:—

144-150

(a) Increased provision for salaries and supplies and services under Presidency Hospitals and dispensaries.

143

(b) Provision for the taking over of the Royapetta Hospital by Government.

(c) Increase under mufassal hospitals and dispensaries on account of additional provision for headquarter hospitals taken over by Government from local bodies.

143

(d) Reorganization of certain hospital establishments

168

(e) Larger provision on account of half grants for new hospitals opened by local bodies.

168

(f) Lump provision of .50 on account of grants to private hospitals.

143

Item (b).—The taking over of the Royapetta Hospital by Government is under consideration and a provision of 3.25 has been entered for this purpose.

151

Item (c).—The hospital at Bellary was taken under Government management from the 1st December 1917 and the headquarter hospitals at Coimbatore, Anantapur, Berhampur, Chingleput, Chittoor, Cocanada, Cuddapah, Guntur, Madras, Masulipatam, Ramnad, Tanjore and Vellore were taken under Government management with effect from the 1st April 1918. The hospitals at Cuddalore and Vizagapatam were taken over by Government with effect from 1st July 1918 and the hospitals at Kurnool and Mangalore will be transferred to Government from the 1st April 1919.

143

Item (d).—Provision has been made for the reorganization of the establishment of mufassal headquarter hospitals (.20), Presidency medical institutions (.06) and the X-ray department in the Government General Hospital, Madras (.06).

168

Item (e).—A provision of .55 (.18 for municipalities and .37 for district boards) has been made, as against .45 in the current year, to meet half the initial and recurring charges of new hospitals and dispensaries opened by local bodies under the undertaking given by Government in March 1915. This amount is intended to meet recurring grants in respect of institutions opened up to the end of 1918-1919 and the initial charges for institutions to be opened in 1919-1920. The recurring grants for the latter are payable only with effect from 1920-1921.

83. On the recommendation of the Finance Committee a total provision of 3.00 has been entered in the budget estimate for 1919-1920 for grants to local bodies for medical buildings.

84. *Grants for medical purposes.*—With reference to the revised classification referred to in paragraph 76 ante, charges incurred on preventive measures in connexion with bubonic plague and the contribution of Government to the Pasteur Institute at Coonoor are now shown under the major head 24-B. SANITATION.

GOVERNMENT OF MADRAS FOR 1919-1920

The grant hitherto paid to the Provincial Committee of the Countess of Dufferin's Fund to enable them to give stipends to women desirous of studying medicine has, with effect from the 1st September 1916, been disbursed direct from Provincial funds without the intervention of the committee. The expenditure is accordingly now debited to the more appropriate minor heads, Medical Schools and College, and 22-H. EDUCATION—*Scholarships.*

The increase in the revised estimate for the current year over the budget estimate is due to the inclusion of provision for the training of sub-assistant surgeons in Ankylostomiasis (.03) and for investigation of indigenous drugs (.10). The budget estimate for 1919-1920 contains a provision of .13 for the latter purpose.

169

169

85. *Medical College and Schools.*—The increase in the budget estimate for 1919-1920 over the revised estimate for the current year occurs mainly under "Salaries" and is due to the increase in the number of instructors employed in the various medical schools and to the grant to them of teaching and hospital allowances at enhanced rates. This is counterbalanced to a small extent by a decrease under "Allowances."

169-173

86. *Lunatic Asylums.*—The increase in the budget estimate for 1919-1920 as compared with the revised estimate for 1918-1919 occurs mainly under 'Supplies and Services' and allows for a larger number of inmates and also for the rise in prices of provisions, bedding and clothing.

174-176

XX-B. & 24-B. Sanitation.

Revenue.

16

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Sanitation and Vaccination receipts.	.11	.18	.16	.14	.47	.15

Expenditure.

177-185

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Sanitation and Vaccination establishment.	2.09	1.94	1.94	2.35	2.33	2.79
Grants for sanitary purposes	29.88	13.56	12.00	9.53	9.69	16.43
Expenses in connexion with Bubonic Plague, Malaria and Epidemics.	1.31	1.28	1.50	1.62	1.51	1.80
Bacteriological Laboratories and Pasteur Vaccine Institutes.	.23	.26	.98	.87	1.16	1.27
Refunds	..	.01	.01	.01	.01	.01
Additional provision for enhanced war allowances	..	..	..	..	..	.05
Total	33.51	17.05	16.43	14.38	14.70	22.35

Revenue.

16

87. Fees for chemical analyses at the King Institute, and the sale-proceeds of calves, are credited to this major head.

88. The revised estimate for 1918-1919 includes a special credit of .30 being unspent balances of Provincial contributions to the Kurnool Municipality for water works, which were refunded.

16

Expenditure.

177-185

178-180

89. *Sanitation and Vaccination establishment.*—The expenditure shown under this minor head relates mainly to the staff of deputy inspectors of vaccination and the Sanitary and Deputy Sanitary Commissioners and their establishments.

AMENDED DRAFT FINANCIAL STATEMENT OF THE

The increase in the budget estimate for 1919-1920 as compared with the revised estimate for the current year is due mainly to the inclusion of a full year's provision for three Deputy Sanitary Commissioners instead of two only as in the current year and the grant to deputy inspectors of vaccination of fixed travelling allowance at increased rates.

90. *Grants for sanitary purposes.*—From and after 1915-1916 grants to local bodies for minor sanitary works and for water-supply and drainage schemes appear under this minor head instead of under 'Civil Works.'

The main item of expenditure under this minor head is 'Contributions for sanitary purposes.' The details are—

	Actuals.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
(1) Grants to local bodies for minor sanitary works.	8.02	6.13	6.38	6.00	6.67	6.00
(2) Grants to district boards and municipalities for water-supply and drainage schemes.	13.95	7.27	3.95	3.24	2.68	5.09
(3) Grant to the Madras Corporation for water-supply and drainage works.	7.10	..	1.50	..	..	5.00
(4) Grants to municipalities on account of health officers.	..	..	.02	.14	.14	.21
(5) Miscellaneous	.23	.05	.02	.02	.02	.03
Total ..	29.30	13.45	11.87	9.40	9.51	16.33

Item (1).—In accordance with the recommendation of the Finance Committee, a special grant of 6.00 has been entered for grants to local bodies for minor sanitary works in 1919-1920. This includes 1.00 for the Madras Corporation.

Item (2).—The smaller provision in recent years is due to the heavy rise in the price of iron pipes and other materials obtained from Great Britain and to the extreme difficulty of getting supplies shipped to this country under war conditions.

The statement below shows approximately the distribution of the allotments of 2.68 in the revised estimate for 1918-1919 and of 5.09 in the budget estimate for 1919-1920 :—

	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
Vizagapatam water-works improvements	.13	.02
Narasaraopet water-supply	.04	.25
Anantapur water-supply	.02	.25
Cuddapah water-works improvements	.02	.08
Chingleput water-supply improvements	.15	1.00
Conjeeveram water-works improvements	.29	..
Tuticorin water-supply (full power test)	.27	.50
Do. (from the Tambraparni)	.08	..
Do. (partial scheme)	..	1.00
Tanjore water-works improvements	..	.20
Madura drainage	.75	.62
Madura water-works improvements	.17	.15
Negapatam (extension of water-supply to Puduman street and Madasapalli)	.09	..
Tirupati water-supply	.13	..
Erode water-supply	.08	..
Coonoor water-works improvements	..	.56
Vellore drainage	..	.21
Ramnad (Rameswaram water-supply)	.36	.25
Other minor schemes	.10	..
	2.68	5.09

Item (3).—Towards the cost of water-supply and drainage works in the Madras Corporation estimated at 124.00, grants to the extent of 75.00 have been made by Government in the past. The amount required to complete the restricted programme of works in 1919-1920 and 1920-1921 is 19.00. The Corporation have undertaken to meet 7.00 out of this amount and it is proposed to make a Provincial grant of 12.00. The sum of 5.00 entered in the budget estimate for 1919-1920 represents the first instalment of the grant of 12.00 referred to above.

91. *Expenses in connexion with bubonic plague, etc.*—The increase in the budget estimate for 1919-1920 over the revised estimate for the current year is due to a full year's provision having been made for six cholera reserve parties as against five in the current year. There is an increase anticipated under 'Plague charges' also.

92. *Bacteriological Laboratories and Pasteur Vaccine Institutes.*—The expenditure on the vaccine and the serum and bacteriological sections of the King Institute of Preventive Medicine, and the contribution of Government to the Pasteur Institute at Coonoor, are shown under this minor head.

25. Political.

* Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Political Agents	.86	.92	.89	.89	.91	.91
Additional provision for enhanced war allowances	..	..	..	..	..	.01
Total ..	.86	.92	.89	.89	.91	.92

* Purely Imperial minor heads which are not under the financial control of the Government of Madras are not shown here.

This head is not open to discussion.

93. To this head is debited the expenditure on account of Political Officers serving under the Madras Government and their establishments, and also a moiety of the cost of the Consul at Pondicherry. The charges in connexion with the Resident in Travancore and Cochin, the Paymaster of Carnatic Stipends, the Government Agent, Tanjore, the Stipend Pay offices, Kurnool and Vellore, and the Special Agent, South Arcot, are shown in full, but the expenditure connected with the Political establishments in Pudukkottai and Sándur is recovered together with pensionary contributions from the Native States concerned, the recoveries being taken in abatement of charges.

XXI-A. and 26-A. Agriculture.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Agricultural receipts	1.53	1.79	1.69	1.79	2.14	3.53
Veterinary receipts	.18	.19	.20	.20	.17	.21
Total ..	1.71	1.98	1.89	1.99	2.31	3.74

(42) AMENDED DRAFT FINANCIAL STATEMENT OF THE

Reference to page
in the Civil Budget
Estimate.
189-202

<i>Expenditure.</i>							
—	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.	
	1915-1916.	1916-1917.	1917-1918.				
Agriculture	7.12	7.73	8.67	10.59	10.87	14.77	
Veterinary charges	2.62	2.66	2.32	3.05	2.59	3.52	
Co-operative credit	1.46	1.59	1.85	2.01	2.14	2.41	
Refunds	.01	.03	.03	.03	.05	.05	
Additional provision for enhanced war allowances	..	..	..	..	..	.21	
Total ..	11.21	12.01	12.87	15.68	15.65	20.87	

Revenue.

94. *Agricultural receipts* are made up mainly of sale-proceeds of farm produce at the Central Farm at Coimbatore and at district farms and of cotton seed distributed by the Agricultural Department.

The increase in the revised estimate for 1918-1919 over the budget for the year occurs mainly under 'fees' and 'farm and other receipts' in connexion with the 'Central Teaching and Research Institute.' The budget estimate for 1919-1920 takes credit for sale-proceeds of manure in the Tanjore district (.75) and of fish manure from the depot opened on the West Coast (.65).

95. The *Veterinary receipts* consist mainly of the fees levied for the treatment of horses and cattle at veterinary hospitals under Government management.

Expenditure.

96. The department is one which is being largely expanded and at the same time reorganized under a scheme sanctioned by the Secretary of State in 1915. At present the senior staff consists of the following principal officers:—(a) a Director of Agriculture, (b) a Superintendent of the Central Farm and Principal of the Agricultural College, (c) an Assistant Principal, (d) an Agricultural Chemist, (e) an Economic Botanist, (f) a Lecturing and Systematic Botanist, (g) a Sugarcane Expert, (h) six Deputy Directors of Agriculture (excluding the officer appointed to take charge of the cattle-breeding and dairy operations in the Presidency) and four Assistant Directors, (i) a Deputy Director of Agriculture, Planting districts, (j) a Mycologist, (k) an Entomologist, (l) an Agricultural Engineer and two Assistant Agricultural Engineers.

The appointment of the Deputy Director, Planting districts, was originally sanctioned for five years, and then extended for a second term of five years, which will expire in April 1919. A scheme for the development of the planting industries involving the establishment of four—to be raised ultimately to six—experimental stations, the appointment of a Mycologist and the continued employment of the Deputy Director, Planting districts, has been submitted to the Secretary of State. Pending his sanction, the Government of India have authorized the Local Government to proceed with the opening of the planting stations. Fixed annual contributions towards the cost of the scheme have been promised by the Mysore, Travancore and Cochin Darbars, the Administration of Coorg and the United Planters' Association of Southern India. The appointment of Sugarcane Expert was originally sanctioned for a period of five years, and has been continued for a further period of five years, from October 1917. In order to meet the cost of the sugarcane-breeding station, the Secretary of State has sanctioned the payment from Imperial funds of a recurring assignment of .54 lakh per annum with effect from the 26th October 1917, instead of a non-recurring grant for the total expenditure as formerly.

97. The budget estimate for 1918-1919 contained lump provision for the following schemes:—

(a) Cattle-breeding farm	..	..	..	..	..	.70
(b) Opening of a new farm in North Arcot	..	..	..	..	..	.08
(c) Cambodia farm at Coimbatore	..	..	..	..	..	.15
(d) Schools for boys employed on the farms	..	..	..	..	..	.04

The expenditure on item (c) is being increased to .39, while allotments have been made in the course of the year for a fish manure depot on the West Coast (.57) and for an experimental scheme of distribution of concentrated manure mixture in the Tanjore district (.10). On the other hand, there are nominal savings amounting to about .50 under the Pumping and Boring Department, owing to a change in the classification of the charges relating to the Industrial Branch which are being shown under the head 26-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS—Development of Industries, with effect from the 1st April 1918.

98. The budget estimate for next year provides for the appointment of an additional Deputy Director, and fifteen assistant managers, representing a further instalment of the scheme of reorganization sanctioned by the Secretary of State in 1915; it also contains increased provision for the scheme of distribution of manure in the Tanjore district, improvement of cotton cultivation and for expenditure on tools and plant in the Pumping and Boring Department. The following lump provision has been entered in the budget:—

	LAKHS.	
(1) Cotton seed farm at Nandyal	.82	
(2) Fish manure depot on the West Coast	.70	
(3) Development of silk industry	.10	
(4) Kangayam cattle farm	.10	
(5) Improvement of milk supply—Madras breeding scheme (.14), experiments at the Military dairy farms in Bangalore (.10) and milk transport experiments (.01).	.25	
(6) Development of the planting industries of Southern India	.27	
	2.24	

99. *Veterinary charges*.—The decrease in the revised estimate for 1918-1919 as compared with the budget occurs mainly under salaries of subordinate establishment and in the charges on account of veterinary hospitals. The budget estimate for 1919-1920 provides for two additional Deputy Superintendents entertained in 1918 and for an additional Superintendent and a second officer for the Veterinary College. It also includes enhanced provision under 'Supplies and Services' and 'Contingencies.' A lump provision of .12 has been entered for contributions by Government towards seven new veterinary institutions.

100. *Co-operative Credit*.—The gradual increase of expenditure under this head is due to the growth of the operations of the department which has necessitated the addition of three Assistant Registrars and 14 inspectors to the staff.

XXI-B. & 26-B. Scientific and Miscellaneous Departments.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Cinchona plantations	6.85	8.92	11.85	9.25	9.49	7.85
Emigration fees	(a) .09	(a) .06	..	(a) .01	..	..
Receipts from industrial operations. (b) 1.37	(b) 1.91	(b) 3.95	5.23	5.71	8.96	..
Examination fees	2.11	2.12	2.17	2.06	2.15	..
Fees for inspection of boilers	.36	.39	.42	.40	.44	.44
Miscellaneous	.36	.45	.38	.15	.18	.16
Total	11.14	13.85	18.72	17.2	17.88	19.56

(a) Includes receipts from "Fees—Emigration Internal".

(b) These figures represent receipts under "Fishery receipts" prior to April 1918.

AMENDED DRAFT FINANCIAL STATEMENT OF THE

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Archaeological department	·39	·40	·41	·43	·44	·48
Provincial museums	·46	·45	·46	·49	·48	·48
Imperial Institute	·01	..	·01	·01	·01	·01
Steam-boiler inspection establish- ment	·29	·31	·36	·42	·42	·43
Donations to scientific societies ..	·03	·03	·03	·03	·03	·03
Cinchona plantations	2·61	3·80	4·16	4·66	4·16	4·77
Emigration	·09	·10	·15	·16	·16	·16
Inspector of Factories	·27	·31	·31	·33	·26	·42
Provincial statistics	·30	·30	·31	·35	·32	·41
Examinations	1·66	1·73	1·84	1·93	1··6	2·03
Registrar of Joint Stock Companies.	·13	·12	·12	·12	·12	·12
Development of industries	1·89	2·41	5·57	8·83	8·16	12·62
Miscellaneous	2·13	2·30	..	..	·51	·79
Refunds	·01	·02	·05	·01	·16	·01
Additional provision for enhanced war allowances	..	..	..	..	..	·17
Total ..	16·27	12·28	13·78	17·77	17·09	22·43

Revenue.

101. Under *Cinchona plantations* appear the sale-proceeds of febrifuge, quinine bark, seeds, plants and jalap whether obtained from the Government plantations on the Nilgiris or (in the case of quinine) manufactured from purchased cinchona bark. The increase in the actuals for 1916-1917 and 1917-1918 was due partly to the large demand for quinine from the Medical Stores but mainly to the greatly enhanced rates adopted in the valuation of stock issued consequent upon the rise in the market price of quinine. The fall in the current year, as compared with the actuals for 1917-1918, is due to a decrease in the supply of quinine, while the further decrease in 1919-1920 is attributed to a large anticipated fall in the factory output owing to the comparatively poorer quality of the barks left to be worked in the factory.

102. *Receipts from industrial operations.*—This is a new minor head which has been opened with effect from 1st April 1918 to show the receipts of the Fisheries department, which were till then recorded under 'Fishery receipts,' and of other industrial concerns which were hitherto exhibited under the minor head 'Miscellaneous.' The increase since 1917-1918 is due mainly to receipts from the manufacture of soap. The revised estimate for 1918-1919 includes ·40 on account of the sale-proceeds of the Government pencil factory. The budget estimate for 1919-1920 anticipates a further increase in the sale of soap and additional revenue under chank fisheries.

103. *Miscellaneous.*—The actuals for 1917-1918 included a special contribution of ·16 paid by the Indian Research Fund towards expenditure to be incurred in this Presidency for a period of five years on the experimental registration of vital statistics in selected typical areas. The corresponding charges have been provided for under the head "26-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS—*Provincial Statistics.*"

Expenditure.

104. The charges of the Government cinchona plantations on the Nilgiris are recorded under the minor head *Cinchona plantations*. The bulk of the charges under this head relate to the purchase of cinchona bark. The budget for next year provides a sum of 2·00 for the purchase of bark; it also includes enhanced provision for the purchase of European stores, and lump grants aggregating 19 for the extension of plantations, rejuvenating old estates and afforestation of grass lands.

GOVERNMENT OF MADRAS FOR 1919-1920

105. *Examinations.*—The rise in the expenditure is mainly under 'Special Tests' and 'Secondary School-Leaving certificates' due to the larger number of candidates appearing and the consequent increase in the expenses connected with the examinations.

106. *Development of industries.*—Under this minor head are recorded the charges relating to the Department of Fisheries, to pearl and chank fisheries, experiments in soap-making and industrial operations. The revised estimate for the current year provides for larger expenditure on soap-making and miscellaneous experiments and takes account of the revised classification introduced from 1918-1919 under which the "district industrial staff" is shown under this head instead of under 26-A. AGRICULTURE as previously. These items of increase are however counterbalanced by a lapse in the provision made for the Cocanada school and for the equipment of the mechanical engineering section of the Madura Technical Institute.

The budget for next year contains enhanced provision for soap-making experiments (5·00), piscicultural works (·37), development of the Fisheries Department (·20), the weaving, dyeing and leather trade branches of the Madura Technical Institute and grants-in-aid for industrial schools. With reference to the recommendation of the Finance Committee of January 1919, the provision for scholarships has been raised by ·09 to provide for two industrial scholarships to Europe or America.

107. *Miscellaneous.*—Under this minor head are recorded the charges relating to the Director of Civil Supplies. The expenditure on this account is covered by an assignment from Imperial revenues.

XXII. & 29. Superannuations.

* Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
REVENUE	1·21	1·27	1·26	1·20	2·04	1·47

* Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
EXPENDITURE	33·08	33·23	33·33	35·65	35·98	37·00

* Purely Imperial minor heads which are not under the financial control of the Government of Madras are not shown here.

Revenue.

108. The receipts under this head consist chiefly of contributions for pensions and gratuities on account of officers of Government lent to foreign service for employment under the Court of Wards, municipalities and other local bodies, Native States and landholders.

109. The increase in the revised estimate for 1918-1919, as compared with the budget for that year, is due chiefly to the recovery in the current year from local bodies of contributions for leave allowances and pensions of civil assistant surgeons in their employ with effect from the 1st March 1916.

Expenditure.

110. This head comprises charges for pensions, gratuities and compassionate allowances, and for the commuted value of pensions to Government servants.

The budget estimate for 1919-1920 provides for the normal expansion of the pension list.

AMENDED DRAFT FINANCIAL STATEMENT OF THE

XXIII. & 30. Stationery and Printing.

19-20

* Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Stationery receipts	·10	·11	·21	·12	·20	·12
Sales of gazettes and other publications	·59	·59	·63	·59	·63	·61
Other press receipts	·55	·53	·84	·54	·72	·69
Total ..	1·24	1·23	1·68	1·25	1·55	1·42

220-225

* Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Stationery office at the Presidency ..	·65	·61	·61	·69	·68	·65
Stationery purchased in the country ..	·07	·04	·04	·05	·04	·05
Government Presses	5·76	5·39	4·75	5·33	4·43	4·94
Printing at Private Presses	·44	·34	·34	·38	·30	·40
Stationery supplied from Central Stores	7·93	6·54	8·68	8·18	8·70	8·70
Refunds	..	..	·01	..	0!	..
Additional provision for enhanced war allowances	..	..	..	..	..	·10
Total ..	14·85	12·92	14·43	14·63	14·16	14·84

* Purely Imperial minor heads which are not under the financial control of this Government are not shown here.

Revenue.

111. *Other Press Receipts.*—The actuals for 1917-1918 and the revised estimate for 1913-1919 include special credits.

Expenditure.

112. *Government Presses.*—The decrease in the revised estimate for 1918-1919, as compared with the budget estimate for the current year, is due to—

(1) the gradual abolition of Collectorate presses and the transfer of the work done by them to the Government Press, Madras;

(2) the lapse of the provision of 19 under "Secretariat Presses" on account of the transfer of work referred to above, owing to economies in establishments in other directions; and

(3) a saving of 44 under piece-work—day-extra establishment.

The budget estimate for 1919-1920 provides for an increase under piece-work—day-extra establishment.

GOVERNMENT OF MADRAS FOR 1919-1920

XXV. & 32. Miscellaneous.

* Revenue.

20-21

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Percentage on capital cost of furniture supplied to high officers ..	·01	·01	·01	·01	·01	·01
Unclaimed deposits	2·40	1·65	·80	2·00	1·40	1·59
Treasure trove	·09	·01	·05	·01	·05	·01
Sale of old stores and materials ..	·03	·02	·05	·02	·04	·03
Fees for Government audits	·35	·31	·31	·32	·33	·36
Contributions	·32	1·06	·32	·27	·28	·17
Miscellaneous fees, fines and forfeitures	·22	·24	·36	·37	·31	·37
Miscellaneous	·13	·13	·12	·12	·14	·10
Sale of lands, houses, etc.	·03	..	..	..	..	..
Extraordinary items	·01	..	..	..	..	..
Total ..	3·59	3·43	2·02	3·12	2·56	2·64

* Purely Imperial minor heads which are not under the financial control of the Government of Madras are not shown here.

† Expenditure.

225-9

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Rewards for proficiency in oriental languages, etc.	·03	·07	·04	·05	·03	·05
Annual stipends to holders of literary titles	·02	·01	·01	·01	·01	·01
Subscriptions to periodicals	·37	·42	·34	·42	·38	·38
Cost of books and publications	·12	·05	·01	·05	·02	·03
Donations for charitable purposes ..	·79	1·01	1·26	1·13	1·16	1·38
Charges on account of European vagrants	·01	·01	·01	·01	·01	·01
Rewards for destruction of wild animals	·22	·18	·18	·20	·18	·18
Petty establishments	·21	·21	·21	·22	·24	·27
Special commissions of inquiry	·18	·17	·07	..	..	..
Irrecoverable temporary loans written off	·03	·02	·02	·03	·01	·03
Rents, rates and taxes	·06	·07	·06	·08	·07	·07
Contributions	2·61	1·98	3·24	2·33	2·61	2·37
Miscellaneous and unforeseen charges	·05	·05	·03	9·25	·03	11·11
Miscellaneous refunds	·01	·03	·03	·01	·04	·03
Charges for the treatment of patients at the Pasteur Institute at Coonoor	·02	·01	·02	·02	·02	·03
War boards	..	..	..	..	·44	..
Additional provision for enhanced war allowances	..	..	..	..	..	·05
Total ..	4·73	4·29	5·53	13·81	5·25	16·00

† Purely Imperial minor heads which are not under the financial control of the Government of Madras are not shown here.

AMENDED DRAFT FINANCIAL STATEMENT OF THE

20-21

Revenue.

113. The receipts recorded under the first minor head *Percentage on capital cost of furniture supplied to high officers* represent a 5 per cent charge recovered as rent from the Resident and the Assistant Resident in Travancore and Cochin on the capital value of furniture supplied at the cost of Government. The other minor heads are for the most part self-explanatory.

225-229

Expenditure.

114. The minor heads under this major head are for the most part self-explanatory.

115. *Donations for charitable purposes.*—The actuals for 1916-1917 include a special grant of .22 paid to the Lawrence Memorial School, Ootacamund, out of a non-recurring assignment from Imperial revenues sanctioned by the Government of India for the purpose. Similar non-recurring assignments of .25 for each of the years 1917-1918 and 1918-1919 and a recurring assignment of .50 from 1919-1920 onwards have also been sanctioned towards the opening of a training college for the members of the domiciled community and the corresponding charges appear under this head.

116. *Special Commissions of Inquiry.*—The figures entered in the accounts for 1916-1917 and 1917-1918 under this minor head relate to the commission appointed to inquire into the conditions under which Indian labour is employed in Ceylon and the Federated Malay States.

117. *Contributions.*—The chief items of expenditure under this minor head are (i) contributions to municipalities which are given for general purposes, as for instance, to cover deficits and (ii) contributions to local funds. The grants in aid of municipalities for general purposes amounted to .13 in 1915-1916, .19 in 1916-1917 and .30 in 1917-1918. In the budget estimate for 1918-1919 a provision of .50 was entered for this purpose on the recommendation of the Finance Committee and it is expected that it will be utilized. A similar provision of .50 has been entered in the budget estimate for 1919-1920.

Under contributions to local funds the chief items are the usual annual grants to the District Boards of the Nilgiris and Koraput. The grant to the Nilgiri District Board, which now stands at 1.08, is made in consideration of the small income which it derives from general sources. The grant to Koraput, which now stands at .24, is given because the revenue of that district board falls short of the expenditure on the services to be maintained by it. A contribution of .49 is also paid to other district boards as compensation for the resumption by Government of certain fishery rentals formerly credited to those local bodies, the chief item being .36 per annum given to the district boards of South Arcot, Trichinopoly and Tanjore. The high actuals under contributions to local funds in 1917-1918 are due to the non-recurring grant of 1.25 to district boards for aid to informal panchayats, while the revised estimate for 1918-1919 includes a temporary grant of .23 to the district boards of Trichinopoly and South Arcot to meet the contribution payable by them towards the construction of a roadway across the Vellar.

118. *Miscellaneous and unforeseen charges.*—Collectors of districts have been empowered, with reference to the recommendations of the Decentralization Commission, to make discretionary grants for general purposes of a public nature calculated to be of benefit to their districts up to Rs. 200 per annum for recurring charges and Rs. 1,000 for non-recurring charges in each individual case. The total grant to be distributed among the Collectors of the several districts has been fixed at 1.25 per annum. The expenditure so incurred is budgeted for under this head in the first instance and the actual charges incurred are subsequently adjusted to the appropriate heads of account. A provision of 1.25 has accordingly been entered for this purpose in the budget estimate for 1919-1920. The budget estimate for 1918-1919 included a reserve provision of 9.01 for unforeseen expenditure. The amount has been reappropriated to other heads. The budget estimate for 1919-1920 includes a similar provision of 9.82.

GOVERNMENT OF MADRAS FOR 1919-1920

229

119. *War boards.*—The charges on account of the local Publicity Board and Labour and Employment Bureau established in connexion with the war are shown under this minor head. No provision has been made in the budget estimate for 1919-1920, as these boards are not likely to be continued after the current year.

33. Famine Relief.

230

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
EXPENDITURE	..	(a) .07	.008	..	.75	1.00
Provincial share	..	..	(b) .002	(b) ..	(b) .19	(b) .25
(a) Wholly Imperial. (b) One-fourth.						

XXIX. & 42. Irrigation—Major Works.

22

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Direct receipts	2.94	3.12	3.19	3.20	3.26	3.22
Provincial share (one-half) ..	1.47	1.56	1.60	1.60	1.63	1.61
Portion of Land Revenue due to Irrigation	106.97	102.08	108.33	103.66	106.47	107.22
Provincial share (one-half) ..	53.48	51.04	54.16	51.83	53.23	53.61

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Working expenses	22.36	19.69	22.13	23.00	19.90	17.24
Provincial share (one-half) ..	11.18	9.85	11.07	11.50	9.95	8.62
Interest on Debt (Provincial share only, viz., one-half)	15.07	14.48	15.41	14.79	15.56	15.69

Interest on Debt is not open to discussion.

120. For purposes of classification in the accounts, irrigation works are divided into (a) Productive works, (b) Protective works, and (c) Minor works and navigation.

121. *Productive works* are works of a remunerative character undertaken for the improvement of the country, the capital expenditure on which is usually met from borrowed money; the interest and the cost of maintenance and working are provided out of current revenues, the income being credited thereto. Capital outlay on such irrigation works is recorded under the major head 49. IRRIGATION WORKS—a wholly Imperial head. The revenue is credited under XXIX. IRRIGATION—MAJOR WORKS and the interest and working expenses are debited to the head 42. IRRIGATION—MAJOR WORKS.

AMENDED DRAFT FINANCIAL STATEMENT OF THE

122. *Protective works* are those which are calculated to diminish future expenditure on famine relief. The cost of the construction of protective irrigation projects is paid out of the annual grants under famine relief and insurance, and is chargeable to the major head 35. CONSTRUCTION OF PROTECTIVE IRRIGATION WORKS—a wholly Imperial head. The receipts and the interest and working expenses are, as in the case of productive works, classed under the heads XXIX. & 42. IRRIGATION—MAJOR WORKS.

123. The head *Minor Works and Navigation* includes all classes of irrigation works other than the above, and is subdivided into

- (a) works for which capital and revenue accounts are kept;
- (b) works for which neither capital nor revenue accounts are kept; and
- (c) agricultural works, consisting of the conservancy of rivers or training of river-beds, and the maintenance of their embankments.

Revenue.

124. The receipts from Major Irrigation works are classified into *Direct Receipts* and *Indirect Receipts*.

125. The *Direct Receipts* are realized in the Public Works Department and are derived from the following sources: (a) sale-proceeds of water supplied for purposes other than irrigation or town consumption, (b) sale-proceeds of water supplied to towns, (c) sale-proceeds of produce from canal plantations, (d) sale-proceeds of wood and grass from canal banks other than regular plantations, (e) charges for water supplied to mills, etc., (f) receipts from navigation and (g) rent of buildings, etc.

The revised estimate for 1918–1919 is based on the latest actuals available, and the budget estimate for 1919–1920 mainly follows the revised estimate.

126. The *Indirect Receipts* consist of land revenue due to, or dependent on, major productive and protective works for which capital and revenue accounts are maintained.

The increase in the revised estimate for 1918–1919, as compared with the budget for that year, occurs mainly under the Gōdāvari, the Kistna and the Cauvery delta systems.

Expenditure.

127. *Working expenses*.—The working expenses of each system are classified under the four sub-heads—(a) Extensions and improvements, (b) Maintenance and repairs, (c) Establishment charges, and (d) Tools and plant.

The expenditure under 'Extensions and improvements' relates mainly to minor works costing less than Rs. 1,000, such as the construction of dams across channels and excavation of small distributaries, while the sub-head 'Maintenance and repairs' relates to head works, main canals and branches, distributaries and drainage, and includes works of the nature of repairing and strengthening canal banks, clearing silt in canals, repairing locks, lock weirs and masonry works.

128. The fall in the expenditure for 1916–1917 occurs chiefly under the Gōdāvari and Kistna delta systems. The decrease under the Gōdāvari delta system was due to abnormal rains in the early part of the year, and the lapse under the Kistna delta system was caused mainly by savings effected on canal maintenance and repair estimates.

The decrease in the revised estimate for 1918–1919 as compared with the budget for that year is due chiefly to a change introduced by the Government of India with effect from the current year in the system of distributing the charges for Public Works establishment among the several Public Works major heads.

The budget for 1919–1920 is based on ascertained demands.

129. *Interest on Debt*.—Interest on the irrigation debt is calculated at the average rate of interest paid during the year on the total public debt of the Government of India, and the capital outlay upon which interest is calculated in 1919–1920 is that incurred up to the end of 1918–1919 plus half the estimated outlay in 1919–1920.

The rate of interest which is the average rate paid on the total public debt of the Government of India has risen from 3·29 to 3·47 per cent.

XXX. & 43. Minor Works and Navigation.

Revenue.

	Accounts.			Budget estimate, 1918–1919.	Revised estimate, 1918–1919.	Budget estimate, 1919–1920.
	1915–1916.	1916–1917.	1917–1918.			
Civil officers	·24	·26	·25	·23	·22	·25
Public Works officers	2·35	2·53	2·92	2·50	2·75	2·90
Total	2·59	2·79	3·17	2·73	2·97	3·15

Expenditure.

	Accounts.			Budget estimate, 1918–1919.	Revised estimate, 1918–1919.	Budget estimate, 1919–1920.
	1915–1916.	1916–1917.	1917–1918.			
Civil officers	5·94	6·18	7·69	8·75	7·28	8·69
Public Works officers—						
Minor Works, Revenue Department	·37	·51	·52	·47	·53	·52
Works in charge of Civil officers acting as Public Works disbursers	·39	·38	·24	·50	·66	·65
Works in charge of the Public Works Department	31·47	28·64	32·19	32·53	36·31	35·13
	32·23	29·53	32·95	33·50	37·50	36·30
Total	38·17	35·71	40·64	42·25	44·78	44·99

Revenue.

130. *Civil officers*.—The receipts, which consist chiefly of fines under section 6 of the Madras Compulsory Labour Act, 1858, are fluctuating in character.

131. *Public Works officers*.—The revenue comprises receipts from sale of water, canal produce, navigation, and rent of buildings, and is derived mainly from the Madras water-supply and irrigation system and the Buckingham Canal, and from ordinary and agricultural works.

The revised estimate is based on the latest actuals available and the budget for 1919–1920 follows the revised estimate in the main.

Expenditure.

132. *Civil officers*.—The expenditure represents the cost of minor irrigation works, chiefly repairs to tanks, costing not more than Rs. 2,500 each, which are executed under the supervision of the Revenue Department. Voluntary contributions towards repairs received from private persons and bodies are taken in abatement of the charges. The outlay depends to a large extent on the character of the season, since it is impossible to carry out repairs when heavy rains cause the tanks to be full for longer periods than usual.

The revised estimate for 1918–1919 is based on the latest actuals. The budget for 1919–1920 is 1·41 more than the current year's revised estimate and provides fully for the demands made by Collectors.

AMENDED DRAFT FINANCIAL STATEMENT OF THE

133. *Public Works officers.*—Expenditure on minor irrigation works other than those mentioned under *Civil officers* is shown under this head under the following subdivisions:—

(a) 'Minor Works, Revenue Department' relating to works of the Revenue Department, the execution of which requires technical skill and which are entrusted to the Public Works Department;

(b) 'Works in charge of Civil officers acting as Public Works disbursers' under which is recorded the expenditure on works costing more than Rs. 2,500 each executed by the officers of the Revenue Department; and

(c) 'Works in charge of the Public Works Department.'

134. The decrease in the actuals for 1916-1917 is due to the fact that progress on a number of works was retarded by untimely rains and the presence of water in tanks and channels.

The increase in the revised estimate for 1918-1919 and in the budget for 1919-1920, as compared with the budget for the current year, is due mainly to a change introduced by the Government of India with effect from the current year in the system of distributing the charges for Public Works establishment among the Public Works major heads of account. The revised estimate for 1918-1919 covers also additional expenditure on account of repairs to certain flood banks.

For Tank Restoration scheme works the budget for 1919-1920 provides a sum of 7.10 (including establishment charges) against a grant of 5.50 in the current year's budget. The only important work in the course of construction is the Panjapatti reservoir project for which a grant of .18 has been provided for next year. The probable outlay on this work up to the end of 1918-1919 is 3.18 against an estimate of 3.36.

XXXI. & 45. Civil Works.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Civil officers	1.70	1.11	.42	.10	.84	.10
Public Works officers	4.32	4.03	4.41	4.29	4.33	4.25
Total	6.02	5.14	4.83	4.39	5.17	4.35

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Civil officers	23.42	20.07	28.83	27.05	48.19	36.34
Public Works officers—						
(i) Works in charge of Civil officers acting as Public Works disbursers	1.60	.78	1.15	1.65	1.68	2.06
(ii) Works in charge of the Public Works Department.	61.98	58.91	50.73	57.70	51.45	66.10
(iii) Additional provision for enhanced war allowances.	..	..	..	..	.12	.72
	63.58	59.69	51.88	59.35	53.25	68.87
Total	87.00	79.76	80.71	86.40	101.44	105.21

GOVERNMENT OF MADRAS FOR 1919-1920

Revenue.

135. *Civil officers.*—The receipts represent the sale-proceeds of grass and fruit in Government cemeteries, and tolls levied under the Indian Tolls Act, 1861, in the Agency tracts of Ganjam.

The actuals from 1915-1916 to 1917-1918 and the revised estimate for 1918-1919 include special credits mostly on account of refunds by local bodies of unspent balances of Provincial contributions. The budget for 1919-1920 follows the revised estimate for the current year after excluding the special items provided for in the latter.

136. *Public Works officers.*—The receipts are derived mainly from rents of buildings in charge of the Public Works Department, sale-proceeds of buildings and materials, tolls on roads, the net profits in the Public Works Workshops, and fines levied from contractors for failure in the execution of works.

The revised estimate for 1918-1919 is based on the latest actuals available, and the budget for 1919-1920 mainly follows the revised estimate.

Expenditure.

137. *Civil officers.*—The expenditure under this minor head relates chiefly to (i) grants to local bodies in aid of roads and bridges and other miscellaneous public improvements, and (ii) public works in the Agency tracts of Ganjam, Vizagapatam and Gōdāvari costing not more than Rs. 2,500 each, and executed by officers other than those of the Public Works Department.

138. The following are the principal items of expenditure during the three years 1917-1918 to 1919-1920:—

Number.	Particulars.	Accounts, 1917-1918.	Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
(a)	Grants to district boards to supplement their resources, of which a sum of 14 lakhs has been specially provided by the Government of India.	17.13	17.13	17.28	17.28
(b)	Grants to poorer district boards	5.00	5.00	5.00	5.00
(c)	Grants to district boards for improvement of important roads	..	..	20.00	6.00
(d)	Special grants to local bodies for roads and bridges	5.63	3.57	4.47	6.20
	Total	27.76	25.70	46.75	34.48

Item (a).—In order to enable district boards to frame their budgets on a permanent basis, it was decided to stereotype this grant on the basis of the grants made to them in 1917-1918 and to give additional subsidies, as funds permitted, to the poorer district boards. The increase in the revised estimate for 1918-1919 and the budget for 1919-1920 is due to the raising of the grant to the Malabar District Board by .15. The details are furnished in Annexure I.

Item (b).—A special grant of 5.00 for the improvement of village and other roads was distributed, both in 1917-1918 and 1918-1919, among the district boards of Anantapur (1.00), Bellary (.80), Kurnool (.80), Cuddapah (.80), Chittoor (.40), Salem (.40), Nellore (.40) and Chingleput (.40).

In accordance with the recommendation of the Finance Committee of January 1919, a similar grant of 5.00 has been entered in the budget for 1919-1920 for distribution among the district boards of Anantapur (.80), Bellary (.90), Chingleput (.40), Chittoor (.40), Cuddapah (.80), Kurnool (.90), Nellore (.40) and Salem (.40).

Item (c).—With a view to special repairs to certain trunk roads in the Presidency which have been burdened with increased traffic as a result of the restrictions

AMENDED DRAFT FINANCIAL STATEMENT OF THE

GOVERNMENT OF MADRAS FOR 1919-1920

238

on railway traffic and also to the construction of bridges and causeways on some of the more important roads, a special grant of 20.00 for this purpose, as detailed in Annexure II, has been made in the revised estimate for 1918-1919 while the budget for 1919-1920 contains a provision of 6.00.

139. *Item (d).*—The budget estimate for 1919-1920 contains the following allotments which have been entered in accordance with the recommendation of the Finance Committee of January 1919 :—

- (i) Grants to local bodies for bridges and causeways 3.00
(ii) Grants to the district boards of Vizagapatam (47), Koraput (79) and
Gōdāvari (72). 1.98

The Finance Committee also recommended an allotment of 40 for outlay on works in the Agency tracts. Of this amount a sum of 10 for works in the Ganjam and Vizagapatam Agencies costing not more than Rs. 2,500 appears under this minor head, while the balance, viz., 30 for works in the Vizagapatam Agency costing more than Rs. 2,500 appears under the next minor head "Works in charge of Civil officers acting as Public Works disbursers."

140. *Public Works officers.*—This minor head comprises two sub-heads—

- (i) Works in charge of Civil officers acting as Public Works disbursers ;
and
(ii) Works in charge of the Public Works Department.

141. *Works in charge of Civil officers acting as Public Works disbursers.*—Under this sub-head is recorded the expenditure on works costing more than Rs. 2,500 each carried out by officers of the Civil department acting in the capacity of Public Works disbursers. Works costing not more than Rs. 2,500 each which are executed by officers of the Civil department are debited as contingent charges of the department concerned. In the case, however, of the Salt, Excise and Forest departments all works executed by Civil officers, irrespective of their cost, are adjusted not to the Public Works Department head but to the contingencies of the department concerned.

The main items under this sub-head relate to works in the Jail department executed by Superintendents of Jails as Public Works disbursers and to works in the Agency tracts.

142. *Works in charge of the Public Works Department.*—The decrease in the revised estimate for 1918-1919, as compared with the budget for that year, occurs mainly under 'Original works--Civil Buildings', 'Tools and Plant' and 'Stock and Suspense'. The budget for 1919-1920 provides for an increased expenditure of 14.65 over the current year's revised estimate due chiefly to the inclusion of provision for a larger number of urgent works. There is also an increase under 'Establishment' owing mainly to anticipated shorter recoveries on this account from other Public Works major heads.

The scheme for redistribution of district, subdivisional and other charges which was drawn up by Sir William Meyer involved a total outlay of about 42.00 on new buildings, towards which the Government of India sanctioned assignments aggregating 25.00 from Imperial revenues. The total expenditure up to the end of 1917-1918 amounted to 22.91, and the probable outlay in 1918-1919 is about 21 and in 1919-1920 about 10.

143. The following is a list of important works (a) which were completed in 1917-1918, (b) which are in progress in the current year, and (c) which are to be commenced in 1919-1920 :—

(a) Works completed in 1917-1918.

	Actual cost.
(1) Police huts and quarters at Palamcottah and Sindupundurai	1.89
(2) Agricultural College and Research Institute at Coimbatore	9.94
(3) Salem hospital buildings	1.73

(b) Works in progress in 1918-1919.

Number.	Name of work.	Total estimated cost.	Actuals to end of 1917-1918.	Probable outlay, 1918-1919.	Provision in the budget for 1919-1920.
1	Quarters for 1 inspector and 3 sergeants and huts for 17 head constables and 125 constables of the Armed Reserve Police, Vellore	1.00	.58	.36	.05
2	Police Recruits' school, Anantapur	2.46	2.29	.14	..
3	The remaining blocks of hostel accommodation for the Rayapuram Medical School pupils	3.00	..	.15	.50
4	New Rayapuram hospital and subsidiary buildings	7.03	4.94	1.25	.84
5	New Engineering College buildings at Guindy	15.55	7.77	2.50	1.60
6	New court-house for the District Judge, Trichinopoly	1.99	.81	.83	.34
7	Quarters for 4 sub-inspectors and huts for 16 head constables and 84 constables of the C ₁ and C ₂ police stations, Madras	1.49	.50	.37	.50
8	Kalinghia Ghat road	1.86	1.41	.37	.06
9	Technical Institute buildings at Madura	2.55	2.00	.25	.29
10	New Chemistry block for the Presidency College, Madras	3.41	..	.30	1.50
11	New medical school at Coimbatore	2.16	..	.10	.50
12	Regulator with a road way across the Vellar	2.69	.94	.16	.24
13	Huts for 18 head constables and 97 constables of the B ₁ and B ₂ police stations, Madras	3.19	2.22	.55	.24
14	New Civil Hospital, Vizagapatam	4.98	.62	1.50	1.50
15	New buildings for the Medical School at Tanjore	2.47	..	.30	1.00

(c) Works to be commenced in 1919-1920.

Name of work.	Total estimated cost.	Provision in the budget for 1919-1920.
1. Improvements to the Collector's office at Saidapet	1.20	.30
2. Construction of a building for the high school department of the Government Secondary and Training school for mistresses	2.65	.50
3. Constructing buildings for the Engineering school at Vizagapatam	1.50	.70
4. Improvements to the General Hospital	1.00	.50
5. New General Hospital at Cocanada	1.63	.30
6. Construction of hostel blocks for Sub-Assistant Surgeon pupils at Royapetta	1.30	.40
7. Extensions and improvements to the Rayapuram New Hospital	..	1.00
8. Construction of a Photo-Zincographic office for the Survey office, Madras	2.10	1.00
9. Additions to the Coimbatore Agricultural College	3.00	1.00

15

(56) AMENDED DRAFT FINANCIAL STATEMENT OF THE

Transfers between Imperial and Provincial Revenues.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1916-1916.	1916-1917.	1917-1918.			
Net assignment to Provincial revenues ..	+ 22.65	+ 16.53	+ 16.75	+ 21.11	+ 25.72	+ 21.12

144. All adjustments between Imperial and Provincial funds are recorded on the revenue side of the accounts under the above head.

145. The details of the adjustments for the current and coming years are shown in the following statement:—

	Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
IMPERIAL TO PROVINCIAL.			
(1) Assignment on account of the sugarcane breeding station for five years from 26th October 1917 ..	·44	·44	·44
(2) Contribution towards the cost of the appointment of a Scientific Officer to assist the planting industries in Southern India by the Administration of Coorg ..	·02	·02	·02
(3) Assignment for recurring charges in connexion with the constitution of additional district and other charges given in addition to the sum of 7.10 per annum which has merged in the Provincial Settlement ..	·75	·75	·75
(4) Assignment to meet the expenditure thrown on Provincial funds by the abolition of the Proprietary Estates Village Service funds ..	12.17	11.52	12.02
(5) Assignment on account of stipends to Mahamahopadhyaya and Shams-ul-ulama title-holders ..	·02	·02	·02
(6) Assignment for improvement of sanitary services ..	·35	·35	·35
(7) Assignment for expenditure on urban sanitation given from 1913-1914 ..	6.00	6.00	6.00
(8) Assignment for expenditure on education (made up of 8.25 given out of the coronation grant in 1912-1913 and increases of 6.80 sanctioned in 1913-1914 and 1.25 sanctioned in 1914-1915) ..	16.30	16.30	16.30
(9) Assignment for development of the Madras University (given from 1912-1913) ..	·65	·65	·65
(10) Assignment for improvement of education in Aided English Secondary schools (given from 1912-1913) ..	·80	·80	·80
(11) Assignment for the extension of education among the poorer classes of the Domiciled Community in the City of Madras (given from 1912-1913) ..	·30	·30	·30
(12) Assignment for the improvement of Muhammadan education (given from 1914-1915) ..	·30	·30	·30
(13) Assignment for grant to the Lawrence Memorial School, Ootacamund ..	·15	·15	·15
(14) Assignment towards the expenditure in connexion with the audit of the Hyderabad and Secunderabad local funds ..	03	·03	·03

GOVERNMENT OF MADRAS FOR 1919-1920

	Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
IMPERIAL TO PROVINCIAL—cont.			
(15) Assignment on account of the transfer of Nugur, Albaka and Cherla taluks from the Central Provinces to the Madras Presidency.	·24	·24	·24
(16) Assignment for meeting the transfer from Imperial to Provincial funds of the cost of maintenance of Government cemeteries not attached to Government churches ..	·09	·09	·09
(17) Assignment for remission of certain recoveries from local bodies ..	1.71	1.71	1.71
(18) Assignment on account of the provincialization with effect from 1914-1915 of the salaries of officers of the Indian Civil Veterinary Department ..	·29	·29	·29
(19) Assignment on account of the compensation for interest charged to Provincial funds for five Minor Irrigation works transferred to the class of Major Irrigation works ..	·50	·50	·50
(20) Assignment for improvement of pay and training of teachers ..	4.00	4.00	4.00
(21) Assignment for primary education ..	5.50	5.50	5.50
(22) Assignment towards a Training College at Ootacamund for male teachers of the domiciled community ..	·25	·25	·50
(23) Assignment in consequence of the crediting of receipts from mica-mining in the Nellore district under I. LAND REVENUE (Provincial share = one-half) instead of under IX. FOREST (wholly Provincial) ..	..	·12	·12
(24) Assignment for technical education (construction of a building for Madras Trades' school) ..	..	·75	..
(25) Assignment for agricultural education ..	..	3.50	..
(26) Assignment for improving the health conditions of pilgrim centres ..	..	1.00	..
(27) Assignment towards the cost of Provincial Director of Civil Supplies ..	..	·50	·79
Total ..	50.86	56.08	51.87
PROVINCIAL TO IMPERIAL.			
(28) Fixed assignment under the Provincial Settlement ..	18.09	18.09	18.09
(29) Assignment on account of the reduction from 18 to 8 of the percentage charged against Provincial revenues on the value of imported stationery stores ..	·29	·29	·29
(30) Assignment on account of the imperialization of the Public Works Department Account staff ..	·94	·94	·94
(31) Compensation payment on account of the Provincial share of the extra Excise and Income-tax revenues accruing from additional taxation imposed by the Government of India ..	10.43	10.43	11.43
Total, Provincial to Imperial ..	29.75	29.75	30.75
Net addition to Provincial ..	21.11	26.33	21.12

PROVINCIAL ADVANCES AND LOANS—*cont.*

II.—LOANS SANCTIONED ON OR AFTER 1st OCTOBER 1916 AND BEFORE 1st APRIL 1917.

		Accounts, 1916-1917.	Accounts, 1917-1918.	Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget, estimate, 1919-1920.
		LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.
Class I (a)—Loans to Cultivators.	Balance ..	..	3.35	3.18	3.54	3.13
	Advances ..	3.35	.48	..	..	..
	Recoveries ..	..	.29	.20	.41	.46
	Balance ..	3.35	3.54	2.98	3.13	2.67
Class I (b)—Loans to Co-operative Credit Societies.	Balance ..	..	..	..	..	..
	Advances ..	..	..	..	..	..
	Recoveries ..	..	..	..	..	..
	Balance ..	..	..	..	..	..
Class III—Loans to Landholders and Notabilities.	Balance ..	..	.13	.18	.18	.18
	Advances ..	.13	.05	..	.001	..
	Recoveries ..	..	..	..	..	.18
	Balance ..	.13	.18	.18	.18	..
Class IV (a)—Loans to Mufassal Municipalities.	Balance ..	..	.99	1.36	1.36	1.27
	Advances ..	.99	.43	..	..	..
	Recoveries ..	..	.06	.09	.09	.08
	Balance ..	.99	1.36	1.27	1.27	1.19
Class IV (b)—Loans to District Boards.	Balance ..	..	.05	.42	.18	.14
	Advances ..	.05	.37	..	..	..
	Recoveries ..	..	.24	.10	.04	.04
	Balance ..	.05	.18	.32	.14	.10
Class V—Miscellaneous Loans.	Balance ..	..	.012	.009	.01	.006
	Advances ..	.012	..	..	..	..
	Recoveries ..	..	.003	.003	.004	.003
	Balance ..	.012	.01	.006	.006	.003
Grand total ..	Balance ..	..	4.53	5.15	5.28	4.73
	Advances ..	4.53	1.34	..	.001	..
	Recoveries ..	..	.59	.39	.55	.77
	Balance ..	4.53	5.28	4.76	4.73	3.96

PROVINCIAL ADVANCES AND LOANS—*cont.*

III.—LOANS SANCTIONED ON OR AFTER 1st APRIL 1917.

		Accounts, 1917-1918.	Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
		LAKHS.	LAKHS.	LAKHS.	LAKHS.
Class I (a)—Loans to Cultivators.	Balance ..	..	8.64	8.05	16.39
	Advances ..	8.10	8.50	8.69	8.50
	Recoveries ..	.05	.26	.35	.85
	Balance ..	8.05	16.88	16.39	24.04
Class I (b)—Loans to Co-operative Credit Societies.	Balance ..	..	..	..	..
	Advances ..	..	..	..	..
	Recoveries ..	..	..	..	..
	Balance ..	..	..	..	..
Class III—Loans to Landholders and Notabilities.	Balance ..	..	..	..	..
	Advances ..	..	..	..	..
	Recoveries ..	..	..	..	..
	Balance ..	..	..	..	..
Class IV (a)—Loans to Mufassal Municipalities.	Balance ..	..	2.78	1.83	6.59
	Advances ..	1.83	4.27	4.85	6.00
	Recoveries ..	..	.02	.09	.13
	Balance ..	1.83	7.03	6.59	12.46
Class IV (b)—Loans to District Boards.	Balance ..	..	1.42	1.30	2.03
	Advances ..	1.30	.98	.75	..
	Recoveries ..	..	.02	.02	.04
	Balance ..	1.30	2.38	2.03	1.99
Class V—Miscellaneous Loans ..	Balance ..	..	.002	.002	.012
	Advances ..	.002	.005	.01	.025
	Recoveries ..	..	.003	..	.003
	Balance ..	.002	.004	.012	.034
Grand total ..	Balance ..	..	12.84	11.18	25.02
	Advances ..	11.23	13.75	14.30	14.53
	Recoveries ..	.05	.30	.46	1.02
	Balance ..	11.18	26.29	25.02	38.53

Item (31).—The Government of India imposed additional taxation with effect from 1916-1917 solely to meet Imperial needs, and the heads under which the proceeds of the additional taxation accrue are III. SALT, VII. CUSTOMS, V. EXCISE and VIII. INCOME-TAX. The heads SALT and CUSTOMS are purely Imperial, while the heads EXCISE and INCOME-TAX are shared equally between Imperial and Provincial. To enable Imperial resources to receive the full increment due to the new taxation, it is necessary to pay from Provincial revenues a recurring compensatory assignment equivalent to the estimated amount accruing as the Provincial share of the new taxation. The Provincial share of the additional taxation was provisionally fixed at 6.43; being made up of 13 under V. EXCISE and 6.25 under VIII. INCOME-TAX. The original forecast of 6.25 under Income-tax will be exceeded by 4.00 in 1913-1919 and by 5.00 in 1919-1920.

The remaining items are self-explanatory.

Provincial Advance and Loan Account.

146. Four statements are annexed showing the transactions under Provincial loans and advances. As explained in paragraphs 33 and 34 ante, the interest on loans advanced by this Government is credited to XII. INTEREST, while the payment by this Government to the Government of India of the interest on the loan between the outstanding balance at the beginning and at the end of each year is debited to 13. INTEREST. The rate of interest charged to the local Government was raised from $3\frac{1}{2}$ to $4\frac{1}{2}$ per cent per annum in respect of loans sanctioned from the 1st October 1916, and to $5\frac{1}{2}$ per cent per annum in respect of loans sanctioned from the 1st April 1917. Statement I annexed exhibits the transactions relating to loans sanctioned prior to the 1st October 1916, statement II those relating to loans sanctioned subsequent to that date but before 1st April 1917, statement III those relating to loans sanctioned on or after the 1st April 1917 and statement IV exhibits in one view, the total transactions under each class of loans.

147. Class I. Loans include advances to cultivators made under the Land Improvement Loans Act and the Agriculturists' Loans Act and advances to co-operative credit societies. The advances to cultivators in the current year are estimated at 8.69 as against the budget estimate of 8.50. The budget estimate for 1919-1920 has been fixed at 8.50.

148. Class IV. Loans. These represent loans to district boards and municipalities in connexion with drainage and water-supply schemes, the construction of markets and other public works, and plague preventive measures.

The allotment for 1919-1920 is intended for works which are actually in progress, or which will be taken up for execution at an early date, and represents the minimum necessary to meet actual requirements.

149. Class V. Loans. A provision of Rs. 1,100 in the current year and Rs. 2,500 in the coming year has been entered under "Miscellaneous advances" for the purpose of granting advances to divers for the purchase of canoes and to Chenchus for the purchase of bulls and agricultural implements.

PROVINCIAL ADVANCES AND LOANS.
I.—LOANS SANCTIONED PRIOR TO 1ST OCTOBER 1916.

	Accounts.							Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1911-1912.	1912-1913.	1913-1914.	1914-1915.	1915-1916.	1916-1917.	1917-1918.			
Class I (a)—Loans to Cultivators.	Balance .. 48.80	48.83	49.68	50.03	52.25	52.84	49.10	40.58	42.06	84.80
	Advances .. 7.38	8.20	7.37	8.58	7.70	8.81	.05			
	Recoveries .. 7.35	6.65	7.22	6.36	7.11	7.55		7.40	7.26	6.83
	Balance .. 48.33	49.88	50.03	52.25	52.84	49.10	42.06	33.18	34.80	27.97
	Balance .. 41	.37	.31	.25	.21	.16	.11	.06	.07	.022
Class I (b)—Loans to Co-operative Credit Societies.	Advances .. .04	.06	.06	.04	.05	.05	.04	.05	.05	.020
	Recoveries .. .37	.31	.25	.21	.16	.11	.07	.01	.02	.002
	Balance .. .	. .	. .	. .	.75	.12	1.37	1.85	1.858	1.346
Class III—Loans to Landholders and Notabilities.	Advances .. .	. .	. .	. .	. .	. .	.02	.01	.007	.107
	Recoveries .. .	. .	. .	. .	.75	.12	1.35	1.34	1.346	1.24
	Balance .. 24.79	25.56	25.63	28.17	27.45	27.04	26.41	24.20	24.34	22.39
Class IV (a)—Loans to Municipalities.	Advances .. 2.27	1.69	4.09	.92	1.35	1.18	.207	.182	.195	1.84
	Recoveries .. 1.50	1.62	1.55	1.64	1.76	1.81	2.07	2.38	2.39	20.55
	Balance .. 25.56	25.63	28.17	27.45	27.04	26.41	24.34	22.38	22.39	.87
	Balance .. .09	.08	.07	.06	.25	.67	1.07	.97	.97	
Class IV (b)—Loans to District Boards.	Advances .. .01	.01	.01	.20	.02	.10	.10	.10	.10	.11
	Recoveries .. .08	.07	.06	.25	.67	1.07	.97	.87	.87	.76
	Balance .. .	. .	. .	. .	. .	. .	.017	.001	.002	. .
Class V—Miscellaneous Loans.	Advances .. .	. .	. .	. .	. .	.019	.015	.001	.002	. .
	Recoveries .. .	. .	. .	. .	. .	.002	.002	.001	.002	. .
	Balance .. 73.56	74.34	75.89	78.51	80.91	81.96	78.08	67.16	68.79	59.42
Total, Classes I to V.	Advances .. 9.65	9.89	11.46	10.45	9.99	5.63	.05	.36	.37	8.91
	Recoveries .. 8.90	8.34	8.84	8.05	8.94	9.51	9.34	9.38	9.42	50.51
	Balance .. 74.34	75.89	78.51	80.91	81.96	78.08	68.79	57.78	59.42	10.16
Loans to Local Boards for Railway Construction — Kinnaird District Board.	Balance .. 16.59	15.89	15.17	14.42	13.63	12.81	11.96	11.08	11.08	.96
	Advances .. .70	.72	.75	.79	.82	.85	.88	.92	.92	9.20
	Recoveries .. 15.89	15.17	14.42	13.63	12.81	11.96	11.08	10.16	10.16	69.58
	Balance .. 90.18	90.23	91.06	92.93	94.54	94.77	90.04	78.24	79.87	9.87
Grand Total	Advances .. 9.65	9.89	11.46	10.45	9.99	5.63	.05	.36	.37	9.87
	Recoveries .. 9.60	9.06	9.59	8.84	9.76	10.36	10.22	10.30	10.29	59.71
	Balance .. 90.23	91.06	92.93	94.54	94.77	90.04	79.87	67.94	69.58	

(62) AMENDED DRAFT FINANCIAL STATEMENT OF THE

PROVINCIAL ADVANCES AND LOANS—cont.

IV.—CONSOLIDATED STATEMENT SHOWING THE TRANSACTIONS UNDER
EACH CLASS OF LOANS.

		Accounts, 1917-1918.	Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
		LAKHS.	LAKHS.	LAKHS.	LAKHS.
Class I (a)—Loans to cultivators	Balance	52.45	52.40	53.65	54.32
	Advances	8.63	8.50	8.69	8.50
	Recoveries	7.43	7.86	8.02	8.14
Class I (b)—Loans to Co-operative Credit Societies.	Balance	53.65	53.04	54.32	54.68
	Advances	11	06	07	022
	Recoveries	04	05	05	020
Class III—Loans to Landholders and Notabilities.	Balance	07	01	02	002
	Advances	1.502	1.53	1.532	1.526
	Recoveries	05	01	001	007
Class IV (a)—Loans to Mufassal Municipalities.	Balance	02	01	007	287
	Advances	1.532	1.52	1.526	1.24
	Recoveries	27.40	28.34	27.53	30.25
Class IV (b)—Loans to District Boards.	Balance	2.26	4.27	4.85	6.00
	Advances	2.13	1.93	2.13	2.05
	Recoveries	27.53	30.68	30.25	34.20
Class V—Miscellaneous Loans	Balance	1.12	2.81	2.45	3.04
	Advances	1.67	98	75	..
	Recoveries	34	22	16	19
Loans to Local Boards for Railway construction—Kistna District Board.	Balance	2.45	3.57	3.04	2.85
	Advances	0.029	0.012	0.014	0.018
	Recoveries	0.002	0.005	0.01	0.025
Grand total	Balance	0.018	0.007	0.006	0.006
	Advances	0.014	0.01	0.018	0.037
	Recoveries	11.96	11.08	11.08	10.16
	Balance	..	..	..	..
	Advances	88	92	92	96
	Recoveries	11.08	10.16	10.16	9.20
	Balance	94.57	96.23	96.33	99.34
	Advances	12.62	13.76	14.301	14.53
	Recoveries	10.86	11.00	11.29	11.66
	Balance	96.33	98.99	99.54	102.21

3rd February 1919.

C. G. TODHUNTER,
Acting Chief Secretary.

GOVERNMENT OF MADRAS FOR 1919-1920

(63)

ANNEXURE I (vide paragraph 138 ante).

Distribution of the grant of 17.28 lakhs in 1919-1920 to district boards in
aid of their resources.

[G.Os. No. 1856 L., dated 8th December 1917, and No. 918 L., dated 11th July 1918.]

Name of district board.	Amount of grant. RS.	Name of district board.	Amount of grant. RS.
Anantapur	26,219	Kurnool	41,689
Arcot, North	61,416	Madura	55,239
Arcot, South	72,098	Malabar	1,73,639
Beliary	35,100	Nellore	62,642
Chingleput	50,275	Nilgiris, The	4,004
Chittoor	46,767	Ramnad	74,487
Coimbatore	55,953	Salem	45,471
Cuddapah	37,780	Tanjore	1,21,437
Ganjām	89,268	Tinnevely	57,110
Gōdāvari	1,01,419	Trichinopoly	57,480
Guntūr	1,09,357	Vizagapatam	72,046
Kanara, South	1,14,306		
Kistna	1,52,828	Total	17,28,332
Koraput	10,302		

ANNEXURE II (vide paragraph 138 ante).

Distribution of the grant of 20 lakhs in 1918-1919 to local boards for the improvement of the
condition of important roads on which the traffic has increased in recent years as a
consequence of the restrictions on railway traffic.

Name of district board.	Bridges and causeways.	Dams and culverts.	Special repairs.	Total.
(1)	(2)	(3)	(4)	(5)
	RS.	RS.	RS.	RS.
1. Anantapur	30,000	5,000	5,000	40,000
2. Arcot, North	..	..	70,000	70,000
3. Arcot, South	..	..	1,00,000	1,00,000
4. Bellary	..	30,000	70,000	1,00,000
5. Chingleput	6,000	7,000	27,000	40,000
6. Chittoor	20,000	20,000	15,000	55,000
7. Coimbatore	..	..	15,000	15,000
8. Cuddapah	..	10,000	4,000	14,000
9. Ganjām	..	7,000	24,000	31,000
10. Gōdāvari	8,000	2,000	24,000	34,000
11. Guntūr	3,900	3,600	39,000	46,500
12. Kanara, South	..	..	45,000	45,000
13. Kistna	20,000	55,000	2,15,000	2,90,000
14. Kurnool	..	11,500	11,500	23,000
15. Madura	..	20,000	1,00,000	1,20,000
16. Malabar	20,000	15,000	15,000	50,000
17. Nellore	..	..	6,000	6,000
18. The Nilgiris	4,000	4,000	10,000	18,000
19. Ramnad	..	..	30,000	30,000
20. Salem	5,000	2,000	60,000	67,000
21. Tinnevely	30,000	3,000	50,000	83,000
22. Trichinopoly	2,500	4,000	6,000	12,500
23. Vizagapatam	..	..	..	7,00,000
24. Under distribution	..	..	..	..
Total	1,49,400	1,99,100	9,51,500	20,00,000

3rd February 1919.

C. G. TODHUNTER,
Acting Chief Secretary.

PART IV

Memorandum showing the variations between the figures in the Draft Financial Statement and those in the present Amended Draft Financial Statement.

Revised Estimate, 1918-1919.

Receipts.

Heads of revenue.	According to the Draft Financial Statement.			According to the Amended Draft Financial Statement.			Difference in Provincial figures (column 7—column 4).
	Total.	Imperial.	Provincial.	Total.	Imperial.	Provincial.	
1	2	3	4	5	6	7	8
I. LAND REVENUE (INCLUDING PORTION OF LAND REVENUE DUE TO IRRIGATION).	690.26	345.13	345.13	689.54	344.77	344.77	— .36
IV. STAMPS							
V. EXCISE							
VIII. INCOME-TAX ..							
IX. FOREST							
X. REGISTRATION ..	25.40	..	25.40	25.60	..	25.60	+ .20
XVI-B. LAW AND JUSTICE—JAILS.	9.50	..	9.50	9.92	..	9.92	+ .42
XXI-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.	18.28	..	18.28	17.88	..	17.88	— .40
TRANSFERS BETWEEN IMPERIAL AND PROVINCIAL.	..	— 25.72	+ 25.72	..	— 26.33	+ 26.33	+ .61
OTHER HEADS	56.94	11.50	45.44	57.06	11.45	45.61	+ .17
							+ .64

The above alterations are based on later information.

Expenditure.

Heads of expenditure.	According to the Draft Financial Statement.			According to the Amended Draft Financial Statement.			Difference in Provincial figures (column 7—column 4).
	Total.	Imperial.	Provincial.	Total.	Imperial.	Provincial.	
1	2	3	4	5	6	7	8
3. LAND REVENUE ..	129.61	..	129.61	129.50	..	129.50	— .11
11. FOREST	31.50	..	31.50	31.30	..	31.30	— .20
12. REGISTRATION ..	15.24	..	15.24	15.07	..	15.07	— .17
18. GENERAL ADMINISTRATION.	22.39	6.09	16.30	22.47	6.12	16.35	+ .05
19-A. LAW AND JUSTICE—COURTS OF LAW.	90.10	..	90.10	89.70	..	89.70	— .40
19-B. LAW AND JUSTICE—JAILS.	19.91	..	19.91	20.56	..	20.56	+ .65
20. POLICE	120.01	..	120.01	120.46	..	120.46	+ .45
22. EDUCATION	106.77	..	106.77	106.77	..	106.77	..
24-A. MEDICAL	25.78	..	25.78	25.95	..	25.95	+ .17
24-B. SANITATION ..	14.57	..	14.57	14.70	..	14.70	+ .13
26-A. AGRICULTURE ..	15.52	..	15.52	15.65	..	15.65	+ .13
26-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.	17.37	..	17.37	17.09	..	17.09	— .28
29. SUPERANNUATION ALLOWANCES AND PENSIONS.	36.12	.37	35.75	36.35	.37	35.98	+ .23
30. STATIONERY AND PRINTING.	21.26	7.00	14.26	21.16	7.00	14.16	— .10
32. MISCELLANEOUS ..	7.06	1.90	5.16	7.10	1.85	5.25	+ .09
42. IRRIGATION MAJOR WORKS—							
WORKING EXPENSES.	19.75	9.88	9.87	19.90	9.95	9.95	+ .08
INTEREST ON DEBT.	31.11	15.55	15.56	31.11	15.55	15.56	..
43. MINOR WORKS AND NAVIGATION—							
CIVIL OFFICERS ..	7.28	..	7.28	7.28	..	7.28	..
PUBLIC WORKS OFFICERS.	36.50	..	36.50	37.50	..	37.50	+ 1.00
45. CIVIL WORKS—							
CIVIL OFFICERS ..	40.72	..	40.72	48.19	..	48.19	+ 7.47
PUBLIC WORKS OFFICERS.	55.25	..	55.25	53.25	..	53.25	— 2.00
OTHER HEADS	57.70	32.39	25.31	57.53	32.09	25.44	+ .13
							+ 7.32

19-B. JAILS (+ .65).—The increase is expected chiefly under "Dietary charges."

43. MINOR WORKS AND NAVIGATION—PUBLIC WORKS DEPARTMENT (+ 1.00).—The increase is due to expenditure on certain unforeseen urgent works.

45. CIVIL WORKS—CIVIL (+ 7.47).—The increase is mainly due to grants to local bodies for the improvement of important roads having been raised from 13.00 to 20.00.

45. CIVIL WORKS—PUBLIC WORKS DEPARTMENT (— 2.00).—The decrease is based on later actuals and occurs mainly under Tools and Plant and Stock and Suspense.

Budget Estimate,

Receipts.

Heads of revenue.	According to the Draft Financial Statement.			According to the Amended Draft Financial Statement.			Difference in Provincial figures (column 7—column 4).
	Total.	Imperial.	Provincial.	Total.	Imperial.	Provincial.	
	2	3	4	5	6	7	
1							8
I. LAND REVENUE INCLUDING PORTION OF LAND REVENUE DUE TO IRRIGATION.	715.71	357.85	357.86	717.56	358.78	358.78	+ .92
IV. STAMPS							
V. EXCISE							
VIII. { INCOME-TAX ..				No change.			
SUPER-TAX ..							
IX. FOREST							
X. REGISTRATION ..							
XVI-B. LAW AND JUSTICE—JAILS.	9.08	..	9.08	7.08	..	7.08	— 2.00
XXI-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.				No change.			
TRANSFERS BETWEEN IMPERIAL AND PROVINCIAL.							
OTHER HEADS	59.48	11.46	48.02	59.49	11.39	48.10	+ .08
							— 1.00

I. LAND REVENUE INCLUDING PORTION OF LAND REVENUE DUE TO IRRIGATION (+ .92).—The increase is based on later information.

XVI-B. LAW AND JUSTICE—JAILS (—2.00).—The reduction has been made under 'Jail Manufactures' in view of the fact that in consequence of the cessation of hostilities, the demands from the Military Department for jail-manufactured goods will, it is anticipated, be reduced in the coming year.

1919-1920.

Expenditure.

Heads of expenditure.	According to the Draft Financial Statement.			According to the Amended Draft Financial Statement.			Difference in Provincial figure (column 7—column 4).
	Total.	Imperial.	Provincial.	Total.	Imperial.	Provincial.	
	2	3	4	5	6	7	
1							8
3. LAND REVENUE ..							
11. FOREST				No change.			
12. REGISTRATION ..							
18. GENERAL ADMINISTRATION.							
19-A. LAW AND JUSTICE—COURTS OF LAW.	17.73	..	17.73	18.23	..	18.23	+ .50
19-B. LAW AND JUSTICE—JAILS.				No change.			
20. POLICE	120.07	..	120.07	128.98	..	128.98	+ 8.91
22. EDUCATION	33.44	..	33.44	36.57	..	36.57	+ 3.13
24-A. MEDICAL	16.35	..	16.35	22.35	..	22.35	+ 6.00
24-B. SANITATION ..				No change.			
26-A. AGRICULTURE ..	22.84	..	22.84	22.93	..	22.93	+ .09
26-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.							
29. SUPERANNUATION ALLOWANCES AND PENSIONS.				No change.			
30. STATIONERY AND PRINTING.	12.13	1.45	10.68	17.45	1.45	16.00	+ 5.32
32. MISCELLANEOUS ..	16.74	8.37	8.37	17.24	8.62	8.62	+ .25
42. IRRIGATION—WORKING EXPENSES.				No change.			
MAJOR INTEREST ON DEBT.							
43. MINOR CIVIL WORKS AND NAVIGATION.	36.00	..	36.00	36.30	..	36.30	+ .30
PUBLIC WORKS OFFICERS.	33.26	..	33.26	36.34	..	36.34	+ 3.08
CIVIL OFFICERS.	68.57	..	68.57	68.87	..	68.87	+ .30
45. CIVIL WORKS—PUBLIC WORKS OFFICERS	28.88	..	28.88		..		— 28.88
UNALLOTTED				No change.			
OTHER HEADS							
							— 1.00

(68) AMENDED DRAFT FINANCIAL STATEMENT OF THE
GOVERNMENT OF MADRAS FOR 1919-1920.

573

19-B. JAILS (+50).—Under “Dietary charges”.

22. EDUCATION (+8.91).—The increase is due to the following allotments entered in accordance with the recommendation of the Finance Committee:—

(1) Grants to local bodies for elementary school buildings	3.85
(2) Grants to local bodies for secondary school buildings	2.50
(3) Grants for the equipment of secondary schools under public management.	1.00
(4) Grants for the equipment of aided secondary schools	1.00
(5) For play-grounds	.50
(6) Medical inspection of schools	.06
Total	8.91

24-A. MEDICAL (+3.13).—The increase is mainly due to grants to local bodies for medical buildings entered in accordance with the recommendation of the Finance Committee (3.00).

24-B. SANITATION (+6.00).—The increase is due to the following grants entered in accordance with the recommendation of the Finance Committee:—

(1) Grant to local bodies for minor sanitary works	5.00
(2) Grant to the Madras Corporation for minor sanitary works	1.00

32. MISCELLANEOUS (+5.32).—The increase is due to (1) contributions in aid of municipal balances (5.00) entered in accordance with the recommendation of the Finance Committee and (2) an addition of 4.82 to the provision (5.00) for reserve.

45. CIVIL WORKS—CIVIL (+3.08).—The increase under this head is due to the following variations:—

Entered on the recommendation of the Finance Committee.	(1) Grants to local bodies for bridges and causeways.	3.00
	(2) Grants to poorer district boards	5.00
	(3) Special works in the Agency tracts	2.08
	(4) Reduction of the grant to local bodies for improvement of important roads from 13.00 to 6.00	7.00
	Total	3.08

UNALLOTTED (—28.89).—The former provisional head ‘Unallotted’ now disappears, the sums previously shown under it having been distributed among the appropriate service heads in accordance with the recommendation of the Finance Committee.

3rd February 1919.

C. G. TODHUNTER,
Acting Chief Secretary.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Saturday, the 8th day of February 1919.

PRESENT:

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.S.I., G.C.I.E., Governor of Madras—*Presiding*.

The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O., O.B.E.

The Hon'ble Mr. L. E. BUCKLEY, C.S.I.

The Hon'ble Mr. A. Y. G. CAMPBELL, C.I.E.

The Hon'ble Mr. W. J. J. HOWLEY.

The Hon'ble Mr. W. HUTTON.

The Hon'ble Mr. R. LITTLEHAILES.

The Hon'ble Mr. N. E. MARJORIBANKS.

The Hon'ble Mr. J. C. MOLONY.

The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.

The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).

The Hon'ble Mr. H. G. STOKES, C.I.E.

The Hon'ble Mr. C. G. TODHUNTER.

The Hon'ble Mr. M. YOUNG.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR Avargal.

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO PANTULU Garu.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.

The Hon'ble Mr. P. SIVA RAO.

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.

The Hon'ble Mr. B. V. NARASIMHA AYYAR.

The Hon'ble Mr. K. S. SADASIVA BHAT.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.

The Hon'ble Mr. K. RAMA AYYANGAR.

The Hon'ble Sri Raja Rao VENKATA KUMARA MAHIPATI SURYA RAO Bahadur, Raja of Pithapuram.

The Hon'ble Mr. B. VENKATAPATI RAJU.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.

The Hon'ble Mr. K. KUMARAN RAMAN KAVALAPPARA MUPPIL NAYAR.

The Hon'ble YAKUB HASAN SAHIB Bahadur.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR SAHIB Bahadur.

The Hon'ble Sir GORDON FRASER, Kt.

The Hon'ble Mr. J. H. THONGER.

The Hon'ble Sir FAIRLESS BARBER, Kt.

The Hon'ble the Most Rev. JOHN ABLEN, D.D.

The Hon'ble Mr. T. RICHMOND.

The Hon'ble Sir FRANCIS SPRING, K.C.I.E.

The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.

The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO Bahadur, of Bobbili.

The Hon'ble Dr. T. M. NAYAR.

(Mr. Rajagopala Achariyar; the President; Mr. Ramanuja Achariyar; the Advocate-General; Mr. Siva Rao.) [8TH FEBRUARY 1919.]

The Council assembled at 11 a.m.

THE MADRAS AGRICULTURAL PESTS AND DISEASES BILL, 1918.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR presented the report of the Select Committee on the Bill for the prevention of the spread of insect pests, plant diseases and noxious weeds, and moved that the Bill and report be taken into consideration at once.

The Hon'ble Mr. A. Y. G. Campbell seconded the motion.

The motion was put to the Council and agreed to.

His Excellency the PRESIDENT:—"We will now proceed to consider the amendments. Honourable gentlemen will please observe that in addition to the amendments on the agenda paper there is a supplemental list of amendments and we have got to take both together. The first amendment is in regard to clause 3. I will call upon the Hon'ble Mr. Ramanuja Achariyar to move it, but before that I will first go through the previous clauses."

Preamble.

It was agreed that the consideration of the preamble be postponed.

Clause 1.

Clause 1 was allowed to stand part of the Bill.

Clause 2.

Clause 2 was allowed to stand part of the Bill.

Clause 3.

Clause 3 (a) was allowed to stand part of the Bill.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"Your Excellency, I beg to move the following amendment:—

Clause 3, sub-clause (b).—Omit the words 'prohibit or restrict the removal of any plant from one place to another or'; and for the words 'such other preventive or remedial measures' read 'such remedial or preventive measures.'

"My object in moving this amendment is this. I understand clause (b) to mean that if any plant is already infected or is exposed to infection, it is liable to be destroyed under clause 9. The portion relating to removal refers therefore to cases in which there is neither infection nor exposure to infection. But to interfere with plants not infected or exposed to infection will be an arbitrary interference with the rights of private property. I think these plants should be left alone. Interference is permissible when they are infected or exposed to infection. I therefore propose this amendment. The remedial measures should come first in order of time and then preventive."

The Hon'ble Rao Bahadur T. Ranga Achariyar seconded the amendment.

The Hon'ble the ADVOCATE-GENERAL:—"The Government are unable to accept the amendment. The reasons for opposing the amendment are obvious. In the first place prohibiting or restricting the removal of a plant is a less drastic measure than the destruction of the plant. I do not know that the occupier will welcome the Honourable Member's suggestion. In the second place in many cases restricting the removal will be the only effective means of checking the spread of the insect pests. In most cases it may have to be adopted concurrently with other measures, preventive or remedial, that may be prescribed. I do not think that, without further experience in the matter, prohibition or restriction of the removal of the plant can be ruled out as a preventive measure. Lastly the Honourable Members will remember that in the definition of plant just now passed power is taken to include seed and in the case of seed exposed to infection it will be a pity to destroy or burn it altogether before it clearly develops infection, but it may be a desirable thing to prohibit or restrict the removal of it from one area to another. That is the only means that can be availed of in the case of seed.

"Then again I do not know if any object is really gained by the proposed amendment. Apparently the Honourable Member's proposal is to allow the other words to remain in the clause:—'such other preventive or remedial measures as may be necessary in respect of such pests, etc.' The Government have full power to prescribe remedial or preventive measures. One of the measures wherever they are advised by experts will be to prohibit or restrict the removal of the plants from one place to another so that no object is gained by the Honourable Member's amendment. I would suggest to the Honourable Member to withdraw the amendment."

The Hon'ble Mr. P. SIVA RAO:—"I oppose this amendment for the simple reason that the very object of the Bill will be defeated if this amendment is carried into effect. The object of the Bill was explained by the Honourable Member in charge of the Bill at the time of the introduction of the Bill. It was stated then—

'Honourable Members will see from the Statement of Objects and Reasons that while India Act II of 1914 gives power to the Government to issue orders and frame rules with the object of preventing the introduction into British India of any insect, fungus or other pest which is or is believed to be harmful to crops, it gives no power to prevent or control the transport of

8TH FEBRUARY 1919.] (Mr. Siva Rao; Mr. M. Ramachandra Rao; the President; Mr. Ramanuja Achariyar; Mr. A. S. Krishna Rao.)

insect pests, plant diseases or noxious weeds from one part of British India to another. The prevention of the spread of infection or of insects and vegetable pests within the country is quite as necessary as the prevention of the importation of such evils from outside, and it is to achieve this object that the present Bill is framed."

"That was the primary object with which this Bill was framed, and it is a far less harmful provision than other provisions."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I should say a few words against this amendment."

His Excellency the PRESIDENT:—"That is unnecessary."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"The Honourable the Advocate-General suggested that even if these words were omitted they would come under preventive or remedial measures. If so, these words may be omitted. What I say is that the plants, the removal of which would be prohibited or restricted, would be plants not exposed to infection."

The amendment was put and lost.

The Hon'ble Mr. A. S. KRISHNA RAO:—"I have the honour to move the following amendment:—

Add the following proviso at the end of the clause:—

'Provided that, before issuing any such notification, the Governor in Council shall consult the local authority having jurisdiction over the local area and hear the objections, if any, urged by such local authority.'

"As the Council is aware, the object of this Bill is to prevent the spread of insect pests, plant diseases and noxious weeds injurious to health or to crops, plants, trees or water-supply or obstructive to waterways within the Presidency of Madras. This amendment raises an important question of policy as to whether it is or is not desirable to utilize the local bodies in various parts of the Presidency for the purpose of carrying out the provisions of this Bill. This is a new Bill which confers wide powers upon the local Government and upon inspecting officers or other officers appointed by Government to check the spread of these diseases, and it contains penal provisions for enforcing its provisions. However good the intentions of the officers entrusted with the carrying out of these provisions may be, and in whatever careful manner they may work out these provisions to consult public opinion and to ascertain exactly what the their disposal adequate machinery to consult public opinion and to ascertain exactly what the people in various local areas are likely to say on the subject. It must be conceded that local bodies which represent the people in the remotest parts of the Presidency will be in a position to do useful work in working the provisions of this Act. At any rate they will be in a better position to offer valuable opinion and advice regarding the questions that arise for solution. This aspect of the question, the Honourable Members will see from the report of the Select Committee, was considered by the Select Committee. I will draw the attention of the Council to paragraph 3—

'We have carefully considered an important question of policy, viz., the question whether either the initiation or execution of measures under the Bill or both should be placed in the hands of local bodies instead of in those of the Government and their officers. We have decided that, so far as the initiation of action is concerned, it is desirable that such action should proceed on uniform lines for the whole Presidency and therefore that the responsibility should rest, as proposed in the Bill, with the Government. As regards the execution of the law, while we consider that it must ordinarily be placed in the hands of a regular expert staff, we recognize the advantage, wherever such a course is possible of leaving the detailed administration of the law to local bodies or local officers. We have therefore added a clause to the Bill as clause 18 giving to the Government authority to delegate all or any of their powers.'

"This is what we gather from the report of the Select Committee, who dealt with this important question. They suggest, and I would say for very good reasons, that in the initial stages it is difficult to entrust the initiation of these measures to local bodies, because they cannot secure uniformity throughout the Presidency, and that the Governor in Council may retain that power. But at the same time I would suggest that it would help the Government and the special officers appointed by the Governor in Council, if they are furnished with the best opinion available, through these local bodies. What I suggest in this proviso is that before initiating measures under section 3 of the Bill the local body concerned may be consulted and the objections if any urged by it may be duly considered before action is taken.

"I cannot myself see any reasonable objection to this course being adopted. Even if we stretch our imagination to some extent and try to anticipate some of the objections, the only objection that could be raised would probably be that it would lead to some delay in the initiation of these measures or their execution. The local bodies would be in a better position to know of these measures and the desirability or otherwise of initiating the measures, and it is possible for the local Government to prescribe the period within which the local body should send their opinions in all urgent matters. When the Government cannot give such time as the local bodies might require, the Government might prescribe a certain period within which the reply should be received; and if the local bodies do not choose to reply within that time the Government can proceed to take action. No danger would accrue by these bodies being given this power.

"I shall now remind the Council that in the Madras Act III of 1918, the Madras Prevention of Adulteration Act, which we passed last year, we have a similar provision. It

576 THE MADRAS AGRICULTURAL PESTS AND DISEASES BILL, 1918.

(Mr. A. S. Krishna Rao ; Mr. Rajagopala Achariyar ; [8TH FEBRUARY 1919.
Mr. Siva Rao.]

will be found that in section I, sub-section (2), of that Act the local Government is given power to extend the provisions of the Act by notification in the *Fort St. George Gazette* and a proviso is added at the end of the sub-section in these terms: 'Provided that such notification shall be made only after the local authority or authorities have had an opportunity of expressing an opinion as to the necessity for such extension.' Honourable Members will please remember that even when such consultation was prescribed in the case of Madras Act III of 1918 it was found that the scheme could be worked. I am not myself in a position to imagine why a similar provision should not be inserted in this Bill. I am strengthened in my opinion when I notice that there are on the agenda for our consideration two amendments which affect even the provisions contained in the Bill as amended by the Select Committee. In the Bill as amended by the Select Committee provision has been made for the delegation of powers either to the Director of Agriculture or to the local bodies concerned. We are called upon to consider two amendments, one by the Hon'ble Mr. Ramanuja Achariyar who proposes the deletion of this clause and another in the name of the Hon'ble the Advocate-General."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (interrupting):—"The Honourable Member is dealing with the amendment to clause 18. The question is whether he cannot reserve his argument for that clause."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I am not dealing with that amendment. I am giving an additional reason for this amendment. I therefore wish that this Council will concentrate its attention upon this important amendment. It is for that reason that I refer to it. It will be dealt with when it is taken up. I wish to point out that even the question of delegation provided by the Select Committee is attacked. Let the Council concentrate its attention upon the desirability of having a provision for consulting local bodies. I therefore think it necessary to place this amendment before the Council and I trust that there will be no difficulty in accepting it."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I second this amendment. It looks to me, it is a very harmless amendment. It only asks that the local authority should be consulted and its views should be ascertained and considered before extending this Bill to any particular area. I am aware that in the Select Committee a discussion arose as to which authority should initiate the working of this Act and it was decided that initiation should be left to Government themselves. But it will be trying a medium course if the local authority is consulted and heard in the matter. The amendment only says that it should be asked, it should be given an opportunity of being heard in the matter. I do not see any reason why such a harmless amendment should not be carried out. There is a parallel for such a provision in the other Act which has been referred to."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the Government are unable to accept the amendment, not that we do not see the importance of carrying the local bodies with us in this matter, but in the case of many pests the delay involved in following the procedure which the amendment indicates would be fatal. The amendment is, before issuing any notification the Governor in Council shall consult the local authority having jurisdiction over the local area and hear the objections, if any, urged by such local authority. There is no discretion left in the matter. In other words, when the Government get information that there is a pest disease or a noxious weed in a local area dangerous to health or injurious to crops, instead of our being able to initiate action and nip it in the bud, we have to start an elaborate procedure of communication with the local body, the taluk board or the district board, tell them that the Government are in possession of information that there is such and such a pest affecting crops, and ask what the board has to say. What will the board do? The members are in different places, and the board will have to convene a meeting which can take place only after seven days' notice and probably some of the taluk boards may desire to have further information and in the result there may be—I do not say it will be so in every case—there may be many cases in which the injury will be completed and the crops of carrying with us local opinion. If the thing can be done promptly, by all means, we shall do so. But to impose this restriction upon the Government that they shall not issue a notification till the local body has had the facts placed before it and has had an opportunity to say what it has to say about it, means really that the whole thing will get paralysed."

"The Hon'ble Mr. Krishna Rao has referred to the amendment which is likely to be made in clause 18 as a reason why this amendment should be carried into effect. I would say that is the reason why this amendment should not be carried, because if the other amendment is not carried and if we delegate power to the local authority then it will be easy for the local authority to deal with the matter. But if that amendment is carried, the whole thing will have to be concentrated in the hands of the Government and we will not be able to delegate any of our powers under section 3 to a local authority. No notification can issue except under the orders of the local Government and, as the local bodies are spread all over the Presidency, the resulting delay will in several cases be fatal. That is my main objection. Notwithstanding the proposed amendment to clause 18, though we may not be able to delegate our power to issue the preliminary notification, section 18 provides for the executive machinery being placed in the hands of the President or Chairman of the local authority. That goes to some extent to enlist local public opinion in favour of action."

8TH FEBRUARY 1919.] (Mr. Rajagopala Achariyar ; Mr. Ranga Achariyar ;
the President ; Mr. Ramanuja Achariyar.)

"The Honourable Member has given the analogy of the Prevention of Adulteration Act. It is true that before the local Government extend to any area the provisions of that Act we have to give an opportunity to the local body concerned for expressing an opinion, but is there any real parallel? Assuming that a complaint comes to us, say that ghee is sold in Chianjam very impure and we are asked to take action, surely it is not a matter of such great urgency. The prevention of adulteration of foods and drugs is not a matter so very urgent that we cannot wait for a couple of weeks. But these pests have a way of doing their work in a very short period of time, and I do not think that that analogy could apply in this case. For these reasons I oppose the amendment."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I should like to know from the Honourable Member in charge whether the power under section 3 under which the Governor in Council has to declare the area is intended to be delegated under section 18."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"We are not coming to that amendment now. The Bill as it stands, provides for that delegation. The amendment the Hon'ble the Advocate-General will move will exclude notifications under section 3 from the list of delegations."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I have only one word to say, your Excellency. I quite appreciate the situation described by the Hon'ble Mr. Rajagopala Achariyar, viz., the consequences of delay in this matter. But I do not know how the Honourable Member proposes to dispense with the delay when the Governor in Council deals with it. The Director of Agriculture reports to the Board of Revenue and so on."

His Excellency the PRESIDENT:—"That is really not notification."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I oppose the amendment, because the local authority is not the authority which should give an opinion in this matter. Suppose the local body says 'do not issue the notification' and the Government act in opposition to the wishes of the local body, the matter will become more difficult. I therefore oppose the amendment."

The amendment was put and lost.

Clause 3 was allowed to stand part of the Bill.

Clause 4.

His Excellency the PRESIDENT:—"I take it that your proviso comes in after the words 'prescribed in such notification'."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"May it please your Excellency, clause 4 requires on the issue of a notification under section 3 that every occupier should be bound to carry out the remedial and preventive measures prescribed in such notification. My amendment is this which I move—

'Add as proviso—

'Provided that in no case shall a person be bound to carry out the remedial or preventive measures prescribed, if the materials required for the same cannot be had within five miles of the residence of such person or the cost of carrying out the same exceeds twice the assessment imposed on the land or half the value of the annual yield from the land as estimated by the Collector.'

"I submit this is necessary to safeguard the working of the Act which is in its infant stage so that it may be popular among the ryots. I know personally I was advised if not directed to carry out certain remedial measures in connexion with mangoes in my garden in the Red Hills. For the last six months I was trying to get a spraying machine, but it was only the other day that I was able to borrow one from the Department. So also there may be various chemical substances which may be prescribed as insecticides, and knowing as we do the village parts where this Act will come into force, it may not be possible for the occupier to carry out the remedial measures, without much difficulty. Therefore I suggest that unless the materials are available within five miles distance."

His Excellency the PRESIDENT:—"May I interrupt the Honourable gentleman? I am sorry to interrupt him. Clause 8 deals with the recovery of the cost of the preventive or remedial measures. Would it not be proper to discuss this after that clause?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"That would not do. Under section 7 he would have committed an offence."

His Excellency the PRESIDENT:—"Please read clause 8."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"That is only with reference to the recovery of the cost; it may not be recovered in certain cases. But without this proviso the man would have committed an offence all the same by not carrying out the measures. It is therefore necessary that this should come here. I submit if a man cannot get the material within five miles of his residence he should not be compelled to carry out the measure, nor should he be deemed to have committed an offence."

"The other part of the proviso is if the cost of carrying out the measures exceeds twice the annual assessment of the land or half the value of the annual yield the occupier shall not

578 THE MADRAS AGRICULTURAL PESTS AND DISEASES BILL, 1918.

(Mr. Ranga Achariyar; Mr. Rajagopala Achariyar; [8TH FEBRUARY 1919.
Mr. Rama Ayyangar; Sir Fairless Barber.)

be bound to carry them out. I leave it to the Collector to estimate it. He will make a fair estimate even if the cost should exceed half the annual value of the yield. This is a necessary safeguard. The man should not be improved out of his land by carrying out the measure. I want this Act to be worked in such a way that the people may take to adopting these remedial measures as far as possible, otherwise it would cause irritation, and become unpopular. I therefore propose this amendment."

The Hon'ble Diwan Bahadur A. Subbarayalu Reddiyar seconded the amendment.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the Government are unable to accept the amendment. We feel that if this is put in, it would really make the Bill unworkable. I have already indicated that action under this Bill will have to be taken promptly; when notice is given to a man to do this or that act and when he does not do it, if there is no certainty that he will be punished or action will be taken and he will be made to pay for it, the chances are that he will not do it. This amendment gives him a loophole. The man may refuse to take action. He will set up defences that he made careful inquiries and that he could not get the materials within five miles of his residence. I do not know on what basis five miles is fixed. Or he may say the price of the material is more than twice the assessment. I think if our staff who are to root out the pests are to start an inquiry like this as to whether the materials are available within such a distance or the cost will be less than twice the assessment, it will be extremely difficult in practice to work the provisions though theoretically they may seem all right. I object to the amendment solely on the ground that if accepted it would make the working of the Act extremely difficult."

The Hon'ble Mr. K. RAMA AYYANGAR:—"My Lord, in section 7 we have got the last two sentences which say that the prescribed remedial measures may be carried out by the inspecting officer or under his supervision. So far as the work has to be done by the ryot or the party concerned, the Hon'ble Mr. Ranga Achariyar moves this amendment. Even when this Bill was introduced, at the commencement I made a reference to this position. We are just trying to see that the pests are tackled with, and that attempt should not be made to go against the very grain of the Indian ryot. We mean to benefit the ryot. It is not meant to cause any kind of disturbance to the ryot one way or the other. It may be that the ryot is willing that the crop should be destroyed if the department thinks it necessary. But he may not be prepared to carry that out himself. He may not be able to engage the servants to destroy the crop that he has raised. It is very difficult to say that in enacting this legislation we must forget the sentiments of the people and we are here only to see that the pests are removed and that infection is avoided. If it is meant to make all the people join with the Government in the scientific view that the pests should be immediately rooted out, it would be very difficult to convert the illiterate population to the grain of the expert officers advising the Government in matters like this. The amendment as has been proposed is even insufficient for the purpose. The department has got an establishment. It has got officers on the spot, and immediately the declaration is made they go there and examine and they have been given power to enter upon the land and destroy the crop if necessary. The whole Bill proceeds on that basis. The ignorance of the masses, specially the agriculturists in the country, should not fail to be taken note of when a Bill like this is passed. We are not passing the Bill for expert agriculturists. When he goes to destroy a crop, the ryot will probably fall at the feet of the officer and say 'do not pluck out the plants more than is absolutely necessary; save me, Sir,' and all that. The department has got theoretical opinions and will carry out its own proposals. These opinions may be right or wrong. Whatever that may be, let the department go and do the needful; let it not be said that the ryot should do it and if he does not he has committed an offence. It will be too much to enact like that. I implore that the Government shall take this into consideration and shall not make the Act a more or less oppressive Act. It must be an aiding Act enabling people. No man who has raised a crop—he will oftentimes be the poorest man—will be willing to destroy the whole crop. If it is destroying one or two seedlings it does not matter much, but oftentimes the whole crop may have to be destroyed. In such cases he may not think of the compensation he is going to be given because he is often quite ignorant of what you may give. He will rather throw his wife and children at your feet and say 'cut us rather than cut the crops'. I do not want that in an Act which is intended to improve the condition of the agriculturists in this country any provision should be introduced which will make it a hardship to them. This is a matter which should be borne in mind and given the best consideration. I request your Excellency to see that the amendment is accepted and also the penal provisions which are proposed to be omitted are omitted."

The Hon'ble Sir FAIRLESS BARBER:—"I am glad that the Government are opposing the amendment. It would be a most dangerous thing to accept it. I do not know if it would be out of place if I should tell the Council that we are considering this Bill for the benefit of the community at large, and therefore any hardships that may fall on individuals can scarcely be considered. We have had three amendments and all have been treated by the movers on this crop are very serious and amendments like this proposed by the Hon'ble Mr. Ranga Achariyar machinery and the materials for destroying the disease, but I think that the Agricultural Department will help the people, and with the assistance of co-operative societies which I know are supplying sprayers and things like that to the ryots, it may not be difficult to get the appliances."

8TH FEBRUARY 1919.] (Mr. Ranga Achariyar; the President.)

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I am not at all satisfied, Your Excellency, with the reason urged why the amendment should not be accepted. It must be remembered that we are enacting a penal provision, we are imposing an obligation upon individuals. Nobody denies that for the benefit of the community you can impose obligations upon individuals, but at the same time you should not impose obligations which the individuals cannot bear. The benefit of the community does not require that individuals should be killed, or that individuals should be improved out of their property. What is the meaning of asking a ryot to carry out improvements costing a hundred rupees on a land worth ten rupees? Surely the benefit of the community does not require such a thing. You cannot ask him to leave his home and leave his field and cultivation and go 20 or 30 miles to buy materials. Does the benefit of the community require that men should be put to such difficulties? After all, what benefit of the community but a bundle of individuals? It is very well for the Hon'ble Sir Fairless Barber who would not be subjected to such hardships to say all that; I am quite sure that nobody would dare to approach him; but what is the fate of the poor ryot for whose benefit we are enacting this legislation? The Honourable Member in charge says, the chances are that the department would not enforce, but are you going to leave it to chance? Do we not know how the revenue department behave towards the poor ryots? Do we not know how the village munsif and the karnam will report whether this man has done this or not—we all know how liable to corruption these people are. You are simply handing them over to their tender mercies."

"The Honourable Member in charge is afraid of the defence which may be set up. It is either a true defence or a false defence. Is it a crime to set up a true defence? He will have to prove it. Who will be frightened by such bogeys? The people are there to defend themselves against a crime and they will defend themselves by pleading the truth. If he has a true case, certainly the man is entitled to defend himself. He may say the cost exceeds a certain amount and you will have to face it. I do appeal to the Honourable Member in charge of the Bill that it would be a great hardship. In fact the suggestion made by the Hon'ble Sir Fairless Barber is that it is for the benefit of the community that it should be worked. I dare say the department will work the Act with great rigour. We must remember that the villagers live in far away places and even taluk centres have not got proper medical shops and the villagers will not be able to carry out the necessary remedial measures. The object of the Bill should be that the officer should be forced to carry out those measures. If not they would simply issue the notification and expect the occupier to carry out the measures. Without this proviso the people will be put to a great deal of difficulty. I strongly appeal to the Government that they will accept this provision."

His Excellency the PRESIDENT:—"The Honourable Member would excuse me if I say that in his eloquence he has drawn a lurid picture that the Government will use the Bill so as to cause hardship to the ordinary ryot. It is obviously not in the interests of the department of agriculture to administer this Act in that way. It is obviously absurd for them to impose such hardships as the Honourable gentleman suggests. He suggests that the whole country side is to be vacated and the poor ryots are to be turned out of their holdings and that the whole place would go back into a desert and plain because this power is given to the agricultural department. Surely the agricultural department may be trusted to administer it with some due regard to the interests not only of the ryot but the interests of the community. I hope that his eloquence would not carry away the Council."

The amendment was put to the Council and lost.

The Hon'ble Rao Bahadur T. Ranga Achariyar demanded a poll which was taken with the result that 15 voted for and 22 against the amendment.

The following is the result of the division:—

For		Against	
The Hon'ble	Mr. P. Siva Rao.	The Hon'ble	Sir Alexander Cardew.
"	Mr. K. Rama Ayyangar.	"	Mr. L. Davidson.
"	Mr. T. Richmond.	"	Mr. C. G. Todhunter.
"	Mr. K. Sadasiva Bhat.	"	Mr. A. Y. G. Campbell.
"	Mr. K. Suryanarayana-murti	"	Mr. R. Ramachandra Rao.
"	Nayudu.	"	Mr. W. J. J. Howley.
"	Mr. B. Venkatapati Raja.	"	Mr. M. Young.
"	the Raja of Pithapuram.	"	Mr. L. E. Buckley.
"	the Raja of Bobbili.	"	Mr. N. E. Marjoribanks.
"	Mr. A. Subbarayalu Reddiyar.	"	Mr. Aziz-ud-din.
"	Mr. T. Ranga Achariyar.	"	Mr. Kavalappara Muppil Nayar.
"	Mr. Yaqub Hasan Sahib.	"	Sir Francis Spring.
"	Mr. A. T. G. M. Ahmad Tambi	"	Mr. R. Littlehales.
"	Marakkayar.	"	Sir Fairless Barber.
"	Chidambaranatha	"	Sir Gordon Fraser.
"	Mudaliyar.	"	Mr. J. H. Thonger.
"	Mr. A. Suryanarayana Rao.	"	the Most Reverend Archbishop
"	Mr. A. S. Krishna Rao.	"	Aelen.
"		"	Mr. J. C. Molony.
"		"	Mr. W. Hutton.
"		"	the Advocate-General.
"		"	Mr. P. Rajagopala Achariyar.
"		"	Mr. H. G. Stokes.

(The President; the Advocate-General;
Mr. Ramanuja Achariyar; Mr. Ranga Achariyar). [8TH FEBRUARY 1919.

His Excellency the PRESIDENT:—"I will call upon the Hon'ble the Advocate-General to move a purely verbal amendment."

The Hon'ble the ADVOCATE-GENERAL:—"Your Excellency, I beg to move—

In the explanation, for the words 'for the purpose of this section only' read 'for the purpose only of this section.'

"It is a purely verbal amendment. It does not affect the sense of the section."

The Hon'ble Mr. A. Y. G. Campbell seconded the amendment.

The amendment was put to the Council and agreed to.

Clause 4 as amended was allowed to stand part of the Bill.

Clause 5.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I beg to move the following amendment:—

For the words 'duly empowered' in the first line read 'appointed'; and omit the words 'in this behalf' in the second line."

The Hon'ble the ADVOCATE-GENERAL:—"I accept it."

His Excellency the PRESIDENT:—"It is merely a change of words."

The amendment was put and agreed to.

The Hon'ble the ADVOCATE-GENERAL:—"Your Excellency, I beg to move the following amendment:—

Between the words 'the notified area' and the words 'in order to ascertain' insert the words 'and take such action as may be necessary.'

"That portion of the clause as altered by the amendment will read thus:—

'Any officer appointed under section 17 may enter on any land or water within the notified area and take such action as may be necessary in order to ascertain, etc.'

"The object of this amendment is quite simple. The clause as worded gives power to the inspecting officer to enter upon the land in the possession of the occupier, only to do two things, first to ascertain whether the pest or disease exists there, and secondly whether the prescribed measures have been taken by the occupier. He would not be able, as the clause stands, to remove a leaf or the bark of a tree or to remove a fruit or a tree or anything of the kind. He would not be able to touch the tree at all. Nor would he be able to pull out a plant in order to examine whether there is a stem-borer or some other kind of insect. In order to legalise such action as may be necessary on the part of the inspecting officer, to enable him fully to ascertain whether the pest or disease is present and in order to enable him to ascertain whether the measures have been taken, it is necessary not only to authorise him to enter upon the land but to arm him with such powers as may be necessary in order to ascertain these two facts. I think the amendment which I have moved explains itself."

The Hon'ble Rao Bahadur V. K. Ramanuja Achariyar seconded the amendment.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"May I ask for information if such action entails any loss to the owner would compensation be provided?"

The Hon'ble the ADVOCATE-GENERAL:—"Any action taken under clause 5 is only for ascertaining the facts. It would not involve ordinarily wholesale destruction. Compensation is provided for only action taken under clause 9 of the Bill."

The amendment was put and agreed to.

Clause 5 as amended was allowed to stand part of the Bill.

Clause 6.

The Hon'ble the ADVOCATE-GENERAL:—"I beg to move a purely verbal amendment to clause 6 (1). It is as follows:—

For the word 'action' in line 3, read 'measures' and omit the words 'or both'.

The Hon'ble Mr. Ramanuja Achariyar has given notice of a similar amendment."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I second the amendment."

The amendment was put and agreed to.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I beg to move that in line 8 of clause 6 (1) for the word 'action' the word 'measures' be substituted."

The Hon'ble the Advocate-General seconded the amendment.

The amendment was put and agreed to.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I do not move amendment No. 7.

The amendment was as follows:—

Clause 6 (2)—Omit the words 'who may make such order as he thinks fit. The' and substitute the word 'whose'."

With the permission of His Excellency the President the amendment was withdrawn.

[8TH FEBRUARY 1919.] (Mr. Siva Rao; the Advocate-General;
Mr. Ramanuja Achariyar; the President.)

The Hon'ble Mr. P. SIVA RAO:—"I beg to move the following amendment to clause 6 (2).

Substitute '30 days' for 'seven days.'

"This amendment relates to the limitation which is prescribed in the Bill for preferring an appeal against the order made by the inspecting officer calling upon the occupier to carry out certain remedial or preventive measures. The time prescribed is seven days. The amendment that I propose is to extend the time to one month. One month's time is prescribed under section 8 of the Bill. In cases in which the preventive or remedial measures are carried out by the inspecting officer and the cost of those measures is sought to be recovered from the occupier as if it were an arrear of land revenue, it is open to the occupier to prefer an appeal within 30 days. As regards this period of seven days I submit it is too short a period for the purpose. Honourable Members of Council will have to consider whom these orders will affect in the first instance. They affect the ryots who live in the interior, miles and miles away from the taluk and district headquarters. The ryot is generally illiterate and it takes sometime before this order is read out to him; he has to go to the nearest village karnam or headman who may not be readily available and by the time the contents of this order are read out to him and he becomes aware of them it necessarily takes sometime. Then he has to consider how this order would affect him financially, and then choose some draftsman or somebody to prepare his appeal formulating his grievance. It may be that the prescribed officer to whom this appeal lies may be living in the taluk headquarters or the district headquarters, and the ryot has to undertake this journey. All this will take time, the communication, the necessary advice and the drafting. He cannot be expected to complete all this within seven days. I do not know, Your Excellency, where this period was copied from. I am aware that in the case of prisoners sentenced to the gallows seven days' time is prescribed. I do not know why that period is copied in a case like this. In any view I think this period must be extended to one month, as it is an order which affects the well-being of the ryot and it may affect him financially. It is but just that he should have ample time at his disposal."

The Hon'ble Mr. K. Sadasiva Bhat seconded the amendment.

The Hon'ble the ADVOCATE-GENERAL:—"Your Excellency, the measures that have to be taken are, as pointed out more than once, of extreme urgency. Seven days would be ample time for the occupier to prefer an appeal. What are going to be his grounds of appeal? The only grounds that will be available to him will be that the disease or pest does not exist or that the measures have been already taken by him and that the inspecting officer's decision that the disease did exist or that the measures have not been taken is wrong or that the time allowed by the inspecting officer in the notice to carry out the measures is not sufficient. These are the only grounds, and these are matters on which there is no necessity for expert advice. These are matters within the knowledge of the occupier. If the time allowed is not sufficient the appellate court will be able to extend the time; sub-clause (3) empowers the appellate court to extend the time. There is really no hardship in the matter. It is really a case of extreme urgency and I appeal to the Honourable Member not to press the amendment. It is really not necessary to give the ryot under this special Act the same time as an ordinary litigant gets who appeals from the Munsif's Court or Sub-Court to the District Court."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I am very much surprised at the attitude taken by the Hon'ble the Advocate-General. He began by saying that the grounds of appeal are very limited, but I am afraid he is seeking to import into the words of this Bill a new provision as to what shall be the grounds of appeal. I think it is open to the occupier to urge any ground in appeal under this section. For instance, he may urge that the cost is disproportionate, or it is impracticable to carry out the measures. It is open to him to bring it to the notice of the Collector and ask him not to call upon him to carry out these measures. There is nothing to limit the grounds of appeal, and it is not desirable to do so at all. This section gives a wide margin to the Collector. The appellate officer has every latitude in the matter. He can consider the circumstances of the case and hear the ryot as to why he should not be called upon to carry out the measures suggested. The grounds have been nowhere defined. Then it is said it is an urgent matter. It may be an urgent matter, but the conveniences of the ryot must also be consulted. There is not even a provision in the Bill as there is in the Limitation Act to enable the appellate officer to excuse the delay. Under the Bill the appellate officer can only extend the time within which the measures can be carried out. I press the amendment for the consideration of the Council."

The amendment was put to the Council and lost.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I beg to move the following amendment to clause 6 (3):—

Omit the words 'as he may think necessary.'"

The Hon'ble the ADVOCATE-GENERAL:—"I agree to that."

The amendment was put and agreed to.

His Excellency the PRESIDENT:—"There is an amendment which refers to sub-clause (1) of clause 6. It is wrong to go back, but as an exceptional case I do it."

The Hon'ble the Advocate-General moved the following amendment:—

In clause 6 (1) for the word 'shall' substitute the word 'may.'

The amendment was put and agreed to.

Clause 6 as amended was allowed to stand part of the Bill.

582 THE MADRAS AGRICULTURAL PESTS AND DISEASES BILL, 1918.

(The President; Mr. Ramanuja Achariyar; 5TH FEBRUARY 1919.
Mr. Siva Rao; Mr. A. S. Krishna Rao; Mr. Sadasiva Bhat.)

Clause 7.

His Excellency the PRESIDENT:—"Both the Hon'ble Mr. Siva Rao and the Hon'ble Mr. Ramanuja Achariyar are moving the same amendment."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I propose that in clause 7 the following amendment be made:—

Omit the words 'he shall be deemed to have committed an offence under this Act and.' My object in moving this amendment is that mere disobedience under this Act should not be treated as a criminal offence. Criminal offences should be confined to cases where a person does a thing or omits to do a thing in order to injure other persons. Here the punishment for disobedience is a fine under clause 14, and that fine may be levied in addition to the cost of the destruction of the plant. All that the Bill intends to carry out will be carried out by levying the penalty and the cost of the destruction of the plant. I therefore propose that this Bill should not add to the list of criminal offences. A broad distinction must be drawn between offences in which there is moral delinquency and technical offences. There is an analogy in the case of kudimaramat. There is a penalty for not removing the silt. I have got such an amendment to clause 8. I therefore propose that these words should be omitted."

The Hon'ble Mr. P. SIVA RAO:—"I may be allowed to second this amendment. I do not see any reason why a new offence should be created in a matter like this and find a permanent place in the statute book. The only object of the Bill is to ensure the carrying out of certain remedial or preventive measures in respect of certain pests. That object is amply fulfilled by other provisions. The inspecting officer calls upon the occupier to carry out these measures in the first instance, and if he does not carry them out, he is empowered to carry them out himself and recover the cost from the individual. So long as the object is secured and there is also a provision that this cost shall be recoverable from the defaulting occupier as if it were an arrear of land revenue, what need is there for this to be made an offence? There may be a thousand and one circumstances in which the occupier may not be able to obey the order, some of which have been already set forth by the Hon'ble Mr. Ranga Achariyar. It may be that he is in such an impoverished condition that he has not got the means to carry out these measures. It may be he cannot get the necessary materials. There is absolutely no discretion in the matter, no preliminary sanctioning authority, and no provision is made that if lawful excuse is made out the prosecution may be dropped. It is a very drastic provision. There is absolutely no reason why the occupier should be punished criminally. As has been explained at the outset, these provisions go far to benefit the particular area rather than the individual, and if the individual does not take care and does not develop that higher sense of helping the community, why punish him? There is a provision already that he should be mulcted with the cost. That ought to be enough. I strongly object to the creation of a new offence under this Act."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I support the amendment. There is enough provision made in the Bill for collecting the cost of labour incurred by the inspecting officer. There is no need for a penal provision."

The Hon'ble Mr. K. SADASIVA BHAT:—"I wish to say only one word with regard to this amendment. I may inform the Council that there is a fairly large community of Jains, who are numerous in our side of the Presidency and all of them own lands. Suppose a notice is served upon Jain landholders in our district. By their religion they are prohibited from taking the life even of any insect. For example, they would not drink water in any form unless it is strained through a cloth. They would not take meals after sunset. They are the principal landowning class in the district. Supposing there is an insect pest and a notice is served on them that the insects should be destroyed by a certain day, they will not destroy the insects, and then they are liable to be dragged into court, it will be treated as an offence and they may be sent to jail. That provision of the Bill will work extreme hardship and will be received with great misgivings in our parts. I submit, therefore, that a provision should be made to enable the department to have these things carried out; the department may do it and recover the cost, and the failure of the occupier should not be made an offence. "And the failure of the occupier should not be made an offence. "Neither circumstance I want to mention is that in our parts the holdings are large and have no effect. Tenants often occupy ten or twelve acres of land and there are large areas which their patta land is occupied. Big landlords who have got several tenants have a large portion of the lands are cultivated only by their tenants and there is no effective occupation although ally in the hilly portions of our district. Under these circumstances it may not be possible especially to carry out these remedial ryots. It would be rather hard if it is made an offence if one is unable of the villages at the fountains. Some three or four years ago there was a pest that visited some certain villages of Upot of the ghaut in our district called Bamba. This affected the crop But although all the ryots spinangadi. Some attempt was made by the ryots to meet the pest. agricultural inspector there were willing to carry out the instructions given to them by the a failure and nothing could be done. Even now in certain villages we have this pest. The suggestion was that every ryot should procure two long bamboos and have a big sack or bag made out of net. Only some of the poorer ryots could provide themselves with it and the poorer ryots and tenants could not do so. These net bags and it was not possible to put those

8TH FEBRUARY 1919.] (Mr. Sadasiva Bhat; Mr. Suryanarayana Rao;
the Advocate-General.)

measures into operation to any effective extent. I submit, therefore, that the present provision will be regarded with the gravest misgivings, if even the Jains could be required to destroy the insects on their fields by a certain time on pain of their being sent to jail for ten days. This class are met with in smaller numbers in other districts. I know in South Arcot and Tanjore there are some Jains but they are very numerous in our district."

The Hon'ble Mr. A. SURYANARAYANA RAO:—"Your Excellency will pardon me if I make a few observations. I find some difficulty. In section 7 it is provided 'if any occupier upon whom notice has been served under section 6 fails to comply with the notice within the time specified by the inspecting officer, he shall be deemed to have committed an offence under this Act.' Therefore the person who is deemed to have committed an offence is only the person upon whom notice has been served under section 6. But in section 6 Your Lordship amended the word 'shall' into 'may.' Therefore it is not compulsory upon the inspecting officer to serve a notice upon the occupier. The removal of the word 'shall' causes some difficulty, because if there is no notice there will be no offence at all. He may call upon the occupier but he is not bound to do so. If there is no notice he does not fail to comply, because under section 6 it is only the occupier upon whom notice is served who can be said to have committed an offence. It is therefore an anomaly because there may be persons upon whom notice may be served and there may be persons upon whom it may not be served and it is only persons upon whom notice is served that have the right of appeal or are bound to appeal, but if there is no notice the person need not appeal. I do not know if there is not some anomaly between sections 6 and 7, and considering that the word 'shall' has been altered into 'may,' may we not altogether take away the penal provisions, because nobody can be said to have committed an offence if no notice has been served? I therefore submit that the penal provision in clause 7 may be altogether removed. The inspecting officer may be authorized to take remedial measures and recover the costs; otherwise the section has to be re-worded so that all should be compelled to obey the notification of the inspecting officer, and every person must be served with a notice by the inspecting officer. Otherwise the section will not be workable according to my humble opinion."

The Hon'ble the ADVOCATE-GENERAL:—"Your Excellency, the amendment will certainly render the Act absolutely unworkable. The penal provision to which objection has been taken is, I think, a most necessary provision in the Act, if you only look at the scheme of the Act. There is a good deal of misconception, I am afraid, as to what exactly is the liability upon the occupier. Clause 4 merely lays upon the occupier the obligation to carry out certain measures. It does not make failure to carry them out a penal offence. In clause 5 the inspecting officer enters upon the land and finds out whether the measures have been carried out or not. If they are not carried out, he may tell the occupier orally or in any other manner and he may leave it to his discretion to carry out these measures. The object is to make it less drastic than it would be if the word 'shall' was there. The inspecting officer is not called upon in every case in which he finds that the measures are not carried out to serve a written notice upon the occupier calling upon him within a specified time to carry out the measure. On the other hand discretion is left to him. He may tell the occupier to carry out the measures and trust to his good sense to do it or he may consider that the occupier's omission is not serious enough to demand further action. The amendment 'may' for 'shall,' is in the direction of benefiting the occupier and does not impose any further obligation upon the occupier or make any invidious distinction between one occupier and another."

"Coming to clause 7 it is only the occupier upon whom the notice in writing is served and who fails to carry out the measures who will be prosecuted, and nobody else. There is no anomaly and there is no inconsistency between clause 6 and clause 7. Clause 6 says the inspecting officer may call upon the occupier by notice in writing. Clause 7 says that 'if any occupier upon whom notice has been served under section 6 fails to comply with the notice . . . he shall be deemed to have committed an offence.' It is perfectly consistent with clause 6. The necessity for this penal provision becomes clear when you look at the compensation provision. Clause 8 says 'if any prescribed preventive or remedial measures are carried out by the inspecting officer under section 7, the cost of such measure shall be recoverable from the occupier as if it were an arrear of land revenue.' Clause 9 says, 'when any trees or plants are destroyed under sub-section (1) the occupier shall be entitled to compensation.' The result is that by the way in which the Bill has been revised by the Select Committee the occupier will certainly not carry out the measures unless there is this penal provision, because he will get compensation only if the inspecting officer destroys, and therefore he will simply keep quiet and will not take further action in the matter at all. The inspecting officer will have to go and carry out the measures himself. It is only when he destroys the plants that the occupier will get compensation. In order to persuade the occupier to carry out the measures and in order to enable the provision as to giving compensation where the inspecting officer destroys the plant to be given effect to, we must have this penal provision. If it is not made penal, how could we enforce the measures? There must be some penal sanction or some inducement. The inducement is compensation. The compensation is provided only when the inspecting officer destroys, but when the man himself carries out the measures he will not get compensation. Therefore his failure to carry out the measures should be made penal. In order to compel him to carry out the measures, we make failure to carry them out penal. To some it may look like an inadequate remedy, but to strike that out also would make the Act absolutely unworkable, in which

(The Advocate-General; Mr. Ranga Achariyar; [8TH FEBRUARY 1919.
the President; Mr. M. Ramachandra Rao.)

case you do not want any Bill like this. You will be merely expressing a hope that the occupier will carry out the remedial measures and you will be merely laying down in other cases the inspecting officer may carry out the measures. The object of the provision is to educate the occupiers to carry out the measures and not to force the inspecting officer to carry out every measure. It is a very much milder course than the Hon'ble Mr. Suryanarayana Rao or other members imagine. This section is a *sine qua non*; otherwise the whole Bill will fail of its effect."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Your Excellency, I am afraid the Hon'ble Mr. Suryanarayana Rao's diversion has diverted us from the true question at issue. It is quite true that it is only when notice is served and the man is called upon to comply with the notice that section 7 will come into operation. There are two ways in which the thing can be enforced. The official way, and that has been the customary one in this country, is, to make everything an offence. You prescribe everything for the good of the people and if they do not do it you make it an offence. That is adopted almost in every legislative enactment whether by the Local Government or the Government of India. The other way is to take power for the authority to do the thing which the man has failed to do. Section 7 provides for both these things. The question is whether both are necessary or one will do. My Hon'ble friend the Advocate-General is rather trying to whittle away the importance of the question by saying that it is impossible to carry out the Act unless we make it an offence. We have a provision to enable the authorities to enter upon the land, which otherwise would be trespass, to take preventive and remedial measures. The question is whether it is not a sufficient remedy for the evil. We tell the man: 'it is good for you and good for your neighbours; take these steps.' He fails to take those steps. What is the next thing to be done? The authority will enter upon the land and do the things for his good and also for the good of his neighbours and recover the cost of doing them from him. Is it not sufficient? Why call it an offence as if he committed an offence? Everything is an offence in this country. If you do not obey a sanitary law it is an offence. Here also the same thing is done. If an agriculturist is asked to do a thing for his own improvement and he does not do it, it is made an offence. I think it is highly unnecessary to make this thing an offence. I do not know why the Hon'ble the Advocate-General introduced the question of compensation under section 9 here. Under section 8 it is open to the Government to levy whatever charges they may have incurred for carrying out these remedial or preventive measures. I think that is sufficient. I earnestly appeal to them to altogether drop this idea of making it an offence. The failure may be due to various causes. It may be due to the impossibility of carrying out the measure or its impracticability or to his being laid up with influenza. It may be due to various causes. Here it is simply 'if he fails to carry out' it is an offence. In which country is such a thing created an offence? The failure need not be even wilful, mere failure is made an offence."

His Excellency the PRESIDENT:—"May I answer the Honourable gentlemen on the last question he put? I happen to have an official document which enables me to give a reply. The two Acts in the United Kingdom providing for the investigation of disease and the destruction of pests provide for notification of the pests and carrying out the destruction or treatment and for a fine—exactly the same procedure."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Is it an offence?"

His Excellency the PRESIDENT:—"The climax of this Bill is in clause 15 where a person is liable to a fine."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"What I object to is not the fine but its being treated as an offence. He may be liable to a penalty, that is going away from the point. As I pointed out, the failure may be due to various causes, but is to be made an offence? I think whereas you can take remedial measures yourself wherever he fails to do it, it is not right to call it an offence simply because he may fail for reasons beyond his control."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, I should like to say a few words on this subject. In the first place, I would invite the attention of the Honourable Members to the parallel legislation in Great Britain. There are also Acts in almost all the British Colonies. I may say that I went into this matter somewhat fully at the time when this provision was discussed. If it is necessary, I may point out that this kind of legislation is found in every British Colony, namely, Antigua, Barbados, Bermuda, British Columbia, British Guiana, Canada, Ceylon, Dominica, East Africa, Grenada, Montserrat, Natal, New South Wales, Orange River Colony, St. Christopher and Nevis, St. Vincent, South Australia, Southern Rhodesia, Transvaal, Trinidad and Tobago, the United Kingdom, Victoria."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Are you answering me?"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I wish to inform the Council of this. I have also a small note as regards the provision in the British Act. There is nothing very unusual at all about such a provision. I may say that plants are forfeited or destroyed in cases—"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR (interrupting):—"I am afraid my Honourable friend has completely misunderstood me. My position is, I ask whether this word 'offence' is used, and not whether goods are forfeited."

8TH FEBRUARY 1919.]

(Mr. M. Ramachandra Rao; the President;
Mr. A. S. Krishna Rao; Mr. Chidambaranatha Mudaliyar;
Mr. Venkatapati Raju.)

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I say that in several British Colonies it is an offence. It is an offence under the Ceylon Ordinance which I have in hand. It is an offence in every Act. There is no doubt about it. In consenting to a provision such as this we have to be guided by the parallel legislation in other countries and at the same time to see that the provisions are not oppressive. That is the standpoint from which as members of the legislature we have to look at this matter. I quite recognize that many of these Acts are worked inconsiderately, and are sometimes put into operation without sufficient inquiry. All that I can say is that we have provided safeguards. On this matter my Hon'ble friend Mr. Ranga Achariyar has given notice of an amendment that prosecutions under this Act should not be instituted without the permission of the District Magistrate. It seems to me it is quite a sound line to take. I trust that when that comes to be discussed, such a provision will be accepted by the Government, in view of the strong feeling expressed on this matter."

"There is only one other observation I should like to make, and that is with reference to the alternative course suggested by my Hon'ble friend Mr. Ramanuja Achariyar. He says that instead of a prosecution before a magistrate, he would like to allow the occupier to pay a penalty of the same amount as the costs of the operation."

His Excellency the PRESIDENT:—"That comes in the next amendment."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I deal with it now to show its bearing upon this amendment. If that view is accepted, perhaps in many cases the cost will be much more than the penalty provided in clause 14, which is Rs. 50. Another reason why I am against the penalty is that these penalties are worked in a most automatic way. My Honourable friend does not provide for any inquiry and perhaps the inspecting officer or the officers of the Agricultural department would levy these penalties irrespective of inquiry, whereas if it is a magisterial inquiry, the man will have a right to defend himself. All these considerations are in my mind in meeting my Honourable friends' objections, the force of which I quite recognize, more especially the one which was mentioned by my Hon'ble friend Mr. Sadasiva Bhat, namely, the case of Jains. It seems to me that this Act should be worked considerably, and although I do not vote for the deletion of this clause, I do so on the express understanding that the other alternative proposed by my Honourable friends would receive consideration at the hands of the Government."

The Hon'ble Mr. A. S. KRISHNA RAO:—"The question now before the Council is as to whether it is desirable to make it an offence for the occupier not to comply with a notice under section 6 of the Act. So much has been said as to the undesirability of having drastic provisions in a new Act of this description and of making it penal not to comply with the notice. We have at the same time to bear in mind the objections urged by the Hon'ble the Advocate-General that there must be some satisfactory means of enforcing the provisions of this Act, if it is to be of any practical value. It is not the object of the Government or of any one else to make the provisions unnecessarily drastic or to cause hardship to the agriculturists in this country. May I make a suggestion to the Hon'ble the Advocate-General, if he cannot see his way to modify the provisions of this section, to make it possible for persons to be prosecuted only if they fail to comply with the notice, in the absence of lawful excuse? I believe it would meet all objections if words to this effect, viz., 'without lawful excuse,' are inserted in an appropriate place in this section. That would avoid the possibility of persons who are innocent and who are not responsible for these acts, who have taken the necessary precautions, but have for reasons beyond their control failed to comply with the notice, being prosecuted. It will be very hard, if not cruel, if persons who have very proper excuse are prosecuted under this section and fined eventually. I think, my Lord, that if these words are introduced, it would be satisfactory and it would cause satisfaction to all persons concerned. If Your Excellency would permit me, I would move an amendment for the insertion of the words 'without lawful excuse.' The amendment before this Council is that the provision making it an offence should be omitted altogether. I find that there are difficulties in doing that. As an alternative, I would request the Council to allow me to move this amendment."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"I strongly support the amendment of the Hon'ble Mr. Ramanuja Achariyar as it stands, and if that is not accepted I support the addition of the words 'without lawful excuse' proposed by the Hon'ble Mr. Krishna Rao."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, the speech of the Hon'ble Mr. Ramachandra Rao has given a different turn. I do not accept his suggestion that because such a provision is enacted in other place we should enact it in this country. The execution of provisions in one country is different from that in another country. Moreover one of the objections taken by the Hon'ble the Advocate-General to the removal of this clause of the objections is that there is no way of enforcing it. The Hon'ble Mr. Ranga Achariyar has clearly pointed out that under section 8 you could recover every pie spent in putting an end to the pest. The objection raised by the Hon'ble Mr. Sadasiva Bhat is fatal to the continuance of this clause, because no adequate or satisfactory reply is given why you want to prosecute a person for not doing the thing against his conscience. It is a religious matter, and how could this Government interfere with that? That aspect of the question was evidently not before the Select Committee. Therefore, the Hon'ble Mr. Ramachandra Rao said it might be considered in execution. Are we to take that view, when we are enacting a measure? Are we to leave it

(Mr. Venkatapati Raju; Mr. Rama Ayyangar; the President; [8TH FEBRUARY 1919.
Mr. M. Ramachandra Rao; the Advocate-General.]

to the discretion of the executive officer? The Hon'ble Mr. Krishna Rao is right in suggesting that some such words as 'without lawful or proper excuse' should be inserted in order to protect such persons who have conscientious scruples to do the thing. I strongly support the amendment of the Hon'ble Mr. Ramanuja Achariyar."

The Hon'ble Mr. K. RAMA AYYANGAR:—"My Lord, the challenge thrown out by the Hon'ble Mr. Ranga Achariyar seems to have brought us to a position of confusion. I never doubted that with the present Advocate-General and the Hon'ble Mr. Ramachandra Rao in the Select Committee they would have failed to depend upon comparative legislation in other places but I have to urge, my Lord, that even when they introduced the new Bill we represented that the conditions in India were different from the conditions prevailing elsewhere. The Hon'ble Mr. Ramachandra Rao read out a long series of colonies where similar Acts are prevalent. They are colonies in which the planters have established themselves and are taking away most of our agriculturists and are utilizing their services for the benefit of the places there and most of them are people who quite understand the regulations of this kind and who would rather resist scientifically any orders that might be passed by the Government. For example, if in a planting district an inspector who may ordinarily be an Indian under the present establishment, an agricultural inspector, has to decide this question, or even the Director of Agriculture, it is just possible that immediately the man is taken there to one of the plantations of the colonies the planter gets another expert from America who contradicts the opinion of the persons that come there and probably explains to them that the question is one in which expert opinions differ. It is in these circumstances when colonies enact laws for purposes of this kind they do want to introduce the question of penalty, otherwise the provisions will be nullified and become absolutely worthless. In India what are the kind of people who are going to be interfered with by this legislation? Are they people who can stand before these officers? Probably they will rather run away from their houses with their kith and kin than think of attending a place where the inspector enters the field and begins to cut off the crop. In a place like that when the Bill was introduced it was said by the Honourable Member in charge that with a view to ensure that pests did not really spoil the whole crops, with a view to see that agriculture thrived properly, it was proposed here for the benefit of the masses to thrust in this legislation. And now what is the position of the Hon'ble the Advocate-General? His point is that we must get it executed not by the department but by the person himself; otherwise it becomes useless to destroy the whole of the crops. He has to do it; the department must not do it; they ought not to get coolies. If you immediately make it an offence you will make the man do it. A man may have two acres of land paying one rupee assessment. That class will form 55 per cent of the population or 85 per cent of the agriculturists. These persons with one rupee pattas are to be asked to root out with twenty labourers a crop for which he has borrowed money from a sowcar at so many kalams per rupee and he is liable to have his cattle distrained and taken away by that money-lender. If he finds his crops affected with pests you ask him to destroy the whole of the crops, otherwise you prosecute him. That is the enactment which is sought to be introduced in the Madras Presidency in its present state. We all know what the educational condition of this country is and what the agriculturists are. Lawyers may be condemned, educated men may be condemned but the poor ignorant masses who are to be dealt with in this matter—they are going to be judged by laws passed in Ceylon. The Hon'ble Mr. Ramachandra Rao quoted an ordinance. We know what the planters of Ceylon do in the matter of carrying away our coolies. Those people who do not find a living here go away there and these people are to be dealt with under that enactment. It is impossible to conceal that it will be a very hard matter if we are to join in passing legislation of this kind. Of course, twice the cost was proposed in one of the amendments by the Hon'ble Mr. Ranga Achariyar. I do not think that would be reasonable either. Any penalty that might be reasonably charged by the department within a certain proportion of the actual cost will be a proper provision to make. That is a matter we can consider in the next amendment. Whatever that may be, for people in the position of the Hon'ble the Advocate-General and the Honourable Member in charge to plead that it should be made an offence, I can understand it only if they are afraid of one position. If these people collect armies and prevent the officer from entering the land and make a big riot, the ordinary law is there to protect him but to make a particular act of not complying with the orders of this department maintained at a cost of Rs. 30,00,000 by these poor ryots with one rupee pattas an offence will be simply amusing to think of. It is a matter which requires deep consideration. If we really want to help the people—we are not called the representatives of the people, the future Legislative Council will be representative—I submit this cannot be made an offence in this country; and in the Madras Presidency in particular we cannot think of adding in the statute-book offences of this kind."

His Excellency the PRESIDENT:—"It is time that the opinion of this Council should be taken. It has been very carefully considered by the Select Committee. It is not a new matter."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"May I ask Your Excellency to put the amendment of the Hon'ble Mr. Krishna Rao?"

The Hon'ble the ADVOCATE-GENERAL:—"The insertion of the words 'without lawful excuse' would make the provision unintelligible. What does the expression mean? The chapter on general exceptions under the Indian Penal Code is always available as regards any offence created under any special or local Act. The Honourable Members are aware that section 40 of

8TH FEBRUARY 1919.] (The Advocate-General; the President;
Mr. Rama Ayyangar; Mr. A. S. Krishna Rao; Mr. Ramanuja Achariyar.)

the Indian Penal Code defines that any offence under a special Act is an offence for the purpose of the general exceptions. The result of that is all those exceptions are always available. May I point out both to the Hon'ble Mr. Ranga Achariyar and others who represent municipalities they must be aware of many similar provisions in the City Municipal Act which provide that failure to obey certain requisitions is punishable as an offence with a fine of Rs. 50; failure to obey a requisition to remove an obstruction is an offence punishable with Rs. 200 fine and failure to provide latrines is also an offence punishable with fine; similarly there are other provisions. You can run through the whole of Indian Legislation and find parallels in it and the legislation of foreign countries for this purpose. Failure to obey a lawful order duly promulgated by a public servant is a general offence. We have, for example, section 188 of the Penal Code under which if an occupier fails to take order with his property it is an offence.

"I would suggest to the Council that this is really not a departure from the usual kind of legislation attempted in this country or in other countries on similar matters. We should not be frightened by the word 'offence'. We know it is an offence punishable only with a fine not exceeding Rs. 50. The magistrate will take into consideration the means of the person who has failed to obey the order."

His Excellency the PRESIDENT:—"I put the amendment for the insertion of the words 'without lawful excuse.'"

The Hon'ble Mr. K. RAMA AYYANGAR:—"That will have to come in later."

His Excellency the PRESIDENT:—"I asked about it before."

The amendment of the Hon'ble Mr. V. K. Ramanuja Achariyar was put to the Council and lost.

The Hon'ble Mr. K. Rama Ayyangar demanded a poll which was taken with the result that 15 voted for 21 against the amendment:—

For	Against
The Hon'ble Mr. K. Rama Ayyangar.	The Hon'ble Mr. L. Davidson.
" " P. Siva Rao.	" " C. G. Todhunter.
" " V. K. Ramanuja Achariyar.	" " W. J. J. Howley.
" " T. Richmond.	" " A. Y. G. Campbell.
" " K. Suryanarayanamurti	" " R. Ramachandra Rao.
" " Nayudu.	" " M. Young.
" " B. Venkatapati Raju.	" " L. E. Buckley.
" " K. Sadasiva Bhat.	" " N. E. Marjoribanks.
" " the Raja of Pittapur.	" " Aziz-ud-din.
" " the Raja of Bobbili.	" " Kavalappara Muppil Nayar.
" " Mr. A. Suryanarayana Rao.	" " M. Ramachandra Rao.
" " T. Ranga Achariyar.	" " Sir Francis Spring.
" " Yaqub Hasan Sahib.	" " Mr. R. Littlehales.
" " Mr. Ahmad Tambi Marakkayar.	" " J. C. Molloy.
" " K. Ohidambaranatha Mudaliyar.	" " J. H. Thonger.
" " A. S. Krishna Rao.	" " Sir Fairless Barber.
	" " Sir Gordon Fraser.
	" " Mr. W. Hutton.
	" " the Advocate-General.
	" " Mr. P. Rajagopala Achariyar.
	" " H. G. Stokes.

His Excellency the PRESIDENT:—"As we have opposed this amendment we cannot put in the other amendment. I do not think there is any chance for it."

The Hon'ble Mr. A. S. KRISHNA RAO:—"May I explain one point Your Excellency? My Hon'ble friend Mr. Rama Ayyangar suggested that the main question of prosecution might be taken up first."

His Excellency the PRESIDENT:—"We cannot carry amendments to the Bill in that way. We cannot go back. I do not think the Honourable gentleman will feel any grievance."

The Hon'ble Mr. A. S. KRISHNA RAO:—"May I suggest Your Excellency, that these words 'provided that he has no lawful excuse' may come in at the end after the words 'under this Act.'"

His Excellency the PRESIDENT:—"I put that amendment."

The amendment was put and lost.

Clause 7 was allowed to stand part of the Bill.

Clause 8.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I move the following amendment to clause 8 (1):—

For the words 'preventive or remedial measures' read 'remedial or preventive measures.'"

The Hon'ble the Advocate-General seconded the amendment.

The amendment was put and agreed to.

(Mr. Ramanuja Achariyar; Mr. A. S. Krishna Rao; Mr. Siva Rao; the Advocate-General.) [8TH FEBRUARY 1919.]

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I do not propose to move the other amendment to clause 8 (1)."

The amendment which was not moved ran as follows:—

After the words 'an arrear of land revenue' insert the words 'and a penalty of the same amount as the cost'.

The Hon'ble Mr. A. S. KRISHNA RAO:—"I beg to move the following amendment to clause 8 (1) (a):—

Omit the word 'wrongly.'

The word 'wrongly' would introduce unnecessary complications."

The Hon'ble the Advocate-General seconded the amendment.

The amendment was put and agreed to.

The Hon'ble Mr. A. S. KRISHNA RAO:—"I beg to move the following amendment to clause 8 (1) (b):—

Substitute the word 'charges' for the words 'rates charged' and add the word 'or' at the end of the sub-clause

If the word 'rate' is used, it will take away the discretion of the officer concerned."

The Hon'ble the Advocate-General seconded the amendment.

The amendment was put and agreed to.

The Hon'ble Mr. A. S. KRISHNA RAO:—"As the two other amendments have been agreed to, I do not move the next amendment."

The amendment which was not moved was as follows:—

After clause 8 (1) (b), add the following as 8 (1) (c): 'or that the cost of such measures is otherwise excessive'.

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, the amendment which I wish to move runs thus:—

Add the following proviso at the end of clause 8:—

'Provided the Collector shall have full power to remit the cost in toto or in part on the ground of the poverty of the occupier or such other cause'.

"Your Excellency, clause 8 provides for an appeal against the levy of the cost of carrying out these measures. It provides that it shall be recoverable as if it were an arrear of land revenue. That means that all the coercive processes which are incidental to the non-payment of land revenue will follow the non-payment of these charges; that is, the moveable property may be attached, the crops may be distrained and may be put up for sale. As the clause now stands, the Collector will have power only to enter into the question of the rates charged, the sufficiency or the excessive nature of them. That is all that is provided for in this clause; under this clause it is not competent to look into other matters. He is only entitled to look into the excessive nature of the charges, whether the charges are excessive and whether the man has been mulcted in more than the proper amount. If this proviso is agreed to, in the case of a poor occupier it will be open to him to plead that the charges are no doubt legitimate and properly incurred, but he has not got the means to incur them, and it shall be open to him to plead that he should be exempted from these charges or they may be remitted in his case. This proviso will enable him to raise such a plea. I have also added the words 'or such other cause' to cover cases of this kind. The holdings may be so small, say about 5 or 6 cents and the expenses to be incurred in connexion therewith may be far too disproportionate to the value of the holdings. In such cases it shall be open to the occupier to say that he should be exempted from paying or that a portion of the expenditure should be remitted in his case. Anyhow, Your Excellency, this matter must be considered by the appellate authority and he must specify one of the causes, poverty, and I think there will be no difficulty in carrying this amendment. If it is carried, I think it would go far towards palliating the stringency of most of the other provisions in the Bill. I am quite hopeful that this will find acceptance in the Council."

The Hon'ble Mr. B. Venkatapati Raju seconded the amendment.

The Hon'ble the ADVOCATE-GENERAL:—"Your Excellency, there is great force in the plea of poverty, but it can be easily remedied by executive action. The Honourable Member has not considered what the clause says. 'The cost shall be recoverable from the occupier as if it were an arrear of land revenue.' It does not say 'recovered.' There is no statutory exemption of land revenue by executive order. There is no necessity for a statutory provision for remission. I do not suppose that the executive officer charged with the carrying out of the provisions of the Act will try to recover from the poor ryot charges which he cannot afford and grant a remission. Just as the power of the Government to remit arrears of land revenue in any case exists as a matter of course, similarly this right exists in this case. Apparently the Honourable Member thinks that as the section stands it is made obligatory on the Government to recover this amount. It is not so. I may assure him on the language of the section it is

8TH FEBRUARY 1919.] (The Advocate-General; Mr. Ramanuja Achariyar; Mr. Rama Ayyangar; Mr. Ranga Achariyar; the President; Mr. Richmond; Mr. Rajagopala Achariyar.)

certainly not obligatory on the part of the revenue authorities to recover the cost of these measures. It is open to them to recover it or not. They can remit it just as they can remit land revenue. It is quite usual in cases of this kind to make the various sums which agriculturists are liable to pay, recoverable as arrears of land revenue.

"You cannot make an exception in this Act, while you do not make statutory provision for remission in other Acts."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"The analogy drawn by the Hon'ble the Advocate-General between arrears of land revenue and the cost of destruction does not hold good. Arrears of land revenue are written off when all the land of the defaulter has been sold. Here he will have some land on which the plants or crops are infected.

The Hon'ble Mr. K. RAMA AYYANGAR:—"I have not been able to follow the Hon'ble the Advocate-General. He will not be there when this Act is administered and cases come before the magistrates. There are rulings that even the statement of objects and reasons and the statements made in the course of the discussion ought not to be taken into consideration by the courts. What the Hon'ble the Advocate-General gives as his opinion now will not be taken into consideration. It is better that the clause is self-contained. Clause 19 gives the Governor in Council power by a notification to make rules in regard to certain matters mentioned there. If he means to say that the Government may make rule to make it not recoverable in some cases and the discretion of the Government is not taken away by the Act, I can quite understand him. But as the Act stands what the rules will be it does not say. The rules will not say anything as to what the compensation or cost is to be; you will see that from clauses (a), (b), (c), (d), (e), (f) and (g), except the general clause (g) which says 'generally to carry out the purposes of this Act' which cannot take away what is provided for in this Act.

"It does not say that the Government may make rules as to whether in particular cases the cost may or may not be recovered. When that is the case, I cannot understand why the Advocate-General says that the phrase 'shall be recoverable' implies that it shall not be recoverable if the Collector thinks so. There is no provision in the Act to make it not recoverable. There is a provision that it shall be levied. I do not see how the Advocate-General gives the opinion that 'shall be recoverable' means that there is a discretion vested in any authority. The clause says that the cost shall be paid by him and the method prescribed for the recovery is 'as if it were an arrear of land revenue.' The cost is payable by the man and the Collector is not authorized under the Act to say that it may not be paid, nor do the rules under clause 19 provide for the Government reserving power to make remission. The Collector would not entertain the application whatever the Advocate-General's opinion may be in this Council. If he agrees that the provision must be there, it is better to say 'may be recovered, and such recovery shall be as if it were an arrear of land revenue.' The Act as it is does not make a provision to enable any one to remit. Therefore the opinion deserves to be reconsidered."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I second the amendment of the Hon'ble Mr. Rama Ayyangar for the substitution of the words 'may be recovered as if it were an arrear of land revenue.' That brings out what the Hon'ble the Advocate-General has in mind. If the intention of the Government is not to make him compulsorily liable, the language unhappily lends itself to that construction. But I quite admit that eminent counsel arguing before the Collector may convince him that it is not so. As it is not the intention of the Government to make it compulsorily liable, I think the proposal made by the Hon'ble Mr. Rama Ayyangar may be agreed to, as it would bring out the idea without injury to the substance."

His Excellency the PRESIDENT:—"I must draw the attention of the Honourable member to the fact that we are discussing the proviso to clause 8. We have passed the clause and we cannot go back."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Only with Your Excellency's permission."

His Excellency the PRESIDENT:—"We cannot do that."

The Hon'ble Mr. T. RICHMOND:—"Once the Bill is passed into law, in construing the section we must take the ordinary grammatical construction and meaning of the words. Any debate in this Council or expression of opinion by any Member of the Government will not be taken into consideration when this section comes to be construed. I think there is a great deal of force in what the Hon'ble Mr. Rama Ayyangar says in favour of his contention, and I would suggest that in view of the fact that the section has to be construed in its ordinary grammatical sense, there is no harm in putting in this proviso which would give discretion to the district officers in proper cases to make remission."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I would call the attention of the Council to this particular proviso. It says 'provided the Collector shall have full power to remit the cost in toto or in part on the ground of the poverty of the occupier or such other cause'. We have heard a great deal of poverty of the occupier. Nobody has said anything about 'such other cause'. It really means giving a wide power to the Collector who is really an officer of the Government entrusted with the execution of the Act. Nobody

(Mr. Rajagopala Achariyar; Mr. Krishna Rao; [8TH FEBRUARY 1919.
Mr. M. Ramachandra Rao; Mr. Suryanarayana Rao.]

denies there may be cases in which it will not be possible to recover the cost. The only point of difference between the Hon'ble the Advocate-General and the Honourable Members is, are you going to say, in a law, in a statutory enactment, that every Collector who is administering the Act shall have power to remit the cost either on the ground of poverty or any other cause similar to poverty? What will it mean? It will introduce a considerable diversity of practice. We have Collectors and Collectors; some will construe it in one way and some in another way. It will be impossible to work the Act with any reasonable uniformity. My honourable friend's proposal is to leave it as it is. Or would you leave it to every Collector to do as he likes? That would lead to any amount of diversity in practice over which we would have no control. Or would you leave it to the Government to introduce uniformity of practice? I do not see what it is that Honourable Members are striving for. It is not that the Honourable Members want to stand for the poor people and we want to screw them or oppress them. With all respect to Honourable Members I would associate myself with what the Advocate-General has said. He advises us in regard to the draft and he says that our object will be best achieved in the manner we have proposed. In these circumstances I would advise the Council to defer to the opinion expressed by him."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I do not know if the Hon'ble Mr. Rajagopala Achariyar wishes to suggest that this might be reserved to the rules to be made under section 19 of the Act or if it is not proposed to do even that. So far as this proviso is concerned, he has asked us to defer to the opinion of the Hon'ble the Advocate-General who suggested that this might be left to rules to be framed by the Local Government. It has given considerable relief to us to hear the interpretation put upon the word 'recoverable' by the Hon'ble the Advocate-General. But he will agree with us that it is dangerous to leave the words in that form, leaving it to individual Collectors to construe them according to their opinions. It is therefore necessary that when we are passing this Bill we should make it quite clear and definite that it should not be recovered in each and every case, and that the officer has some discretion or power to remit it whenever a proper case arises. It must not be recovered as a matter of course. By what means is it proposed to be done? If in section 19 the Hon'ble the Advocate-General is good enough to introduce another amendment to make provision for rules in order to determine when and how it shall be recovered and when remission shall be granted, that would satisfy the purpose. There must be something in the Act itself which would make it clear without any doubt whatever that the officers concerned have a discretion to remit the cost either in whole or in part as suggested by the amendment of the Hon'ble Mr. Siva Rao. If such a provision is not made in section 19 under the rules, we have no other alternative but to support the amendment of the Hon'ble Mr. Siva Rao."

"The object is quite clear, viz., that the Collector should have power to remit the whole or part of the cost. The Hon'ble Mr. Rajagopala Achariyar is too technical when he refers to the words 'such other cause—'"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"That is what you want to put in."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Not that I welcome it. There must be sufficient provision in the Act itself to show that he has a discretion. Your Excellency suggested some difficulty in accepting the amendment of the Hon'ble Mr. Rama Ayyangar. It would have been more satisfactory if that could have been taken up. That not being possible, I would request the Government to accept the amendment of the Hon'ble Mr. Siva Rao or at least to agree to make a provision in section 19 giving such discretion to the Collector."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, I do not see what difficulty there is in accepting the amendment. It gives discretion to the Collector to remit or not remit the dues in any case where poverty is established. It is entirely within the discretion of the Collector, and the amendment proposed is to give the Collector an opportunity of acting in cases where poverty exists. After all where the destruction of pests is undertaken, where a large number of pattadars are absolutely poor, it is necessary to give a wide discretion to the Collector in the application of the Act. It is not unusual to give such power. The Honourable Member is aware of the remissions on account of poverty in the Municipal Act with which we are perfectly familiar. There is a statutory ground upon which remission is admissible. I do not see what the difficulty is that the Honourable Member feels in accepting such a provision. On the other hand to stereotype and standardise all methods of remission in the Presidency under rules seems to me somewhat undesirable. It is far better to give discretion to the Collectors. I strongly support the proposal of my Honourable friend. If that is not possible, then the only other way will be to expressly state in the rule-making section that the Collector would be given a discretion to give remission. Otherwise it seems to me, my Lord, this provision would cause unnecessary hardship."

The Hon'ble Mr. A. SURYANARAYANA RAO:—"Clause 19 does not seem to contemplate any framing of rules on this subject. The Hon'ble Mr. Rajagopala Achariyar was saying that some rules would be framed. I do not see that section 19 contemplates the framing of any rules so far as this subject is concerned. With regard to the proviso that is suggested by the Hon'ble Mr. Siva Rao I submit that it is absolutely necessary, even after hearing the interpretation of the Hon'ble the Advocate-General as regards the meaning of the words 'shall be recoverable.' There will be confusion as regards the meaning of that expression. There are Collectors and Collectors and the very same objections which have been urged by the Hon'ble Mr. Rajagopala

8TH FEBRUARY 1919.] (Mr. Suryanarayana Rao;
Mr. Kavalappara Muppil Nayar; Mr. Siva Rao; Mr. Thonger.)

Achariyar with regard to this proviso can be urged with regard to the words 'shall be recoverable.' These debates will be no evidence whatever in Courts as to the meaning to be put upon these words. It is absolutely necessary that this proviso should be inserted so that the Collectors may know what their powers are and whether they can show any concession."

The Hon'ble Mr. K. K. R. KAVALAPPARA MUPPIL NAYAR:—"I support the amendment. I do not see any objection to leaving the question of remission to the discretion of the Collectors."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I am sorry I must join issue with the Hon'ble the Advocate-General. I regret very much I cannot accept his opinion. With due deference to his legal acumen, I do not think that these words 'shall be recoverable as if it were an arrear of land revenue' can ever be construed as a reservation of power in the Collector or the appellate officer to grant remission as in the case of land revenue. It only means that it prescribes the mode of recovery, whether it should be by way of a civil suit or distraint or compulsory sale of holding. That is all that is meant by saying 'as if it were an arrear of land revenue.' I would draw the attention of the Hon'ble the Advocate-General to the grounds of appeal. What are the legitimate grounds of appeal as stated in clause 8 as it stands grounds of appeal. They are (1) charges for items other than cost of labour, material or use of implements have been wrongly included, or (2) the rates charged for labour, material or use of implements are unduly high. These grounds are exhaustive of the right of appeal which is given only on these specific grounds. The ground that I am seeking to put forward is the ground of poverty, or such other suitable cause. The only ground on which the decision is liable to be attacked is that the charges are not reasonable and the rates are unduly excessive. From a mere narration of the grounds of appeal to my mind it is clear that it is not open under clause 8 for the occupier to plead that he is poor and can ill-afford the cost and therefore that he wants a remission. I would respectfully ask the Hon'ble the Advocate-General whether any speech he makes here would be relevant when the matter is allowed to be decided by Collectors in the interior. They would not even allow the reading of it. If it is there, what is the objection to our making it clear? Grounds of suspension or remission of land revenue on the failure of crops or of the monsoon and the fraction in which the remission is to be granted are laid down in the Standing Orders. Is it not necessary that some such rules should be framed for this purpose? If rules have to be framed, is it not necessary that in section 19 some power must be reserved to the Governor in Council to frame such rules under that section? Is it not necessary also to empower the Collector to admit all such grounds in an appeal under clause 8? Then the Hon'ble Mr. Rajagopala Achariyar said it would vest a very large discretion in the Collector. There is absolutely no danger. As pointed out by the Hon'ble Mr. Ramachandra Rao, poverty is a ground for remission in the Municipal Act. The whole scheme of the Bill is to vest the discretion in the inspecting officer and the appellate officer. Absolutely nothing untoward will happen if this discretion is given. I strongly plead that a provision such as 'provided the Collector shall have full power to remit the cost in toto or in part on the ground of the poverty of the occupier or such other cause' should be inserted, or you may have the words in other suitable cases."

The Hon'ble Mr. J. H. THONGER:—"I have not the slightest hesitation in accepting the assurance of the Hon'ble the Advocate-General that the interests of the occupiers are protected, but not being a legally minded man I must confess I do not understand the section. I would suggest that the section should be redrafted in order to make clear the present hidden meaning, or the amendment should be accepted."

The amendment was put to the Council and lost.

The Hon'ble Mr. Siva Rao demanded a poll which was taken with the result that 19 voted for and 19 against the amendment.

The following was the division:

For		Against	
The Hon'ble	Mr. V. K. Ramanuja Achariyar.	The Hon'ble	Sir Alexander Cardew.
"	Mr. M. Ramachandra Rao.	"	Mr. L. Davidson.
"	Mr. P. Siva Rao.	"	Mr. C. G. Todhunter.
"	Mr. K. Rama Ayyangar.	"	Mr. W. J. J. Howley.
"	Mr. B. Venkatapati Raju.	"	Mr. A. Y. G. Campbell.
"	Mr. Richmond.	"	Mr. B. Ramachandra Rao.
"	Mr. K. Sadasiva Bhat.	"	Mr. M. Young.
"	Mr. K. Suryanarayanamurti	"	Mr. L. E. Buckley.
"	Nayudu.	"	Mr. N. E. Marjoribanks.
"	Mr. Kavalappara Muppil Nayar.	"	Mr. Aziz-ud-din Sahib.
"	the Raja of Pittapuram.	"	Sir Francis Spring.
"	the Raja of Bobbili.	"	Mr. B. Littlehales.
"	Mr. A. Subbarayalu Reddiyar.	"	Sir Fairless Barber.
"	Mr. T. Ranga Achariyar.	"	the Most Reverend Archbishop
"	Mr. Yaqub Hasan Sahib.	"	Aelen.
"	Mr. Ahmad Tambi Marakkayar.	"	Mr. J. C. Molony.
"	Mr. K. Ohidambaranatha	"	Mr. W. Hutton.
"	Mudaliyar.	"	the Advocate-General.
"	Mr. A. Suryanarayana Rao.	"	Mr. P. Rajagopala Achari.
"	Mr. A. S. Krishna Rao.	"	Mr. H. G. Stokes.
"	Mr. J. H. Thonger.		

(The President; Mr. Ramanuja Achariyar; Mr. M. Ramachandra Rao; the Advocate-General.) [8TH FEBRUARY 1919.]

His Excellency the PRESIDENT:—"The numbers are even, 19 each way. I should give my vote against the amendment."

The amendment was declared lost.

Clause 8 as amended was allowed to stand part of the Bill.

Clause 9.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I do not move my amendment as it is merged in the Hon'ble the Advocate-General's amendment. The amendment which was not moved was as follows:—

Clause 9 (2).—Omit the words "cut and destroyed."

His Excellency the PRESIDENT:—"That is what I was going to suggest. I will put to the Council whether that clause should be substituted for the clause as it now stands, unless the Council has any objection to the alternative clause now proposed."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Your Excellency will put the clause after ascertaining the sense of the Council."

His Excellency the PRESIDENT:—"Let the Hon'ble the Advocate-General explain his clause. That will show how to treat the other amendments on paper."

The Hon'ble the ADVOCATE-GENERAL:—"The clause that I propose to substitute for clause 9 is this:

"9. (1) If in carrying out any prescribed remedial or preventive measures under section 7 the inspecting officer destroys or causes to be destroyed

(a) any tree which is infected with the insect pest or plant disease, or

(b) any plants, not being trees, some or all of which are affected by the insect pest or plant disease but which are grown so closely together that it is not ordinarily practicable to treat each plant individually, or

(c) any plants including trees which, though not so infected, have in his opinion become liable to such infection,

he shall serve a notice in writing on the occupier stating particulars of the trees and plants destroyed and his estimate of their value.

(2) When any trees or plants are destroyed as aforesaid, the occupier shall be entitled to compensation as follows:—

for a tree destroyed under sub-section 1 (a)—not exceeding one-half the value thereof;

for plants destroyed under sub-section 1 (b)—not exceeding two-thirds of the value thereof;

for plants destroyed under sub-section 1 (c)—their full value.

Provided that when the prescribed remedial or preventive measures require that any cotton-plants shall be removed before some specified date subsequent to the ordinary date of harvest of those plants, no compensation shall be payable for the removal thereof, although some more produce might have been obtained by leaving the plants standing beyond the date specified.

(3) For the purpose of this section 'value' shall mean the value of the tree or plant at the time of its destruction."

Clause (1) which I propose condenses sub-sections (1) and (2) of the existing clause 9 as settled by the Select Committee.

Incidentally one change has been made. The clause as settled by the Select Committee runs thus: "In carrying out any prescribed remedial or preventive measures under section 7 the inspecting officer may destroy or cause to be destroyed any tree", etc., whereas the clause that I beg to move runs thus: "If in carrying out any prescribed remedial or preventive measures under section 7 the inspecting officer destroys or causes to be destroyed" etc. That is a change of language made for the purpose of making it clear that it is only when destruction is a prescribed measure that the inspecting officer is to destroy. It is not all destruction of a tree or a plant which will enable the occupier to get compensation. The inspecting officer is not to do that unless destruction is one of the prescribed measures. In order to make that clear the language has been changed. Instead of saying he may destroy, what I say is 'if the inspecting officer destroys.'

"The real change which is now sought to be made is in the proviso to the new clause. Every other part of clause 9 as settled by the Select Committee is left wholly unaffected except that sub-clauses (1) and (2) are condensed into one sub-section. This proviso raises a question of some substance. It runs as follows:—'Provided that when the prescribed remedial or preventive measures require that any cotton plants shall be removed before some specified date subsequent to the ordinary date of harvest of those plants, no compensation shall be payable for the removal thereof, although some more produce might have been obtained by leaving the plants standing beyond the date specified'.

"The Honourable Members will, by comparing the Bill as introduced with the Bill as settled by the Select Committee, see that it is simply a restoration of the clause which existed in the Bill as introduced, but confines it to cotton plants instead of leaving that clause to apply to all plants. The necessity for this proviso has been pointed out by the Director of Agriculture. The necessity arises in the case of the Cambodia variety of cotton. In the case

8TH FEBRUARY 1919.] (The Advocate-General; Mr. M. Ramachandra Rao; Mr. Siva Rao.)

of Cambodia cotton the Director states that unless the fields containing Cambodia cotton are left bare for a period of two months after the ordinary harvest before the next cotton crop, the cotton is sure to become infested with pests. The valuable Cambodia variety of cotton was introduced by the Agricultural Department in the south some ten years ago and it has now spread very widely and last year's crops amounted to two lakhs of bales, and sold for nearly ten crores of rupees. When this crop was first cultivated, the ryots treated it as an annual crop, just as country cotton is treated. But after some years it was discovered that Cambodia cotton can be left on the same field for two or even three years and will continue to yield pickings of cotton. The yield of cotton in the second and third year is however very poor when compared with that given in the first year, and such cotton is always badly stained and damaged by the attacks of insect pests. The stem-borer which has been mentioned above is now found in almost the whole of the Cambodia crop in the Coimbatore district and has begun to spread in the Tinnevely and Madura districts. It must cause a very large reduction in yield of the crop each year. It is not possible to deal with this pest once the crop is infected. The insect is a small beetle which lays its egg under the tender bark of the stalk just above the ground. From this egg develops the grub which bores through the stalk and either kills or severely damages the plant. The grub then develops into a beetle which flies off and lays its egg in other plants.

"The Director points out if this Cambodia variety is to be dealt with on a proper footing, if you propose to give compensation to occupiers of land on which Cambodia cotton is grown, it is impossible to deal with the pest. It will be too large a proposition to pay compensation for all this. As a matter of fact if this insect pest is allowed to continue on Cambodia cotton, it appears this cotton crop is badly stained and the yield becomes comparatively small. I think from a business point of view as well as from the point of view of dealing effectively with the pests, a clause like that suggested by the Director of Agriculture is necessary. This amendment is brought in to make it clear that in the case of Cambodia cotton after the first year's crop the plants are not left by the cultivator untouched, he should not allow the plants to remain on the ground notwithstanding an order by the officer of the department concerned requiring him to pull them out and leave the fields bare before the next sowing. I have nothing to add except to suggest that if you want to provide for compensation for large fields containing these crops, it will be a further inducement to the ryot to go on keeping on these fields with infected cotton. If you provide compensation and deal too tenderly with individual tenants, you will be unjust to other cotton growers who will require far more compensation by this pest continuing to infect their fields. You should not encourage an unsound agricultural practice like this which has been condemned. I therefore appeal to Honourable Members to accept this proviso. The rest of it is mere matter of drafting. This is the only matter of substance."

The Hon'ble Mr. A. Y. G. Campbell seconded the amendment.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"The clause as redrafted by the Hon'ble the Advocate-General is in substantial agreement with the draft as settled by the Select Committee with the exception of the proviso, and it is to this proviso that I take strong exception. My Lord, the general principle of this Bill was that if any remedial action is necessary the parties concerned should be fully compensated, and the principle of compensation was greatly discussed in the Select Committee and it was ultimately resolved that the original Bill should be departed from and that compensation as stated in clause 9 (3) should be given, viz., 'for a tree destroyed under sub-section (1) (a)—not exceeding one-half the value thereof, for plants destroyed under sub-section 1 (b)—not exceeding two-thirds of the value thereof, for plants destroyed under sub-section 1 (c)—their full value.'

"This was done after considerable discussion and after looking up the parallel legislation elsewhere which provided in all cases for a certain amount of compensation either for trees which are in an inchoate state of infection, and the scale of compensation has been fixed with a view to see that no party is injured. Now it is seriously proposed that Cambodia cotton should be uprooted at the instance of the agricultural officers without payment of compensation. We are thankful to them for their efforts, but there is something like excessive zeal. If there is no such restriction as there is, such as the payment of compensation, whole tracts may be denuded, it may be with the perfectly bona fide motive of keeping all plants clear of pests. I think the only thing to moderate this zeal is the payment of compensation which means that the questions will be asked by the Collectors and by the Board of Revenue and the Government as to why compensation should be paid and why public funds should bear the charge. Therefore, on that one ground I submit there is no reason whatever why it is necessary in the interests of Cambodia cotton that after the first year the crop should be uprooted and the parties concerned who derive valuable crop should not be compensated as proposed in other cases in sub-clause (3). I strongly object to this proviso. The rule laid down in sub-clause (3) must be followed in this case also."

The Hon'ble Mr. P. SIVA RAO:—"I am equally strongly opposed to this proviso. There is absolutely no reason why exception should be made in the case of this cotton plant, when the Select Committee decided to award compensation in varying proportion in the case of all other plants.

"The only reason that was given us was that the field must not be allowed to continue with the pest, and it was also stated that it is quite desirable that power should be taken to destroy or remove or call upon the owner to cut these plants or remove them after the first harvest and before the time for the next harvest arrives. What I fail to see is why compensation should be refused in a case like that. It is as fit a case as the others."

594 THE MADRAS AGRICULTURAL PESTS AND DISEASES BILL, 1918.

(Sir Fairless Barber; Mr. T. Ranga Achariyar; [8TH FEBRUARY 1919.
Mr. A. S. Krishna Rao; M. Ramachandra Rao; Mr. Rajagopala Achariyar.]

The Hon'ble Sir FAIRLESS BARBER:—"It seems to me that the only alternative to accepting the amendment would be to introduce another clause making it penal to grow cotton for more than one season."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I am sorry I am not able to understand why the alternative is to make it penal to keep the cotton for more than one season. Is the object of this provision to prevent the keeping of cotton in the second year or to prevent insect pests?"

The Hon'ble Sir FAIRLESS BARBER:—"It is a source of danger to the whole country if the cotton is allowed to grow each year, the crop being infected the whole time by pest. It can only be destroyed if they are uprooted."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, though there is a case, as the Hon'ble Sir Fairless Barber has pointed out for growing cotton in particular seasons, there is, so far as the amendment of the Hon'ble the Advocate-General is concerned no justification for not giving compensation, when a man grows the crop. The proviso is likely to create hardship. It was not considered or accepted by the Select Committee. It is now introduced by the Director of Agriculture. It is likely to create hardship; and why compensation should not be given is not clear, from what the Hon'ble the Advocate-General has said."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"May I say a word? The Hon'ble the Advocate-General has pointed out that in the original Bill we had this proviso in a very wide form. It ran thus: 'provided that when the prescribed remedial or preventive measures require that the plants, not being trees, shall be removed before some specified date subsequent to the ordinary date of harvest of those plants, no compensation shall be payable for the removal thereof although some more produce might have been obtained by leaving the plants standing beyond the date specified.' When this came up before the Select Committee, I think the Hon'ble Mr. Ramachandra Rao will bear me out in this—none of us understood what it referred to. It was one of those enigmatically worded things which was open to the criticisms just now made by the Honourable Member: why do you choose these particular things and say you will not give compensation? We all agreed. Subsequently the Government examined the whole thing and it was found that this provision which was left out in the Select Committee was a provision of considerable importance. It is not the case, as one would imagine, of ryots wanting to keep the crop growing and the Government wanting them to pull it out. But it is a question of 90 per cent of the ryots realizing that the maintenance of that crop is injurious and being prepared to pull it out, but 10 per cent not doing so and keeping it there—thereby ruining not only themselves but the other 90 per cent. That is the problem. The best cultivators always treat Cambodia strictly as an annual crop. I do not know if it is grown in the Northern Circars."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I have heard a great deal about it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"It is grown greatly in the Tinnevely district. One of the few things which I know with regard to Cambodia cotton is that it is treated as an annual crop. The best cultivators treat it strictly as an annual crop. That is to say they pull up the old crop at the end of the season in July or so, and plant a new crop either on the same field or on some other field in September. A good cultivator realizes that although he would save the trouble and expense of ploughing and sowing the field by leaving the old crop on the ground, yet the yield which the old crop would give him in the second year would be a poor one. On the other hand a newly-planted crop would give him a much better yield which would more than pay for the cost of reploughing and sowing. It is only the lazy and slovenly cultivators who leave Cambodia cotton on the ground for two or three years. Now in July and August in Coimbatore, while the majority of fields will be cleared of cotton, there will be a certain percentage of fields left standing by these lazy cultivators. These fields form a refuge for all the cotton insect pests of the neighbourhood which would otherwise die for want of food. As soon as the new crop is planted in September, the insects fly from the old crop and infest the new crops. There have been continued complaints from cotton traders that the quality of Cambodia cotton has been steadily deteriorating. There is no doubt that this is the case, and the reason is to be sought in the great increase of insect pests which has taken place. The remedy for this state of things is simple. If all fields are bare of cotton for two months in each year, the great majority of insect pests must die for lack of food. The new crop will get a clear start and will have time to sufficiently and attack it. The principle of this method of dealing with cotton pests has been recognized in other countries. In Egypt it is compulsory to clear cotton plants from the field direct a ryot to pull up his crop while it is still yielding may seem at first sight to be an arbitrary proceeding, as my Honourable friend characterised it. But I hope the matter will bear a different aspect when one realizes that if he is allowed to leave his crop to remain on the ground, it will act as a direct source of infection to the new crop of his neighbours in the next season. It is really to the ryot's own pecuniary interest to make him adopt the practice of planting a new cotton crop every year. Leaving aside the question of damage by insect pests, his total gain will be greater. I called for figures and I find that the whole thing is a struggle not so

8TH FEBRUARY 1919.] (Mr. Rajagopala Achariyar; Mr. Ranga Achariyar;
Mr. Ramanuja Achariyar; the President; Mr. Siva Rao.)

much between the Agricultural Department and the cultivators but a struggle between 90 per cent of the cultivators who are adopting the correct practice and the 10 per cent of people who are not doing so. If this 10 per cent alone would suffer for their wrong practices, probably it is worth while to let them suffer provided they do not make other people suffer. It will have an educative value. But unfortunately these insect pests instead of confining themselves to their breeders have a way of spreading and extending their operations. We have 90 per cent of people who have a habit of pulling out the old crop and starting a new crop, but 10 per cent allow it to remain on the ground. At present the Agricultural Department is proceeding by persuasion and constant preaching. It is by persuasion they have induced 90 per cent to follow the correct method. In all these matters we do always have an irreducible minimum of obstinate people who will persist in doing something wrong which injures not only themselves but other people. You may take my word that nowhere in the world have you hundred per cent of the people reasonable. The Agricultural Department is face to face with the coercion of 10 per cent and we are putting forward this Bill to coerce the 10 per cent into reasonableness. The Honourable Member says 'give him compensation' which means that the 90 per cent would be tempted to follow the course of the 10 per cent. They will say, why should we pull it out voluntarily without compensation? This Cambodia cotton has been giving a lot of money in the Tinnevely district. I find the valuable Cambodia variety of cotton was introduced by the Agricultural Department in the south—it was not introduced in the north, if it were I should have larger support—some ten years ago. It has now spread very widely and last year's crop amounted to over 2 lakhs of bales and sold for nearly ten crores of rupees. This ten crores of rupees which is going into the pockets of the people is now in danger. Are you going to sacrifice this ten crores by allowing these insects to breed, by allowing the 10 per cent of refractory people to stand upon the sacred right that every person should do as he likes? Or are you going to make them conform to the right agricultural practice so that not only they but 90 per cent of the population will benefit? That is the question before the Council and I have no hesitation in asking you to adopt this particular safeguard. We have taken care to restrict the proviso because a general proviso would be open to the criticism that it is too vague; you may pull out the whole of a big paddy field. So I asked the Hon'ble the Advocate-General to frame this thing with reference to the specific issue of Cambodia cotton. If you apply the principle of compensation, the ryot will not harvest the crop and he will oblige us to pull out these crops and that would have a most deleterious effect; whereas the correct agricultural practice in his own interests as well as in the interest of others would be to require him to do that. This being a new thing put in by the Government, I have felt bound to give a somewhat full explanation."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"May I ask whether this state of things is referred to in the Agricultural Report?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I have got the information supplied to me by the Agricultural Department. It is difficult to answer the question."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I respond to the appeal of the Hon'ble Mr. Rajagopala Achariyar and give him my support. It has been tried in the south and I think I should support this amendment."

The amendment was put and agreed to.
Clause 9 was allowed to stand part of the Bill.

His Excellency the PRESIDENT:—"We said we would sit till 2 o'clock to-day. I imagine you would like to adjourn according to that understanding. We will meet at 11 o'clock on Monday and finish this Bill and then go to the Corporation Bill."

The Hon'ble Mr. P. SIVA RAO:—"There is one amendment of mine to clause 9."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"There is very little to say on that except that the Honourable Member proposes to give full compensation in a case for which only a portion of the value has been provided. The Government would oppose it and stick to the clause as it stands."

His Excellency the PRESIDENT:—"We have really passed that point."

The Hon'ble Mr. P. SIVA RAO:—"This was on the agenda paper. It was not noticed by Your Excellency."

His Excellency the PRESIDENT:—"It is my fault. Let us settle it now."

The Hon'ble Mr. P. SIVA RAO:—"If Your Excellency likes we can have it on Monday."

His Excellency the PRESIDENT:—"We cannot. I have already given orders that this clause should be added to this Bill. I gave full opportunity and he did not come up."

The Hon'ble Mr. P. SIVA RAO:—"I move my amendment which runs thus:—

For clause 9 (3), substitute the following:—
'When any trees or plants are destroyed under sub-section (1) the occupier shall be entitled to full compensation in all cases.'
'Your Excellency, compensation is awarded in three cases. The first is the case of a tree destroyed under sub-section (1) (a), i.e., if in carrying out any prescribed remedial or preventive

(Mr. Siva Rao; the Advocate-General; [8TH FEBRUARY 1919.
Mr. M. Ramachandra Rao.]

measures the inspecting officer destroys any tree which is infected with insect pests or plant disease. In that case the compensation is 'not exceeding one-half the value.' The second case is 'plants, not being trees, some or all of which are affected by the insect pests or plant disease but which are grown so closely together that it is not ordinarily practicable to treat each plant individually.' In such cases the compensation is two-thirds of the value. The third case is 'any plants including trees which though not infected have in his opinion become liable to such infection' and the compensation is 'their full value.' To my mind the whole of this sliding scale is thoroughly unintelligible. There is no reasonable principle on which the classification is made. The compensation is awarded on the principle that most of these measures are taken not for the benefit of the individual occupier but of the whole area, or the cultivating community.

"If compensation is awarded on that principle, I do not see any reason why full compensation must not be awarded. They stand on the same footing. It may be in some cases the individual occupier is benefited ultimately, but when these measures are taken he will be injuriously affected, though he may ultimately benefit, and it may be that the other members of the community, the other cultivators in that area will be benefited as well. In any view it is a case for awarding full compensation. Clause (4) says 'for the purpose of sub-section (3) value shall mean the value of the tree or plant at the time of its destruction.' If it is already infected, its value will be very much less. It all depends upon the assessing of the value in any such cases. There should not be any such varying scale."

The Hon'ble Mr. A. S. Krishna Rao seconded the amendment.

The Hon'ble the ADVOCATE-GENERAL:—"Your Excellency, no change has been made with regard to this matter in the proviso which I introduced. This clause stands as it was settled by the Select Committee. Really I do not know that any very great justification has been advanced for this amendment. It is obvious why this differentiation was made. If Honourable Members would look at section 9, sub-clause (1), there are three classes of plants or trees. The first class is 'when any tree which is infected with the insect pest or plant disease is destroyed.' The second class is 'any plants, not being trees, some or all of which are affected by the insect pests or plant disease but which are grown so closely together that it is not ordinarily practicable to treat each plant individually.' The third class is 'any plants including trees which though not infected have become liable to infection.' It is impossible to award the same rate of compensation as regards all the classes. If the tree or the plant affected is destroyed, the occupier should get compensation different from that got by a man whose tree has become liable to infection. That is not covered merely by the words 'value at the time of destruction.' Different conditions exist, and different methods of valuation may have to be adopted."

"You cannot adopt one method for valuing a plant and a tree alike. The method of valuation will have to be settled by rules and also the method of compensation. It is impossible to go into the rules now. In the case where a tree is infected with insect pests or plant disease, the practice in the United Kingdom appears to be the same as the practice which the Bill follows. There the compensation is not to exceed half the value thereof. It is difficult merely to rely on sub-section (4) and say that value means value at the time of destruction. You cannot say, give the full value of the tree at the time of destruction. There is a danger of the valuation becoming arbitrary. Therefore it is necessary to say that when it has become infected the compensation should not be more than half. It follows the English legislation. The Government oppose the amendment."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"The Bill as originally drafted did not provide for compensation in the way that the Select Committee has proposed. It is in the Select Committee that this question of paying compensation in cases where crops or trees or bushes on which the destructive pests are found in any stage of existence was introduced, and it was stated that compensation should be paid in such cases, and ultimately it was decided that we must follow the legislation in Great Britain, where the rule is as follows:—"In the case of crops, trees or bushes on which the destructive pests are found in any stage of existence, compensation is not to exceed one-half, and in other cases is not to exceed three-fourths of the value of the crops, trees, bushes, which in each case is to be taken to be the value which in ordinary circumstances they would have had at the time of their removal or destruction." On these grounds I think the proposals made in the Select Committee as drafted here provide for compensation in all cases, but they vary the compensation in proportion to the degree of infection. Assuming that a plant is wholly infected, the compensation would be very little."

The Hon'ble Mr. P. SIVA RAO:—"After all it reduces itself to the question of valuing the tree. If the tree is infected its value will be very little. If a tree is liable to be infected, he will get more value. In all cases it is a question of assessing. When you have to assess, why do you say he should get only one-third, half or two-thirds?"

The amendment was put and lost.

Clause 9 as substituted was allowed to stand part of the Bill.

At this stage the Council adjourned till 11 a.m. on Monday, the 10th February 1919.

H. G. STOKES,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort
St. George assembled for the purpose of making Laws and Regulations
under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Monday,
the 10th day of February 1919.

PRESENT:

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.S.I., G.C.I.E.,
Governor of Madras—Presiding.
The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.
The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.
The Hon'ble Mr. L. DAVIDSON, C.S.I.
The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E.,
I.S.O., O.S.E.
The Hon'ble Mr. L. E. BUCKLEY, C.S.I.
The Hon'ble Mr. A. Y. G. CAMPBELL, C.I.E.
The Hon'ble Mr. W. J. J. HOWLEY.
The Hon'ble Mr. W. HUTTON.
The Hon'ble Mr. R. LITTLEHAILES.
The Hon'ble Mr. N. E. MARJORIBANKS.
The Hon'ble Mr. J. C. MOLONY.

600

THE MADRAS CITY MUNICIPAL BILL, 1918.

(Mr. Rajagopala Achariyar; Mr. Venkatapati Raju; [10TH FEBRUARY 1919.
Mr. Ranga Achariyar.]

Corporation and his position will become very difficult. If I were in the Honourable Member's position, I would ask that the appointment should be made by the Corporation. I would not provide a thing like this proposal of his which really goes to produce friction. Also, I think it will be better, at any rate for some years, in choosing this chief executive officer for the Corporation, that the Government should have an absolutely free hand. Already the appointment of a President to the Madras municipality is a difficult job to choose a man for, and I expect with this Bill the officer chosen to fill up the appointment of Commissioner will have to be very carefully selected. I think it would be in the best interests of the city municipal administration that the hands of the Government in this matter are left wholly free. I think, Sir, that this amendment, while it does not give any substantial power to the Corporation, will produce friction and it will weaken our hands. It will probably compel us sometimes to agree to the appointment of an officer whom we consider to be not quite suitable and on the whole it is best to leave the Bill as it stands. May I draw the attention of the Council to the fact that there is no provision like this in Bombay? The chief executive officer is wholly appointed by the Government. I oppose the amendment."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, the Hon'ble Mr. Rajagopala Achariyar has pointed out that the modesty of the request is in itself a disqualification for the acceptance of it. In the ordinary course of things, it would have been well for the Hon'ble Mr. Ranga Achariyar to have moved that all executive officers paid from municipal funds should be appointed by the municipality as it is in all civilized countries. But as we are proceeding step by step, he has suggested only a small instalment. That ought not to be taken as an objection but to be taken as giving occasion to exercise discretion. Next time when this Bill is considered, we will move that the appointment of the Commissioner should be by the Corporation itself. But at present, to meet the exigencies of the situation, this proposal has been made; otherwise the Hon'ble Mr. Ranga Achariyar would have been the first to ask for the appointment by the Council itself."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Your Excellency, this panel system is not unknown to the Government. Even without a statutory requisition, Government adopt it in the case of judicial appointments and I have not heard of any friction being produced. It is done every day in the matter of the appointment of Sub-Judges, and of other responsible judicial posts in the city. The High Court consisting of twelve Judges nominate three persons for the purpose from whom the selection is made. We are yet to hear of any friction between the High Court and the Government in that matter. I quite agree that a careful selection has to be made. Careful, from what point of view?—I say not only from the point of view of the Government, but from the point of view of the Corporation also. We are now entrusting the municipal government of the city to this Corporation. If we entrust under this Bill the safety of five lakhs of people to the Council, could you not trust to their judgment in making a suitable nomination in regard to their own executive officer? Nowhere in England do you find the county council or any borough authority leaving the nomination of its executive officer to an outside body. As it is, we want to make a modest beginning and that is the reason why I have made my proposal in the least objectionable manner. The Honourable Member in charge of the Bill says that, in Bombay, they do not appoint him. May I remind him that they gave it in the year 1887 and even then when this was brought before the Council the late Mr. Telang, who gave his support to the Governor in Council having the power of appointment, observed: 'I am in favour of the preservation of the Municipal Commissioner, though I can quite see that the time may come when we shall take a further step in the direction of local self-government, and the Municipal Corporation will have to ask the Council of the day to concede the power to the Corporation to appoint its own Municipal Commissioner.'

"They began with that with the hope to have this power, to make the appointment themselves when the Municipal Bill came up for consideration next time. I do not see any friction at all. The Honourable Member referred to the renewal of the period. Supposing it is a case where the Commissioner satisfies the Governor in Council—there are several ways of satisfying the Governor in Council—and supposing the Corporation are dissatisfied with the way in which he does their work, and supposing the Governor in Council renews the appointment in the face of opposition from the Council, is that to be accepted? Therefore I say that in such a matter as that, the Corporation will exercise the best judgment and, if necessary, we will go into committee to deal with this matter; and I have perfect confidence in the wisdom and good sense of the Council to whom we are entrusting the municipal government of the city. Far from producing any friction, it will tend to give an impetus to the good working of the Act. This system account of the exigencies of official considerations, to find a place for an Indian Civil Service man, whether he be Sub-Assistant Collector or Head Assistant Collector; he is thrust over the heads of the other men. Now he presides, but I think he would not preside hereafter; but at the same time, we are going to have good business people on the Council. The Chamber of Commerce is represented there, the Trades Association is represented there and there are various other interests which will be represented there. The flower of the intellect of the Presidency is like this, I cannot see what reason they can have in rejecting this amendment. I would therefore strongly press this amendment for acceptance."

The amendment was then put and lost.

10TH FEBRUARY 1919.] (The President; Mr. Yaqub Hasan.)

The Hon'ble Rao Bahadur T. Ranga Achariyar demanded a poll, which was taken with the following result:—

For		Against	
The Hon'ble Mr. M. Ramachandra Rao.		The Hon'ble Sir Alexander Cardew.	
" " P. Siva Rao.		" " Mr. L. Davidson.	
" " K. Rama Ayyangar.		" " C. G. Todhunter.	
" " B. Venkatapati Raju.		" " A. Y. G. Campbell.	
" " K. R. Suryanarayanamurti		" " R. Ramachandra Rao.	
" " Nayudu.		" " M. Young.	
" " Yaqub Hasan Sahib Bahadur.		" " L. E. Buckley.	
" " Mr. Ahmad Tambi Marakkayar.		" " N. E. Marjoribanks.	
" " T. Ranga Achariyar.		" " R. B. Wood.	
" " A. Suryanarayana Rao.		" " Aziz-ud-din Sahib Bahadur.	
" " A. S. Krishna Rao.		" " Dr. T. M. Nayar.	
" " B. V. Narasimha Ayyar.		" " Sir Fairless Barber.	
		" " Mr. J. H. Thonger.	
		" " the Most Rev. John Aelen.	
		" " Sir Francis Spring.	
		" " Mr. R. Littlehales.	
		" " J. C. Molony.	
		" " W. J. J. Howley.	
		" " W. Hutton.	
		" " the Advocate-General.	
		" " Diwan Bahadur P. Rajagopala Achariyar.	
		" " Mr. H. G. Stokes.	

The amendment was lost, 11 voting for and 22 against.
Clause 7 was allowed to stand part of the Bill.

Clause 5.

His Excellency the PRESIDENT:—"I will call upon the Hon'ble Mr. Yaqub Hasan to move his amendment to clause 5."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"Your Excellency, I beg to move that for sub-clause (a) the following be substituted:—(a) Thirty elected by thirty divisions of the city and six elected off Moslem divisions."

"It is practically acknowledged on all hands that no public body can be said to be a popular assembly unless Mussalmans as one of the two principal peoples of India are adequately represented on it. The Government has constantly kept this in view and has always nominated Mussalmans to a few seats on all Municipal, Local and Legislative bodies. As long as these bodies were partly elected and partly nominated Mussalmans were content for a long time to have their representation by means of nomination by Government. There have, however, been for some time past manifestations of discontent and dissatisfaction throughout the Presidency as to the persons Government chose to nominate. The Collectors of districts almost always showed partiality for persons who sided with officials and there was very little chance of nomination for those who took independent views of things. The Hon'ble Diwan Bahadur Rajagopala Achari will remember that I had brought to his notice some of these complaints and in spite of the reliable information placed before him as to the popularity or otherwise and merits and demerits of the various aspirants to the municipal councillorships the official choice invariably fell on those who did not command the confidence of the Mussalman public of those places. The Mussalmans of one town presented a mahzar bearing the signatures of a large majority of the prominent Mussalmans of the place denouncing the candidate favoured by the officials and supporting another candidate of their own. This was as good as a popular election and yet Government appointed the wrong man. The Honourable Diwan Bahadur had not even the courtesy to vouchsafe me a reply to the representations I made to him. In one case my friend and colleague Hon'ble Khan Bahadur Ahmad Tambi Marakkayar had also supported the candidate about whom I had made representation, but even his recommendation was not heeded by Government. I must, however, gratefully acknowledge that the predecessors of the Honourable Indian Member, the late Hon'ble Mr. Krishnaswami Ayyar and Sir Sivaswami Ayyar paid more attention to the Moslem representations in the matter of their nomination to the municipal and local bodies. The former gentleman had told me that he had issued orders that the first vacancies in the local bodies should be given to Mussalmans till they had secured an adequate representation in every union, council or board and that local Mussalmans should be consulted in the matter of selection."

"Sir Sivaswami Ayyar had once of his own accord sent me a message asking me to name a few Mussalmans who would be eligible for the commissionership of the Madras Corporation. He made independent inquiries about them all and selected one with whom he also subsequently had an interview. He was so sure of his recommendation being given effect to that he mentioned the fact to the nominee himself, but to his and my great chagrin one European gentleman was nominated to the vacancy."

"I am myself a nominated Commissioner of the Corporation since February 1911. I very nearly lost my seat in February 1914. The then President had the audacity to tell me that the

(Mr. Yaqub Hasan; Mr. Rajagopala Achariyar; [10TH FEBRUARY 1919.
the President.)

Government expected the nominated Commissioners to support the President and as I had more often opposed him than supported him he did not see why I should be recommended for renomination.

"Such are the ways of the advisers and Members of the Government in the matter of nomination of members of municipal and local bodies."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"May I know what these things have to do with this question? The Honourable Member has told us how the recommendations which he has made in regard to mufassal municipalities had been dealt with by individual members of Government and he now proceeds with the way in which his own case is treated. I have not much objection to his having his say, but I want to know the bearing of these things."

His Excellency the PRESIDENT:—"It is rather undesirable that the Honourable Member should refer to private transactions which are not fully before this Council."

The Hon'ble Yaqub HASAN SAHIB Bahadur:—"I wanted to show the evils of nomination."

His Excellency the PRESIDENT:—"I am aware of it. It is rather undesirable to bring into public view details of private transactions, full particulars of which cannot be before the Council."

The Hon'ble Yaqub HASAN SAHIB Bahadur:—"How else can I show that nomination is undesirable?"

His Excellency the PRESIDENT:—"It is quite open to the Honourable gentleman to say that nomination is undesirable, but at the same time in my view it is undesirable in doing so that he should bring into public debate in the Council details of private transactions full particulars of which cannot be before Members of Council, because it is not possible for Members of Council to enter into that matter."

The Hon'ble Yaqub HASAN SAHIB Bahadur:—"I bow to your Excellency's ruling. I only wanted to illustrate by my own personal example how the nomination is being exercised by the Government, to show that I would not have Muhammadans nominated and to make my point strong that the candidates should be elected. Having shown how the right of nomination is sometimes exercised by the officials, I ask my Hindu and European friends in this Council whether they still want Mussalmans to depend entirely on the sweet will and pleasure of the officials and the Government for their representation on the Corporation of Madras."

"Some of my friends would say that if a really capable Mussalman offers himself for election he is likely to be elected by the general body of electors. They may even point out that some Brahmans in spite of being in a minority as a caste manage to get returned by the majority of non-Brahmans. It is true that till now Hindus as a body did not discriminate between Brahmans and non-Brahmans in the matter of election, but they did draw a line more often than not where a Mussalman was concerned. At any rate the uncertainty of commanding the goodwill and suffrage of the majority of the electors if not the absolute certainty of failure prevented many a candidate from coming in the field. Some Brahman friends by way of compliment, I suppose, told me that if I offered myself at this moment as a candidate Hindus will gladly vote for me. I really envy these friends their simplicity. Do they realize that the non-Brahman agitation that is so influentially backed now will leave a chance even for those Brahmans to be elected? Then there is the division between the Nationalists and Moderates? I do not know which party will be in the ascendancy in the electorate I may stand for. I do not wish to make a weathercock of my political views to turn it in the direction of either the whims and fancies of the majority in a general electorate or those of the officials who have the appointment in their gift. I would prefer to throw myself only on the suffrage of my own co-religionists and let them elect or reject me on the ground of my own honest political or social tendencies."

"I am sure two points will be conceded to me by my colleagues. Firstly that there should be an adequate number of Mussalmans on the Corporation of Madras, secondly the nomination by Government is not a desirable form of providing that representation. Some artificial means are suggested to attain the end I have in view. One suggestion is that the divisions of the city be so formed that the number of Mussalman electors may in some divisions be sufficiently large to enable them to elect members of their community to the Corporation. It is also conjectured that a Mussalman may come in through the Indian Chamber of Commerce or some other corporate body. And nomination should be resorted to make up the imaginary deficiency. A Persian proverb says 'what you do not like for yourself do not like it for others.' Why all these multifarious makeshift contrivances when one direct and certain method of securing our representation is available?"

"These devices may serve for small communities like Europeans, Anglo-Indians or Indian Christians, but a large community like the Moslem that has a population of over 59,000 in this city and whose municipal voters are about 1,400 at present out of the total of about 11,000 voters deserves a better provision for their representation on the Corporation. Instead of so arranging the divisions that Mussalmans may form bare majority in some divisions why not arrange separate divisions of Mussalman voters themselves? Instead of trying to secure some of the 30 divisional seats to Mussalmans why not add to the strength of the elected members by giving additional seats to Mussalmans?"

10TH FEBRUARY 1919.] (Mr. Yaqub Hasan; Mr. Rajagopala Achariyar.)

"The second suggestion is the one made by the Select Committee. It has placed on record its opinion that 'in practice it will be desirable that four of the seven seats [under clause (e) of clause 5 (i)] be reserved for Muhammadans.' The Committee did not choose to reserve the four seats for Muhammadans in the Bill itself but left it to the Governor in Council for the time being to decide their election or appointment in the manner he chose to notify. The clause 65 (i) gives power to the Governor in Council to make rules for the conduct of elections by institutional and other electorates as well as of divisional elections. The only satisfactory feature of this recommendation of the Committee is that it has suggested the filling of the reserved seats for Mussalmans by election or appointment under clause (e) and not by nomination under clause (f)."

"Even this modest recommendation of the Committee is not accepted by the Government and I see from item 6-A on the Agenda that the Hon'ble Diwan Bahadur Rajagopala Achariyar who himself made the suggestion incorporated in this recommendation now seeks to nullify it by reducing the number of seats from seven to three under the clause (e) and increasing the seats in the gift of the Governor from five to nine under sub-clause (f). There was a hot discussion in the Select Committee over the question of Moslem representation and the Hon'ble Khan Bahadur Aziz-ud-din and myself fought hard for separate Moslem electorates so much so that Mr. Aziz-ud-din said he would write a minute of dissent on the question. In order to pacify us and the large Moslem public who had made persistent representation to the Committee, the Honourable Member of the Government got the above recommendation incorporated in the report. I regret the necessity, but I am constrained to call his subsequent manoeuvre a gross breach of faith with the Moslem community. Allow me to warn the Government that it is not wise to trifle with the Moslem community in such offhand manner."

"As for the number of seats to be reserved for Mussalmans I base my demand on the population and importance of the community in the city of Madras. We form 11.4 per cent of the population, our number being 59,169 out of 518,665. I ask for six seats which is about 15 per cent of the total minus the institutional seats. This is the percentage which the National Congress and the All-India Moslem League had jointly fixed for Madras in respect of the Legislative Council. I may mention that Mussalmans are very keenly interested in this question. There was a public meeting of Mussalmans the other day in which a letter from the Hon'ble the Prince of Arcot was read sympathising with the object of the meeting for securing a separate electorate for Mussalmans."

"I omitted to mention in connexion with the general electorate that now that votes are being given to women also, we Mussalmans will be handicapped in the general electorates. We form a minority in the general electorate and when women are also allowed to take part Hindus, Christians and Anglo-Indians will bring their ladies to vote, whereas Muhammadans cannot bring out their ladies on account of the parda. In that way we will be further handicapped in the general electorates. If there is a separate electorate for Mussalmans, there will be no harm done as far as female vote is concerned, because the candidates in the Moslem electorate being Muhammadans, none will be handicapped because the Muhammadan women on either side would not take part in the voting. I may also point out that in the United Provinces of Agra and Oudh there is a division of Moslem and non-Moslem voters and Moslem councillors are elected by Moslem voters. That is the general principle followed throughout the United Provinces of Agra and Oudh, and I do not see why that principle should not be followed in the case of Madras also. With these words, I commend this amendment to Your Excellency's acceptance."

The Hon'ble Khan Bahadur A. T. G. M. Ahmad Tambi Marakkayar seconded the amendment.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I do not propose to take up the time of the Council by replying in detail to the Honourable Member's observations which have covered a very wide ground. At present we are concerned with the Madras City; we are not concerned with the several mufassal municipalities in regard to Moslem representation on which the Honourable Member has chosen from time to time to make recommendations privately to Members of Government in charge of the department and the way in which the Honourable Members in charge had dealt with those recommendations of his from time to time. That is absolutely irrelevant, nor do I even propose to go into what took place in the Select Committee. What took place in the Select Committee may be gathered from the report of the Select Committee which has been signed by everybody including the Honourable mover of this amendment; and the Honourable mover has not questioned any of the facts stated in the report of the Select Committee which we have all signed and I do not think we need take note of that report of that Committee which has been signed by everybody including the Honourable mover of this amendment. If that question becomes relevant, many of my colleagues could discuss that took place there. What we have to deal with now is what the Honourable Member proposes, namely, to constitute six Moslem divisions which would elect six Moslem members. I take it that the Honourable Member has moved only the first amendment of the three in his name. He has moved only the first to have six Moslem divisions. His apprehension is that without some such precaution the Mussalmans would have very poor chance of being returned to the Corporation. I am not prepared to say that that apprehension is wholly groundless. The Honourable Member has told us that he has been asked by a lot of his Hindu friends to stand up and been assured of their support. I quite see that he does not represent the average Madras Mussalman; he occupies a position of a pretty

(*Mr. Rajagopala Achariyar ; Mr. Yuqub Hasan ;* [10TH FEBRUARY 1919.
Mr. Ranga Achariyar.)

high character in which he is in a position to attract the confidence and influence of his Hindu townsmen to an extent to which it may not be given to the average Mussalman to do. So also he has condemned Government nominations. As a matter of fact, the Honourable Member sits on the Corporation by Government nomination. He has not been elected by any constituency. Therefore, I say that the Government may well claim to be judged of their capacity to nominate the right man by the ease of the Honourable Member himself because the Government put the Honourable Member into the Corporation."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"I was just referring to that when I was interrupted. I was going to say that I very nearly came to lose my seat, because the President said that I more often opposed him than sided with him in the Council and therefore he could not see his way to support my renomination."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"That did not weigh with the Government and that shows that the Government are wise in choosing the correct people. I believe it will be a mistake to allow ourselves to discuss just now the whole question of communal electorates. We have nothing to do with it. We are now considering the question of communal representation, so far as the Moslem community in the Municipal Corporation is concerned. I would earnestly advise all Members of Council to confine themselves to that point and not to travel beyond that issue. So far as that issue is concerned, the latest pronouncement of the Government of India which has been issued to all the Provincial Governments, binds us. This is what the Government of India have said in their despatch of May 1915 as regards the special representation of minorities; they say: 'As regards the special representation of minorities where this is necessary, the Government of India would prefer that this should be effected by retaining the practice of nomination rather than by introducing some system of communal or proportional representation.'

"That is the order issued by the Government of India. It is in accordance with that policy that this Bill was framed by the Government and put before this Council and the Select Committee felt bound to abide by that policy. Your Excellency's Government and the official members are bound by that policy. Honourable non-official members are not similarly bound. They may say they are not bound by that. That being so, I do not think we could agree to an amendment which absolutely flouts the principle laid down for us by an authority superior to us, for our guidance. Suppose this Council now put in territorial representation for Muhammadans by wards, it is open to the Government of India to say: 'we will not accept it, you have sent a Bill contravening a fundamental point; therefore we will throw it out.' It is open to them to throw it out, and the whole trouble we have taken would be lost. Whatever may be our general views on the question, so far as this Bill is concerned, I would earnestly advise Honourable non-official members of the Council to accept what the Government of India have said and I may assure the Honourable Member that it will certainly be the duty of the Government, when elections are over, to take note of the fact that so many Muhammadans have been returned and to see that, by nomination, the adequate complement of seats which Muhammadans should, according to population, fill up, is provided. I think the Honourable Member is making a mistake in imagining that Muhammadans have very little chance of getting returned by a predominantly Hindu electorate. Here, for instance, is a Muhammadan gentleman sitting in the Council, Muhammad Osman Sahib, who has been returned by a constituency where Hindus number over 9,000 and Muhammadans number less than 5,000."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"We have not got such a large electorate."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"That is the total population. That gives you roughly how the ward stands. I also see from the census figures that the percentage of the Muhammadan population to the total population is 11.4. According to that, you should have about four Muhammadans on the Corporation, but you have three. One of them, as I have already said, is the Honourable Member himself who is a nominee of the Government. Then there is Mr. Kuddus Badshah Sahib who has been appointed by the Harbour Trust Board, and there is Muhammad Osman Sahib who is elected; nothing would give us greater pleasure than to see Muhammadans elected. It is possible that, with the lowering of the franchise, more Muhammadans may be elected; but whatever that may be, in filling up the seats by nomination, it will be our duty to take note of all minorities which have failed to secure adequate representation in other ways and to see that they get their due share. That is what is laid down for us by the Government of India and that is what we must do. I feel bound to oppose the amendment."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"Your Excellency, will Your Excellency allow me to say a word?"

"The Honourable Member in charge drew our attention to the resolution of the Government of India about local self-government. It is admitted that the resolution of the Government of India about local self-government is not a comprehensive one, that it falls short in many directions, and it was simply issued just to keep pace with the reforms that are to be introduced in the Legislative Council. The question of the representation of minorities was not gone into in as thorough a manner as it was done in the report of the Right Honourable the Secretary of State and His Excellency the Viceroy. There it has been said that separate representation has been given to Mussalmans, and if that separate representation is taken away from the

10TH FEBRUARY 1919.] (*Mr. Yaqub Hasan; Mr. Ahmad Tambi Marakkayar; the President; Mr. Rajagopala Achariyar; Mr. Ranga Achariyar.*)

nominated seats. If you agree to this reduction, you will have to agree to the addition to the nominated seats. That I very much object to. Any class of persons who deserve representation, should come in by way of election and not by nomination. Let the nomination be only of officials, like the inspector of schools or the doctor or somebody else, who the Government think should be on it. Let five seats be reserved for the nomination of officials and other experts. If associations and corporate bodies deserve representation, let it be by election. I therefore strongly oppose this amendment."

The amendment was put and agreed to.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBİ MARAKKAYAR:—"Your Excellency, I have an amendment to move to sub-clause (e)—No. 8 on the agenda."

His Excellency the PRESIDENT:—"I think that goes out, because we have now reduced the number to three, and therefore you cannot get four out of it. That amendment is destroyed by the alteration we have made in the body of the clause."

The amendment standing in the name of the Hon'ble Mr. A. S. Krishna Rao, namely that in sub-clause (e) the word 'five' be substituted for 'seven' was not moved.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"In sub-clause (f) of clause 5 (1), I beg to move that for the word 'five' the word 'nine' be substituted."

"I would call the attention of the Council to the fact that under the existing law, the number of seats filled by nomination is nine—eight plus one (the President) out of 37. If my amendment is accepted, the number will be the same, nine out of fifty. It cannot be said that the Government's nominated strength is increased. I would also venture to point out that out of these nine, we have to provide for communities which fail to secure representation by ward elections and interests which do not come in in other ways and also for expert Government officers whom it may be necessary from time to time to put in. Taking all these various demands, I do not think that the number nine is at all excessive in the hands of the Government. I therefore move my amendment to clause 5 (1), sub-clause (f)."

The Hon'ble Mr. H. G. Stokes seconded the amendment.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBİ MARAKKAYAR:—"May I move my amendment under clause (e) as an amendment under clause (f)."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"He proposes his amendment on (e) as an amendment on (f)."

His Excellency the PRESIDENT:—"Yes, we will first take the sub-clause."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"I am opposed to this amendment. I do not want nominated seats to be increased. It was I who proposed in the Corporation that that number should be reduced. I insisted upon the number being reduced in the Select Committee and now I insist here again that that number should remain as it is, that is, five, and should not be raised to nine. We are trying to make our bodies wholly elected. The nomination should be very small. It is no inducement to me to vote for this increase, because it is said that for communities which do not get adequate representation, Government would make it up by nomination. I would say: let those communities go without representation; if they do not secure it in the general electorate, they need not be provided for in this way by the Government. The nominated seats should be only for experts and other officials that the Government may think it desirable to nominate and that is kept in the gift of the Government and that number should be reduced and should not be increased. I am therefore against it. If this is not carried, the result will be that the number fifty will be reduced to forty-six. It does not matter. A corporation consisting of forty-six councillors, the major portion of which to be elected and only five to be nominated, will be much better than a corporation of fifty councillors with nine of them nominated, that is, nearly 20 per cent nominated."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"May I be permitted to make a suggestion, because it would facilitate the guidance of my vote? The proposal is to increase the number of nominated seats to nine, and if the Hon'ble Mr. Ahmad Tambi Marakkayar's proposal as to clause (e) is accepted as to clause (f), I would not oppose it."

His Excellency the PRESIDENT:—"We cannot discuss it now. We must take both. We must take the Hon'ble Mr. Ahmad Tambi Marakkayar's amendment as an amendment proposing an addition. The Hon'ble Mr. Rajagopala Achariyar's amendment is now before the Council to increase the number five to nine."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"If the proviso is accepted, I would accept it; without the proviso I would not accept it. I would oppose 'nine' without the proviso. Therefore the proviso must be first put to vote."

His Excellency the PRESIDENT:—"No. The Honourable gentleman will have full liberty of taking such action as he likes. The Hon'ble Mr. Ahmad Tambi Marakkayar will now move."

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBİ MARAKKAYAR:—"Your Excellency, I have given notice of an amendment clause 5 (1), sub-clause (e), to give four seats to Muhammadans by appointment by Government, but I see from the subsequent amendment that has been passed that 'seven' seats are converted into 'three' and so there is hardly

(Mr. Ahmad Tambi Marakkayar; the President;
Mr. Rajagopala Achariyar; Mr. Yaqub Hasan;
Mr. Narasimha Ayyar; Mr. Ranga Achariyar;
Mr. A. S. Krishna Rao.)

[10TH FEBRUARY 1919.]

room for four seats available for Muhammadans to claim their representation. I beg to move my amendment to clause (e) as an amendment to clause (f) and I propose to add the following to clause (f)—

“Of which four seats will be given to Muhammadans by appointment by the Governor in Council.”

His Excellency the PRESIDENT:—“That will come later. We cannot consider whether four is a proper proportion to be given to Muhammadans unless we know the total number that would be available under clause (f). Therefore, I propose the Council should decide whether or not the Hon'ble Mr. Rajagopala Achariyar's amendment to increase number 'five' to 'nine' should be accepted. Having done that, it will then be open to Honourable Members of Council to consider the Honourable gentleman's amendment. I now take vote as to whether or not the Council agree with the second portion of amendment No. 6 A on the supplemental agenda, that is to say, that in sub-clause (f) the word 'nine' be substituted for the word 'five'.”

The amendment was put and agreed to.

His Excellency the PRESIDENT:—“My Honourable Colleague has been considering the Honourable Member's proposal.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—“In view of what has taken place, and to make it quite clear to Muhammadans and other minorities that the object of our putting the nominated strength at nine is to provide for them if they could not get in in other ways, I propose to add the following words after the words 'Governor in Council' 'who in making such appointments shall have regard to the representation of Muhammadans and other minorities'.”

“We cannot confine it to Muhammadans; there may be other minorities; nor is it advisable that we should stereotype a certain number of seats for Muhammadans, because that will depend upon the number that come in by territorial divisions. It is wise that the Legislature should say what it contemplates when it fixes the nominated strength at nine.”

The Hon'ble Mr. H. G. Stokes seconded the amendment.

The Hon'ble Yaqub Hasan Sahib Bahadur:—“May I suggest one or two words after the word 'Muhammadan' in the addition suggested?—so that their total representation on the Council may not be less than four. That is in keeping with the first speech made by the Honourable member.”

His Excellency the PRESIDENT:—“Will the Honourable gentleman send up his words so that we will know where we are. The words here are that after the word 'Governor-in-Council', these words should run on like this 'who in making such appointments shall have regard to the representation of Muhammadans and other minorities'.”

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—“May I add a word to bring out the meaning of the amendment clearly? I would add 'due representation'.”

His Excellency the PRESIDENT:—“That is unnecessary. We have the words 'have regard'.”

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—“You will be introducing uncertainty by adding the word 'due'.”

The Hon'ble Yaqub Hasan Sahib Bahadur:—“Will you kindly insert the word 'adequate' instead of 'due'.”

His Excellency the PRESIDENT:—“It is the duty of the Government to look to it. The Governor in Council must have regard to this due or adequate representation. I put this amendment to the Council.”

The amendment was put and agreed to.

His Excellency the PRESIDENT:—“Nothing remains in regard to clause 5.”

Clause 5 as amended was then allowed to stand part of the Bill.

Clause 8.

The Hon'ble Mr. A. S. KRISHNA RAO:—“Your Excellency, I have the honour to move that in clause 8 (2), the word 'thirty' be substituted for the word 'thirty-three'—this is amendment No. 10 on the agenda. The present provision in the Bill is: 'the Governor in Council may at any time remove the Commissioner from office and shall do so if at a special meeting of the Council called for the purpose not less than thirty-three councillors vote for such removal'. So far as this clause is concerned, the reason which induced me to press this upon the attention of the Council is that the fixing of the number at thirty-three irrespective of the strength of the corporation at the time of the meeting, or irrespective of the number of persons present at the meeting, will create real difficulties and will be detrimental to the proper working of this provision. It will be remembered that so far as the Calcutta Municipal Act is concerned, though they have not what is exactly known as a Commissioner, they provide for the appointment of a chairman. Section 11 of the Calcutta Municipal Act of 1899 states:—

“The Local Government shall from time to time appoint a proper person to be chairman of the corporation.”

10TH FEBRUARY 1919.] (Mr. A. S. Krishna Rao; Mr. Rajagopala Achariyar;
Mr. Ranga Achariyar.)

“The Chairman may be removed from his office by the Local Government at its discretion, and shall be removed from his office if his removal be recommended by a resolution which has been passed at a special meeting and in favour of which not less than two-thirds of the commissioners present at the meeting have voted.”

“I am only drawing an example from the Calcutta Act of 1899 wherefrom it will be found that the object would be properly served if two-thirds of the number of persons present at the meeting vote for the removal of the Commissioner. I shall now draw attention to the provisions of the Bombay Act from which this provision is taken. So far as the Bombay Act of 1888 is concerned, section 54 says:—

“(1) The Municipal Commissioner for the City of Bombay shall be from time to time appointed by the Governor in Council for a renewable period of three years.”

“(2) But he shall be forthwith removed by Government from office, if at a meeting of the corporation not less than forty-five councillors shall vote in favour of a proposition in this behalf; and he may be removed by the Governor in Council at any time, if it shall appear to the Governor in Council that he is incapable of performing the duties of his office or has been guilty of any misconduct or neglect which renders his removal expedient.”

“This is the Act of 1888, and it is true that so far as that Act is concerned, a specific number was fixed irrespective of the strength of the Council or the number of persons present at the meeting. When forty-five was prescribed as the limit out of the total strength of 72, the proportion worked out to about five-eighths of the total strength. So far as number 33 is concerned, which is the provision that we are making, 30 years after the provisions of the Act of 1888, we are insisting on a much higher percentage than was provided in the Bombay Act of 1888. This certainly works at a higher proportion than the Bombay Act. This Bill as amended by the Select Committee provided for 30 elected commissioners. The Hon'ble Diwan Bahadur Rajagopala Achariyar has told us that after full discussion, they thought that three-fifths of the total strength was enough for election by the various divisions. That is the figure which has also induced me to suggest that 30 may be taken as the number of persons at whose vote, the Commissioner shall be compulsorily removed. I therefore suggest that the proportion of 33 is too much and that the number 33 should be modified the very reason suggested for reducing the number of elected commissioners to 30, will, I hope, induce the Government to accept my amendment.”

The Hon'ble Mr. B. V. Narasimha Ayyar seconded the amendment.

The Hon'ble Rao Bahadur T. Ranga Achariyar supported the amendment.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—“I must oppose this amendment. I must call attention to the wording of the clause which is proposed to be amended. Clause 8 (2) says:—‘The Governor in Council may at any time remove the Commissioner from office’—that is one thing—and shall do so if at a special meeting of the Council called for the purpose not less than 33 councillors vote for such removal.’ The idea is that if the Commissioner misbehaves or if the corporation have anything definite to say against him, which we consider justifiable, we will remove the man, but that has nothing to do with the question of adverse voting. Adverse voting is in the case where the corporation need not give any reasons. They may simply say: ‘we do not want the Commissioner,’ and the man goes. The principle of that is not that there is anything wrong specifically but that when two-thirds of the corporation feel and say that they could not get on with him, we say ‘in the best interests of the administration, let him go.’ That is the principle on which it stands. Honourable Members say ‘let us reduce the number from 33 to 30. Let him go on a vote of 30 commissioners.’ Let me call attention to the existing law. Under the existing law, Act III of 1904, section 9 which is the section that bears on this subject, says:—‘The President may be removed from office by the Local Government, and shall be so removed if his removal is recommended by a resolution in favour of which not less than twenty-eight commissioners have voted at a special meeting.’ It is the same thing. Twenty-eight out of thirty-six or seven-ninths is needed to ask for a removal. Under the new law, as put by the Select Committee, it will be thirty-three out of fifty or six-ninths. We have really brought it down to two-thirds. The Honourable Member says ‘I would replace the figure at 30’. Some members may be absent. That is just the kind of thing which we anticipate. If the question is really serious and if the members feel strongly, it is essentially a matter in which we may expect all the councillors to come, but if you find that you have not got 33, give up voting for the removal. I have merely given the reasons which induced us to put it at that figure. The Honourable Member has given no particular reason why the number should be reduced. I oppose the amendment.”

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—“I wish to support the amendment, Your Excellency. I do not really see what difficulty there is in the Government accepting this amendment. After all, the difference is only three.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—“Why press it then?”

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—“I ask the Government to look at it from this point of view. The policy that we are now pursuing in this legislation is to place trust in this Council and we give them enlarged powers and the whole scheme of this Bill is to extend the policy of trust in local bodies. What is the charm about the figure 33, that you should say that if 33 commissioners say that he should be removed, you are bound to remove him? Does not the same charm extend to the figure 30? If it is 20 out of 50, surely I can understand. Surely 30 is a large majority. It is a substantial majority of the

(Mr. Ranga Achariyar ; Mr. Rama Ayyangar ;
Mr. Yaqub Hasan ; the President ;
Mr. Rajagopala Achariyar.) [10TH FEBRUARY 1919.

Corporation. If a substantial majority of the corporation do not want the commissioner, I think the Government even without a statutory obligation will remove him but so long as we are imposing a statutory obligation, why not we have 30? Even though I was in favour of 33 in the Select Committee, on further consideration, I have changed my view since then and I consider that this amendment is reasonable and may be accepted."

The amendment was put and lost.

Clause 8 was then allowed to stand part of the Bill.

Clause 9.

Clause 9 was allowed to stand part of the Bill.

Clause 10.

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, I do not propose to move amendment No. 11 standing in my name."

With the permission of His Excellency the President, the following amendment was then withdrawn:—

After the words 'the proceedings of the Council' insert 'except those pending disposal with the standing committee or the President.'

Clause 10 was allowed to be added to the Bill.

Clauses 11 and 12.

Clauses 11 and 12 were allowed to be added to the Bill.

Clause 13.

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"Your Excellency, the Hon'ble Mr. T. Ranga Achariyar has given notice of an amendment similar to mine and it is more comprehensive than my amendment, namely, that for 'Rs. 2,500' Rs. 2,000 be substituted. I would rather second his amendment."

His Excellency the PRESIDENT:—"Then I will call on the Hon'ble Mr. Ranga Achariyar to move his amendment."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Your Excellency, the amendment which I move to clause 13 is this. The clause now provides that the salary to be given to the Commissioner should not exceed Rs. 2,500 per mensem. I propose to substitute 'Rs. 2,000' for 'Rs. 2,500' in the clause and I also propose to add the following proviso:—

"Provided also that with the approval of the Council the monthly salary of the Commissioner who has held the appointment for a period of not less than three years may be raised by the Governor in Council to a sum not exceeding Rs. 2,500 per mensem."

"I might mention that the Madras Corporation is not flush of funds. Our revenue is only about Rs. 30 or 35 lakhs, whereas the revenue of the Bombay Corporation is one crore and the revenue of the Calcutta Corporation is over one crore. Even in the Bombay Corporation, the maximum under the Act is Rs. 2,500 subject to its being raised to Rs. 3,000 after three years; in Calcutta the maximum is also Rs. 3,000. With over one crore of revenue, that they should be content with such a Commissioner and that the Madras Corporation should be called upon to pay Rs. 2,500 to the Commissioner is to put a burden upon it which it cannot bear. That is one reason.

"The second reason is that my amendment will have the result that instead of shifting the President as it now happens owing to the exigencies of service—he is put in for some time, put on other duty and then other people come—if we have a scale by which after approved service of three years, he will rise to a further maximum, it will be a further inducement for him to remain and the experience that he gained will be useful to the city and will not be lost to the city. I might also mention that so far as the previous history goes, it is a great jump indeed to make the maximum salary Rs. 2,500. We were content with Rs. 1,000 per mensem originally and now under the present Act, even though there is no maximum he starts on Rs. 1,800 and as we are fixing a statutory maximum following the other City Corporation Acts and as we are not leaving it to the discretion of the Council, but to the Governor in Council, I submit that this figure of Rs. 2,500 is too much. It is beyond the means of the corporation and it is too much for our city. I therefore propose that Rs. 2,000 be substituted for Rs. 2,500 and that the proviso be added."

The Hon'ble Yaqub Hassan Sahib Bahadur seconded the amendment.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I rise to oppose the amendment. I would first call the attention of the Council to the present law. Section 10 says:—The President shall receive out of the municipal fund such salary and allowances as may be fixed by the Local Government, and shall be entitled to pension or gratuity in accordance with such rules as the Local Government may prescribe. In other words, there is now no maximum for the salary of the President. On the other hand, the Legislature under the law as it now stands, has trusted the Government completely to fix the salary and allowances as the Government may consider suitable. This proposed fixing of the maximum is really a curtailment of the powers which the Government now possess. Personally I may be permitted to say

10TH FEBRUARY 1919.] (Mr. Rajagopala Achariyar ; Mr. Narasimha Ayyar ;
Mr. M. Ramachandra Rao ; Mr. Ranga Achariyar.)

that I doubt the wisdom of it. But the Bill has been introduced as modified by the Select Committee and the latter has committed itself to the view that some maximum should be fixed. Pray, remember that it is not proposed to give Rs. 2,500 in every case. That is the maximum. In fixing the maximum, which represents the highest limit, you must remember that unless you fix the limit fairly high, you will be confronted with the difficulty or the impossibility of finding suitable men. Either have no maximum or give the maximum such as will allow a fairly reasonable latitude. It seems to me that the sum of Rs. 2,500 is not an excessive maximum. I do not know the class of people who will hereafter fill the office of commissioner; but judging from the past, if you choose from the Indian Civil Service, it would be wise to give a wide limit so that the same man may continue there for some time. To this proviso of my Honourable friend, I have another particular objection. Now the proviso says that he may start on Rs. 2,000 and at the end of three years his salary may be raised to Rs. 2,500; if the corporation recommend it, the Governor in Council may sanction it. I do not think it desirable in any case. In a previous debate, I have already referred to the fact how necessary it is, taking the frame-work of the Bill, to keep the appointment of commissioner as far as possible in the hands of somebody who will feel independent, who will be trusted to do his duty. If we put in such a thing as this, human nature being what it is, that man will be very much tempted during the first three years to neglect the stern duties which the law imposes upon him for the purpose of placating the Council. In the best interests of municipal administration and efficiency, if we are to work the Act in the spirit in which it is framed, it is not only necessary that the appointment of the commissioner shall rest in the hands of the Government, but that the fixing of the salary also should be wholly in the hands of the Government. By all means, fix a maximum; but the maximum must be fairly high to give the Government a fair latitude of action in regard to selecting proper men. I oppose the amendment."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Some important facts have not been mentioned by the Honourable mover or by the Honourable Member who opposed the amendment. The Honourable Member has put forward grounds which are very unsatisfactory. His argument comes to this: under the present Act, we have certain powers; under the new Act, we are giving up those powers and why do you ask for anything more? No reasonable man will say he will take up only just what you throw out. The main question is: what is the total salary with allowances that has been paid to the President during the last five or six years. Neither the Hon'ble Mr. Ranga Achariyar nor the Hon'ble Mr. Rajagopala Achariyar gave any figures. I should like to know from any Honourable Member of Council if there are any such figures."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, I think the Hon'ble Mr. Ranga Achariyar's amendment commits the Council not only to a maximum but also to a minimum salary of Rs. 2,000, because his proviso states that the Governor in Council may raise the salary to Rs. 2,500 in three years. He wants the commissioner to start on Rs. 2,000 and in the discretion of the Government, the salary may go up to Rs. 2,500 at the end of the three years, so that it commits us to fix the starting salary at Rs. 2,000."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"No."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"You say 'not exceeding Rupees 2,000' and you say that Rs. 2,500 may be given in three years."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I say a sum not exceeding Rs. 2,500."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I see."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I have got one word to say. 'Human nature being what it is'—that is what the Honourable Member says; he has no objection to human nature being what it is so far as the Government are concerned, but he has objection to human nature being what it is so far as the Council is concerned. So far as the commissioner is concerned, I suppose he has to obey certain orders which emanate from Fort St. George and human nature being what it is, he tries to please the Government or the Member in charge or the Secretary; and the Honourable Member has no objection to this. But where he has to deal every day with 50 human beings who have to administer the affairs of the Council, human nature comes into play there. For that very reason, I press my amendment. The Honourable Member says that this commissioner is going to be an independent autocrat. That is not the intention of the Act, that is not the language of the Act. The municipal government of the city vests in the corporation. That, the Honourable Member in charge forgets. The Honourable Member has not given one word of reply about the finances of the corporation. The Government of Madras have been encouraging extravagance on the part of the municipality so that they have landed us in bankruptcy as it were. I plead for economy. May I ask if Rupees 2,500 is too little? Are not Collectors in charge of big districts with only Rs. 2,500? Is this commissionership in the corporation of greater importance than collectorships of districts? Assisted as he is here, by a Health Officer, by a Revenue Officer and various other officers, of high grade, I think that Rs. 2,500 as a maximum is a very large sum indeed. Very few civilians in the ranks get that amount. From any non-civilian class you will be able to get the best man at Rs. 2,500. Any expert will be able to take up the appointment. I do not think that Rs. 2,500 is a large sum indeed by itself and it is a large

(Mr. Ranga Achariyar ; Mr. Narasimha Ayyar ; [10TH FEBRUARY 1919.
Mr. Rajagopala Achariyar.]

sum when we consider the finance of the corporation. The Honourable Member has not vouchsafed one argument with reference to that. He has not said that we are going to increase the resources of the corporation in other ways, and therefore we need not be grieved. If he had said 'we are going to give you other sources of taxation, don't bother about it', I would never object. But there he brings in his official hand to bear upon us and says 'no, you cannot suggest sources of revenue; but at the same time be liberal in paying your officers.' This is an amendment which is very necessary in the interests of good municipal government in the city."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"May I ask for information as to what the salary has been during the last five or six years?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"It will take some time to get the information."

The amendment was put and lost.

The Hon'ble Rao Bahadur Ranga Achariyar claimed a poll which was taken with the following result:—

For	Against
The Hon'ble Mr. T. Richmond.	The Hon'ble Sir Alexander Cardew.
" Mr. K. Sadasiva Bhat.	" Mr. L. Davidson.
" Mr. B. Venkatapati Raju.	" Mr. C. G. Todhunter.
" Mr. T. Ranga Achariyar.	" Mr. A. Y. G. Campbell.
" Yaqub Hasan Sahib Bahadur.	" Mr. R. Ramachandra Rao.
" Mr. K. Chidambaranatha Mudaliyar.	" Mr. M. Young.
" Mr. A. S. Krishna Rao.	" Mr. L. E. Buckley.
" Mr. B. V. Narasimha Ayyar.	" Mr. N. E. Marjoribanks.
	" Mr. R. B. Wood.
	" Mr. Aziz-ud-din Sahib Bahadur.
	" Dr. T. M. Nayar.
	" Mr. V. K. Ramanuja Achariyar.
	" Sir Francis Spring.
	" Mr. Littlehales.
	" Sir Gordon Fraser.
	" Mr. J. H. Thonger.
	" Mr. J. C. Molony.
	" Mr. W. Hutton.
	" Mr. W. J. J. Howley.
	" The Advocate-General.
	" Mr. P. Rajagopala Achariyar.
	" Mr. H. G. Stokes.

The amendment was lost, 8 voting for and 22 against.
Clause 13 was allowed to stand part of the Bill.

Clauses 14 to 17.

Clauses 14, 15, 16 and 17 were allowed to stand part of the Bill.

Clause 18.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"My amendment is that we shall omit this clause. I would ask Honourable Members to return to section 11 in order to understand the effect of the amendment. Section 11 is what is called an emergency provision. It says: 'The commissioner may, in cases of emergency, direct the execution of any work or the doing of any act which would ordinarily require the sanction of one of the other municipal authorities and the immediate execution or doing of which is, in his opinion, necessary for the service or safety of the public and may direct that the expense of executing the work or of doing the act shall be paid from the municipal fund.'

"That itself is an objectionable provision in principle. The Act proceeds to say that such and such are the municipal authorities and those municipal authorities shall be invested with certain powers, and those authorities are to go to a certain point, the commissioner to go to a certain point, the Standing Committee to a particular point, the Council to a particular point, and the Governor in Council beyond that; luckily section 11 does not enact that the commissioner may do what the Governor in Council can do. The powers of the Governor in Council cannot be encroached upon by the commissioner but he could encroach upon the powers of the Standing Committee and the powers of the council. However, as an emergency clause I did not object, although it is unnecessary in my opinion, because I could not conceive that things could be so emergent in this city, with the facilities that we have, with the motor-car, with the telephone and various other facilities which we have it is impossible to conceive that there is anything so emergent which would authorize the commissioner to encroach upon the powers of the Council or the Standing Committee unless the Red Hills tank bursts suddenly in which case he may order a number of coolies to go at once and work there. But I hope such an emergency is not going to happen every day or even once in a generation. However, that is the

10TH FEBRUARY 1919. (Mr. Ranga Achariyar ; Mr. Siva Rao ; Mr. Molony ;
Doctor Nayar ; Sir Francis Spring ; Mr. A. S. Krishna Rao.)

object of section 11. Section 18 is a curious section. Section 11 trusts to the judgment of the commissioner. It says that if, in his opinion, a certain thing is emergent, he need not wait for the Standing Committee, but he may exercise his judgment. Therefore he has to exercise his judgment. Section 18 curiously enough says that he may delegate that judgment to somebody else. Section 11 requires that in his opinion, a certain action should be necessary and he is to take the risk and responsibility of doing it. Section 18 provides for a devolution or a delegation of that judgment and of that responsibility to somebody else. Being an emergency section, to depend upon one officer's judgment, we can understand. We can hold him liable, but we cannot understand this action. To allow such an emergency provision to be delegated to a subordinate officer, like the Health Officer, the Engineer or the Revenue Officer is quite uncalled for. An emergency upon an emergency is contemplated. I am told that if the President happens to be in Octacumund and something happens here, what is to happen? as if Octacumund is not accessible in a few hours telegraphic communication. Another argument suggested is that it is there in the existing provision. Section 24 of the existing Act allows that. What are we sitting here for? If the existing provisions are all right, why should we amend this Act and why should we meet here? We are all of us met to pass the amending Act and we are here to improve the existing law. I submit it is objectionable in principle, when we should fix the thing upon the judgment of one officer, to allow that to be delegated to some other officer. What is the power that we are giving to the commissioner? And what is it that we are giving to the Council? The Council can impose taxation to any limit on real property. The Revenue Officer may say some day that 30 per cent should be imposed as an emergency measure. Whether he does it or not is another thing, but when we are legislating, we should not allow these provisions to be enacted. It is quite uncalled for, unnecessary and it is quite obnoxious to all principles of legislation. I therefore strongly urge this for your acceptance."

The Hon'ble Mr. P. SIVA RAO:—"I second this amendment. It is a power that has been vested in the commissioner and no delegation should, in my opinion, be allowed."

The Hon'ble Mr. J. C. MOLONY:—"I oppose this proposal of the Hon'ble Mr. Ranga Achariyar:—He is first wrong in assuming a perfectly impossible case that a commissioner might direct the levy of taxation by imposing the maximum as a case of emergency. He must assume that the commissioner will be a person of ordinary intelligence and will be rational.

"In the second place, he has not allowed sufficient weight to the fact that real cases of emergency do arise and do require such powers. They are not such things as the bursting of the Red Hills tank or dramatic occurrence of that sort. They very largely relate to the spending of money. Recently for a commodity which we required for the corporation, orders had to go by telegram. It was far in excess of the President's ordinary powers of sanction and I took action under section 21. I submit it is necessary that the President should have power to do those things which are really necessary, and should not have always to fear that when he has acted so in cases of necessity, his action may be repudiated absolutely by those in whose interests he has bona fide acted. As regards the delegation of responsibility, it cannot be called a delegation of judgment. It is said that the commissioner delegates responsibility; but he is responsible for that delegation. The useful point in this section is that if he delegates certain powers to his subordinate that subordinate is protected against the commissioner going back subsequently. Secondly, there are some officials who are averse to taking responsibility on themselves without a certain delegation. There is the Health Officer who may have to take drastic measures sometimes. It is not a case that this is unnecessary."

The Hon'ble Dr. T. M. NAYAR:—"I support this amendment, my Lord. I fully recognize that the President should have full power to act under emergencies; but what I do not see is that he should have the power of delegating that authority to somebody else. It is quite true that the President may have to get his Engineer or the Health Officer or the Revenue Officer to execute certain works, but what is required is that the responsibility should be with the President. The President should take the entire responsibility for such work being done and should not delegate it. The Hon'ble Mr. Molony says that one advantage of that will be that the Engineer or the Health Officer or the Revenue Officer will be protected against the commissioner. Do they require such protection? If they require such protection, there must be something wrong with the commissioner. I do not think seriously that such a contingency will ever arise. The attempt to have this section deleted is an attempt to fix responsibility on the commissioner. I do not think that he ought to shirk responsibility and if he shows a tendency to shirk responsibility, I am inclined to withdraw the other powers granted to the commissioner."

The Hon'ble Sir FRANCIS SPRING:—"As a practical administrator of affairs, somewhat similar to the affairs conducted by the Corporation, I entirely support the view of the Hon'ble Mr. Molony that a responsible executive officer like the commissioner must be able not only to exercise his powers on emergencies, but must be able also, if necessary, to delegate his powers to one or more of his subordinates."

The Hon'ble Mr. A. S. KRISHNA RAO:—"The Hon'ble Mr. Rajagopala Achariyar, while dealing with the previous amendments, informed us that it was proposed to make the commissioner a responsible person who was not to be swayed by this consideration or that consideration, that he must not placate according to the wishes of the councillors; but should act on his own initiative in all emergencies. It would be carrying that point too far if we allow him to

(Mr. A. S. Krishna Rao ; Mr. Narasimha Ayyar ;
Mr. Rajagopala Achariyar ; Mr. Ranga Achariyar ;
Doctor Nayar ; the President.) [10TH FEBRUARY 1919.]

retain that responsibility even in matters of special emergency provided for in section 11. There is absolutely no doubt that he requires such emergency powers, wide though they are and extraordinary though they look. But as a matter of principle, what one ought to object to is that such extraordinary powers which require to be exercised on extraordinary occasions should be delegated to persons who cannot be expected to have the same status or the same position. Even in connection with the proposal made to reduce the pay of the commissioner, the Honourable Member in charge of the Bill was very particular that nothing should be done to lower the pay. It is only on account of the confidence that is to be reposed in the individual that this Council had no hesitation in giving such extraordinary powers as proposed in section 11. A reading of section 11 would show that it is not possible to define exactly what the cases of emergency are, and to what extent he can direct the execution of a work or the doing of an act which would ordinarily require the sanction of one of the municipal authorities, the immediate execution or doing of which is in his opinion necessary for the service or safety of the public. We may leave it to his sound sense and good judgment to decide this; but are we to allow him to delegate that power to other officers like the Health Officer or the Engineer? This delegation is an extraordinary remedy which ought not to find acceptance. Once we allow this policy, we cannot say where it will end. We have the fullest confidence in the commissioner and we expect him to do this reasonably; but at the same time to say that we must empower him also to delegate this power is not right. When the section says that the commissioner may delegate to his own officers, he will naturally support his subordinates to whom he delegates his powers. A municipal chairman is expected to be responsible for so many things, and if he gets it done by the subordinates, he naturally supports them."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"I wish to add only one word to what my Honourable friend has just now said. The instance given by the Hon'ble Mr. Molony appeared to be a singularly clear instance to show that the power should not be delegated. For what have we now in the section as proposed by the Select Committee? It is not merely to retain the words which we find in the existing section 22 of the existing Act, but to extend it to those who are in temporary charge of duties like the Health Officer or the Engineer or the Revenue Officer. The instance he took was a contract for a very large amount and it had to be negotiated and executed. Suppose he had to ask somebody to execute it. Under this section, it may be a contract for four lakhs and the emergency powers may be exercised by any acting Revenue Officer or acting Health Officer. Is it the purpose for which he will willingly sanction the emergency powers and sanction also the delegation? The instance given is itself sufficient to set us thinking and doubt the wisdom of handing over such a power."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"May I point out to the Council in the first place that this is not new? Under the existing law, section 22 enacts—'The President may, on his own responsibility and by an order, authorize any commissioner, or the Revenue Officer, or the Health Officer, or the Engineer, to exercise any of the powers specified in the last preceding section.' The change made is that he shall not hereafter delegate it to a councillor, but to the three chief heads of departments. It is a matter for consideration if there have been any instances at all till now when the existing section was worked wrongly."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"Was it worked at all?"

The Hon'ble Dr. T. M. NAYAR :—"No."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"Never, to my knowledge."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"You should have asked for that information. I am perfectly entitled to urge that no Honourable Member who urged this has yet given an instance of that having been worked wrongly. The Honourable Member should have said 'give me an instance in which it was worked.' He has not said that."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"I say it now and I ask for it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"There seems to be some amount of misapprehension. It has been urged by one Honourable Member that the commissioner should not throw his responsibility upon somebody else. If a man does that, he is entirely unfit. The Hon'ble Mr. Krishna Rao said 'why pay a high salary to a man who does not accept responsibility.' The merit of this section is that it keeps the responsibility. It says: 'the commissioner may, on his own responsibility and by an order in writing, authorize the Health Officer or the Engineer or the Revenue Officer, etc.' The commissioner's responsibility remains. It is not a case of delegation at all. The commissioner is given certain extraordinary powers and the framers of the Bill, as it stands, contemplate the contingency that may arise when it may be necessary to delegate. When there is a severe epidemic or plague, the commissioner may have to act and use his extraordinary powers under section 11; but as he cannot protect the public and the Corporation and to fix the responsibility upon him, the proposal is made: 'If you do so, do so on your responsibility; do not divest yourself of responsibility by allowing the Health Officer or somebody else to do this or that.' Further, to protect the chief heads from trouble, it is said that the commissioner shall put this in writing. The great merit and it gives adequate protection to the persons who are asked to act for him and it also provides for contingencies which may arise at any time. It is therefore, in my opinion, necessary. I oppose this amendment."

10TH FEBRUARY 1919.]

(Mr. Ranga Achariyar ; the President ;
Mr. Ramanuja Achariyar ; the Advocate-General.)

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"I have a few words to say."

His Excellency the PRESIDENT :—"The Honourable gentleman must remember that the Bill has got 400 clauses."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"It is an important Bill. The Bombay Municipal Act took three weeks. I must do my duty here and I cannot have another opportunity to do it. I cannot allow anything to be passed without a remark. It is said that the commissioner should have extraordinary powers. I do admit it. Another question was also raised and that was whether there should be delegation. That also is not disputed. Section 16 provides for this delegation of his ordinary powers. The question is whether he should delegate his extraordinary judgment. That is the issue before the Council. Let us not confuse ourselves with those side issues which have been raised as a sort of argument. Section 11 requires that if 'in his opinion a certain thing is necessary' he may do it. It is an absurdity to suggest that he keeps his responsibility and asks somebody else to form his opinion. It is absurd to conceive of such a case. When one man has to form an opinion, how can he say 'I am responsible, you form the opinion.' The proposition has only to be put forward in that way to show its absurdity. People accustomed to executive administration will not see the absurdity. But we, who are accustomed to judicial modes, look at things and see the absurdity. Section 22 is in existence under the existing law. I am thankful to the Honourable Member in charge for putting me in mind of section 22. It has been there from 1904. From 1904 to 1918 not a single occasion arose, so far as my memory goes, in the last ten years of my municipal experience, for the subordinate to exercise any judgment under section 22. No such case ever came up for consideration. I therefore think that it is an absolutely unnecessary provision and it would be mischievous. As we are enacting the law, it would not be proper to retain such a provision."

The amendment was put and lost.

The Hon'ble Rao Bahadur T. Ranga Achariyar demanded a poll which was taken with the following result :—

For		Against	
The Hon'ble Mr. V. K. Ramanuja Achariyar.	The Hon'ble Sir Alexander Cardew.		
" " M. Ramachandra Rao.	" " Mr. L. Davidson.		
" " P. Siva Rao.	" " C. G. Todhunter.		
" " K. Rama Ayyangar.	" " R. Ramachandra Rao.		
" " K. Sadasiva Bhat.	" " M. Young.		
" " K. R. Suryanarayana-murti	" " L. E. Buckley.		
" " Nayudu.	" " R. B. Wood.		
" " Dr. T. M. Nayar.	" " Aziz-ud-din Sahib Bahadur.		
" " Mr. B. Venkatapati Raju.	" " Mr. T. Richmond.		
" " the Raja of Pittapur.	" " the Rev. G. Pittendrigh.		
" " Mr. Yaqub Hasan.	" " Sir Francis Spring.		
" " T. Ranga Achariyar.	" " Mr. R. Littlehales.		
" " K. Chidambaranatha Mada-	" " Sir Gordon Fraser.		
" " liyar.	" " Fairless Barber.		
" " A. Suryanarayana Rao.	" " Mr. J. H. Thonger.		
" " A. S. Krishna Rao.	" " J. C. Molony.		
" " B. V. Narasimha Ayyar.	" " W. Hutton.		
	" " W. J. J. Howley.		
	" " the Advocate-General.		
	" " Mr. P. Rajagopala Achariyar.		
	" " N. E. Marjoribanks.		
	" " A. Y. G. Campbell.		
	" " H. G. Stokes.		

The amendment was lost, 15 voting for and 23 voting against.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—"Before I move my amendment, I should like to know whether the amendment No. 108 to clause 369, standing in my name, is likely to be accepted. If that amendment is accepted, I move this. If that amendment is not accepted, I will not move it."

The Hon'ble the ADVOCATE-GENERAL :—"That is not likely to be accepted."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—"Then I do not move it."

With the permission of His Excellency the President, amendment No. 14 which was :—"Omit the words 'in writing' in line 1" was withdrawn.

Clause 18 was allowed to stand part of the Bill.

Clause 19.

Clause 19 was allowed to stand part of the Bill.
At this stage the Council adjourned for a short interval.
The Council re-assembled at 3 p.m.

(The Advocate-General; Mr. A. S. Krishna Rao.)

[10TH FEBRUARY 1919.]

Clause 20.

The Hon'ble the ADVOCATE-GENERAL:—"Your Excellency, I move amendment No. 15-A on the agenda, which is

'Add the following at the end of clause 20 (1): "and may by such regulations provide for a conference of two or more standing committees or for the appointment out of such committees of a joint committee for any purpose in respect of which they may be jointly interested. Such conference or joint committee shall have all the powers of the standing committees concerned."

"Honourable Members are aware that under this Bill, as different from the existing law, four standing committees are established respectively dealing with taxation, finance, health and education. The Council has power under sub-clause (1) of the Bill by regulations to assign the various functions imposed upon the standing committee under the Bill to the respective standing committees. It has got full powers of distribution; and the regulations may be so framed as to prevent any kind of deadlock. But in order to make the point perfectly clear, what is proposed is to add the words which I have just now read enabling the Council expressly, if it so chooses, to provide for a conference or the appointment of a joint committee out of the standing committees whenever matters arise in respect of which more than one standing committee happened to be interested. In regard to regulations dealing with finance, if they are framed with due regard to the functions of the standing committee, it may be that this device of a conference or of a joint committee may be unnecessary. As the Bill now stands the only provision made to co-ordinate all these four standing committees whenever there is necessity for co-ordination is in rule 15 of schedule II printed at page 75 of the Bill. That says: 'The commissioner shall, in any case in which two standing committees may have passed conflicting decisions, submit a report to the President who shall place the subject before a meeting of the Council and pending the resolution of the Council, the commissioner shall withhold all action in regard to the matter in issue.' That is a more dilatory procedure than the one proposed. That, first of all, necessitates that there should be conflicting decisions which must have been arrived at. By a joint committee conflicting decisions may be prevented altogether, and there may be no necessity for it. Whenever there is a likelihood of that, if they come together, they can come to a conclusion which will be binding on both the bodies. That is the object with which these words are sought to be introduced at the end of sub-clause (1). As for the joint committee procedure, there is analogy for that to be found in English legislation where the county council and the borough council can co-operate. Again in Bombay, in the Bombay Act it is found that where more than one committee can be appointed by the Corporation, and where one municipality may have to co-operate with another municipality, the two municipalities may appoint a joint committee. The form of the words in this amendment was adopted from those two enactments. It is only giving power to the Council which they may or may not exercise, which they may find it necessary to exercise or not. The Council is not compelled to appoint a joint committee unless they choose to do so. If they find that a conference will be unwieldy and that a smaller joint committee will be a more suitable machinery to sit, they may do so. They may exercise the power just as they choose. Honourable Members will see that there are four standing committees each consisting of seven members. It may be that a conference of two standing committees may be quite feasible, but where four standing committees have to confer, a joint committee will be a better plan than a conference of all the four standing committees consisting of twenty-eight members. The last words are added: 'such conference or joint committee shall have all the powers of the standing committees concerned.' It is necessary to provide for that in order to enable such action as may be taken in cases where there may be difference of opinion—in order to make the decision binding on the municipal authorities established under the Act. It is for that purpose that this is put in."

The Hon'ble Mr. H. G. Stokes seconded the amendment.

The Hon'ble Mr. A. S. KRISHNA RAO:—"So far as the proposed addition is concerned, it is absolutely necessary to avoid certain difficulties which are likely to arise owing to the absence of a conference of these standing committees. While I welcome this addition, I would suggest that it is quite sufficient if a conference of two or more standing committees is provided for purposes in which they may be jointly interested and that such conference as has been pointed out by the Hon'ble the Advocate-General may have the powers of the standing committees concerned. I object, my Lord, to that portion of the addition which suggests the appointment of a joint committee out of these committees. I formally move as an amendment 'mittee' in lines 2 and 3 of the proposed amendment and the words 'or joint committee' in line 4 of this amendment. These are the words that I propose to have deleted from the clause will be as follows: 'The Council shall, by regulations framed for the purpose, determine the powers and duties of each standing committee and may, by such regulations, provide for a jointly interested. Such conference shall have all the powers of the standing committees concerned.' Honourable Members of Council will see that according to schedule II, relating to rules quorum for a meeting of the standing committee is only three. Instead of an unwieldy provided in the Bill is only three. It will be quite sufficient if conferences of these standing committees are arranged for all purposes in which they are interested; but if with these small

10TH FEBRUARY 1919.] (Mr. A. S. Krishna Rao; Mr. M. Ramachandra Rao; Mr. Rajagopala Achariyar; the Advocate-General; Mr. Ranga Achariyar; the President.)

committees with a prescribed quorum of three, if it is further provided that they may have a committee selected out of these standing committees and if they are given the power of the standing committees themselves, the result not be as satisfactory as it should be. Already in the present Bill wide powers have been given to the standing committees and as this conference will have the powers of both the standing committees, it is sufficient. There is no necessity to have a joint committee of these standing committees. I move this amendment."

The Hon'ble Rao Bahadur T. Ranga Achariyar seconded the amendment.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I support the deletion of these words as proposed by the Hon'ble Mr. Krishna Rao. As has been observed by the Honourable mover of this amendment, Honourable Members will see that under this Bill, four standing committees are set up and each of them will have seven members. I recognise the necessity for a joint conference, because one of the committees deals with finance, another deals with public health, another with another subject, and another with education. It would be necessary for us to arrange for a joint conference of each of these standing committees for the purpose of settling business and financial questions because, after all, each of these committees will have to deal with the finance committee. It would be necessary to promote better understanding between each of the four committees to arrange a joint conference. If there is to be a joint conference, it may not be all the members of one standing committee conferring with all the members of another standing committee, but I take it that they will make a further selection of some of their members to confer with the members of the other committee, not the whole of the committee but another committee. The result is if you supersede both the committees and entrust this power to a joint committee of both the committees, we will land ourselves in a rather anomalous position. It may be possible by regulations to provide what effect should be given to the proceedings of the joint committee. That would be a better way than to supersede the two committees by the constitution of a joint committee composed of some members of each of the two committees. It seems to me it would simplify matters and the same object will be attained by a regulation providing that the proceedings of the joint committee should be communicated to each of the standing committees, so that necessary action may be taken by co-ordination of each of these two committees."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"What is your proposal?"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I propose the deletion of the last sentence, namely, 'such conference or joint committee shall have all the powers of the standing committees concerned'. I will have the rest."

The Hon'ble the ADVOCATE-GENERAL:—"We will accept it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I accept it."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I do not understand it."

His Excellency the PRESIDENT:—"The Honourable gentleman took exception to the last sentence on the ground generally that it interferes with the structure of the Bill and appears to give the standing committee new power. The Honourable Member in charge is willing to accept the deletion of that last sentence. That is the position which has been arrived at so far."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I want to understand the object of this deletion."

His Excellency the PRESIDENT:—"The object is to leave the powers of the standing committee as they are in the Bill. This amendment expressly suggests a joint committee and a conference in subjects in which two or more standing committees may be jointly interested and they will be left with their own statutory powers unimpaired."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I am afraid it will not do for this reason. Suppose a conference of two joint committees takes place, supposing the works committee take one view and the health committee take another view, what will be the position?"

His Excellency the PRESIDENT:—"You cannot prevent the committees conferring and you must allow for such a conference. If they cannot agree the Corporation can settle it under the powers of the Bill."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Is any regulation necessary for a conference?"

His Excellency the PRESIDENT:—"The Advocate-General put it that this might be a useful suggestion and it is therefore expressly included in the Bill. It is obviously better to give the committees power of meeting jointly in conference. It is quite harmless."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"So long as you do not give them statutory powers, there is nothing to prevent them from having a conference. Does it need a statutory provision?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The idea is to put it there. I agree with the Hon'ble Mr. Ranga Achariyar that even if it is not there, there is nothing to prevent the Corporation from having a regulation, providing for a joint conference. It is there, but it is better to indicate it, so that the object may be obvious in actual working. That is

(Mr. Rajagopala Achariyar; Mr. Ranga Achariyar; [10TH FEBRUARY 1919.
the President; Mr. Rama Ayyangar.]

why we considered it necessary to have these words as proposed by my Honourable friend:—
'And may by such regulations provide for a conference of two or more standing committees or for the appointment out of such committees, of a joint committee for any purpose in respect of which they may be jointly interested.' I agree with the Hon'ble Mr. Ranga Achariyar that even without those words, under the Bill as it stands, the Corporation will have power to confer. But if you put it there, it will suggest itself more easily in case there is any friction. It is idle to deny when you are putting four committees instead of one, that there is a contingency of friction, and so let us provide for it. The deletion of the last sentence that we agreed to is because it will interfere with the powers of the standing committee. In the last resort, the Corporation will be supreme; they may override any committee or all committees. It is reasonable that we should not go any further, and appoint a joint committee with powers in supersession of those of the standing committee."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"The only danger that I feel is, when you enumerate one power, some of us will argue that it will exclude the rest. What is the necessity for enumerating the thing?"

His Excellency the PRESIDENT:—"It is only empowering the Corporation to frame regulations. This amendment consists of two sentences and the proposal to amend the amendment is in the name of the Hon'ble Mr. Ramachandra Rao. He proposes to omit the last sentence of the amendment."

The amendment was put and agreed to.

The Advocate-General's amendment as amended was put and agreed to.

Clause 20, as amended, was allowed to stand part of the Bill.

Clauses 21 and 22.

Clauses 21 and 22 were allowed to stand part of the Bill.

Clause 23.

The Hon'ble Mr. K. RAMA AYYANGAR:—"In view of the opinion of some of my Madras friends, I do not propose to press my next amendment."

With the permission of His Excellency the President, the following amendment was withdrawn:—

In clause 23 (1) add at the end after the words 'or the commissioner', 'except by way of revision on requisition provided hereunder.'

Clause 23 was allowed to stand part of the Bill.

Clauses 24 and 25.

Clauses 24 and 25 were allowed to stand part of the Bill.

Clause 26.

The Hon'ble Mr. K. RAMA AYYANGAR:—"I do not propose to move the amendment which stands in my name."

With the permission of His Excellency the President, the following amendment was withdrawn:—

In clause 26 (2) add at the end 'subject to a revision by the council on a requisition by at least ten commissioners of the council.'

Clause 26 was allowed to stand part of the Bill.

Clauses 27 to 41.

Clauses 27 to 41 were allowed to stand part of the Bill.

Clause 42.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I propose amendment No. 18 on the agenda, which is:—Omit the words 'or the commissioner' in line 8 of clause 42."

"This is a reserve power in the controlling authority, namely, the Governor in Council, to direct the local authority to perform certain acts which, in their opinion, should be performed. It will also be noticed that the object is, before the Governor in Council take action under the proviso, to give the council an opportunity of showing cause why such an order should not be made. The council may take one view and the Governor in Council may think that the council has neglected to do a certain thing and they may direct it to perform it. The Governor in Council was overlooked in drafting section 42. It is not intended that the Governor in Council should direct the commissioner over the head of the council. Whatever they wish to get done, they must direct the council to do and not the commissioner. The commissioner is the authority appointed by the Governor in Council and he will feel bound to carry it out. He may not even wait for the council, but the council must take the responsibility and the Governor in Council must direct the council. That is the object of this amendment."

The Hon'ble Mr. A. S. Krishna Rao seconded the amendment.

10TH FEBRUARY 1919.] (The Advocate-General; Mr. Rama Ayyangar;
Mr. Ranga Achariyar)

The Hon'ble the ADVOCATE-GENERAL:—"The Government oppose the amendment which is proposed by the Hon'ble Mr. Ranga Achariyar. The commissioner has got independent statutory powers apart from the council. When he commits default in the discharge of his duties, which are imposed upon him by various sections of the Act, then certainly the requisition by the Government should be against him. My honourable friend is apparently under the impression that the communication is to the commissioner. That is not so. So far as all official correspondence is concerned, that passes between the Government and the president whether it is the commissioner that is directed or the council that is directed to perform the duty, the correspondence is with the president of the corporation. We are not dealing with the question of correspondence, but the question of the incidents of duty. Whoso is the duty? Is it the duty of the commissioner or of the council? Who is the person who is to be called upon to discharge the duty? If it is the council that has to do the duty, the council should be asked. If it is the commissioner, it is the commissioner that should be asked to do it. There are various chapters of the Bill under which the commissioner alone has duties, for instance, the prevention of infectious diseases and looking to insanitary buildings, dangerous wells and tanks, etc., in regard to which he has got various duties to perform. If an emergency arises, and the Government think that the commissioner has neglected to discharge his duty, and that duty should be forthwith discharged, it is the appropriate municipal authority upon which this requisition made by the Government should be imposed."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, I submit that this goes to the very root of the principle of this legislation. Section 23 to which I proposed to move an amendment says: 'subject to the provisions of this Act, the municipal government shall vest in the corporation'. As pointed out by the Hon'ble the Advocate-General, no doubt the council is asked to delegate its authority in certain matters to other particular authorities and in such cases, it shall not exercise the functions so delegated. There is a provision in section 24 which says 'the standing committee and the commissioner shall be bound to give effect to every resolution of the council unless such resolution is cancelled in whole or in part by the Governor in Council.' So far as the Government are concerned, certain powers are vested in the Government to interfere in certain cases, to ask that a certain expenditure should be incurred, to sanction certain expenditure when the estimate is above a certain figure. These are the main provisions under which the Government can interfere. Government can interfere when the council exceeds its powers under section 44 and it can cancel wholly or in part any by-law. That is the power that has been given to the Government. Whatever it is, subject to these powers of interference, Government have nothing to do with the municipal administration of the city. While that is so, I submit, my Lord, this communication or this direction to the commissioner, though the communication passes through the president, directly from the Government would mean that a delegated authority of the council shall also become the direct authority for certain purposes. I do not think that that can be the spirit of the Act as it is now framed. In fact, the whole matter in the case of important cities is governed by the resolution of the Government of India dated 16th May 1918 in which it is said 'in order that the large amount of every day administration necessary should be efficiently carried on, this administration is, in Bombay, placed under a special nominated Commissioner, who is, however, subject to the general control of the corporation and of its standing committee. This proposal was commended in the resolution of 1915, and it appears to the Government of India to be worthy of consideration. So long as the executive officer of a city is protected from the possible caprices of a board by provisos requiring that, though his nomination may be by the Board, his appointment should be approved by Government and that he should not be removed without the sanction of the Government unless by the vote of a substantial majority of the board, it is not necessary to require that the executive officer should be a Government official, and competent men can be appointed to the post who have not been or no longer are in Government service.' The spirit of this paragraph has been adopted in the present legislation and as I said section 23 expressly says 'subject to the provisions of this Act, the municipal government of the city shall vest in the council'; and the president is the authority who is to correspond with any outside body. That being so, it is only proper that there should be no order to the commissioner direct though it may be through the president as if he were a post office. There is the power vested in the Local Government to immediately appoint an officer to do certain acts, get them done and collect the charges from the corporation. Such an authority may be necessary, but once the act is to be done, though it may be by any portion of the corporation, the other portions are only authorities who have been given particular powers which under ordinary circumstances will not be interfered with and I submit we will be going against the spirit of the Bill if there is a provision that the commissioner can be communicated with directly by an executive order of the Government. The council is entitled to see that he does the act which he has neglected to do. However, where they have not also taken notice, Government may communicate the order. In that case, the order should be to the governing body and not to the executive officer, who is supposed to be under the governing body for all purposes, though for purposes of convenience certain powers within certain limits are given to him, the council agreeing not to exercise them. That being the scope and principle of the Act, I submit the amendment has to be accepted."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"This opposition, in my opinion, seems to be an opposition for opposition's sake. If the Hon'ble the Advocate-General's argument is to be accepted, he should have provided also on his own argument, to direct the

THE MADRAS CITY MUNICIPAL BILL, 1918.

(Mr. Ranga Achariyar; the Advocate-General;
Mr. Rama Ayyangar; the President.)

[10TH FEBRUARY 1919.]

council or the standing committee or the commissioner within a specific period of time. He forgot altogether that under the scheme of the Act, the council, the standing committee and the commissioner have respective functions assigned to them. It must be beneath the dignity of the Government to deal directly with an executive officer when they have entrusted the municipal government to the council, and when the Governor in Council feel that certain duties have not been discharged by a certain officer, they must deal with the council direct and not with the executive officer of that council. Therefore, saying that it is the appropriate duty of the commissioner, does not seem to be a sound reason, because, as I said already, the Hon'ble the Advocate-General should have taken care to introduce the words 'standing committee' also there which he has not done. That shows that he is merely inventing an argument at the time of arguing the question. It is improper in principle on the part of the Government to deal direct with the commissioner even though, as the Hon'ble the Advocate-General said, it may be that all correspondence should be through the president. Is the president a post office to transmit the tapals to the commissioner? Is that the idea? On the other hand, you want to treat the corporation as a respectable body and the Governor in Council represent outside control, the principle being that they exercise the control over the council from outside; and that principle is respected by saying that you shall not have direct correspondence with the commissioner. You make the president merely a post office to send communications to the commissioner. What is the poor commissioner to do when he gets such a direction from the Governor in Council? If such a direction were to come to the council, they would be prepared to obey it or to disobey it at their risk. But to give him directions is mischievous in principle and cannot be supported; and it can only be justified by executive notions."

The Hon'ble the ADVOCATE-GENERAL:—"I am afraid this small amendment which is more or less verbal does not deserve the vehemence and the eloquence which my honourable friend brought to it. It is more or less verbal. If Honourable Members would look at sub-clause (a) of clause 42, it says: 'If, on receipt of any information or report obtained under section 40 or 41, the Governor in Council is of opinion that any duty imposed upon any municipal authority by or under this Act has not been performed or has been performed in an imperfect, inefficient, or unsuitable manner' the Governor in Council may direct the council or the commissioner to make arrangements for doing it. The reason why the standing committee was omitted is that it has not got executive powers. It is not the executive; but the commissioner is the executive. The supreme regulating body is the council in which the whole municipal government is vested. There is no reason to include the standing committee which is neither the executive nor the governing authority."

"So far as the other point is concerned, clause 37 makes it perfectly plain that no official correspondence between the corporation and the Governor in Council shall be conducted except through the president. The president shall be bound to transmit communication addressed through him by the commissioner to the Governor in Council or by the Governor in Council to the commissioner. Clause 37 which has been passed by the Council clearly contemplates the president acting, as my honourable friend suggested, as a post office. He is merely to transmit the correspondence between the commissioner and the Government. This is necessary, because the authority which has to discharge certain duties is different from the council which has not got all the duties. It follows the existing law. Under the existing law, section 25 of the Act of 1904 says: 'If the Local Government are of opinion that any of the duties imposed on any municipal authority by or under this Act has not been performed or has been performed in an imperfect, inefficient or unsuitable manner, the Local Government may, by an order, direct the municipal authorities, or any of them, within a period to be specified in the order, to make arrangements to their satisfaction for the proper performance of the duties, etc.'"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"The President is head of the corporation. You forget that."

The Hon'ble the ADVOCATE-GENERAL:—"The President will certainly be a municipal authority under the existing Act. It simply follows the existing phraseology."

The amendment was put and lost.

Clause 42 was allowed to stand part of the Bill.

Clause 43.

Clause 43 was allowed to stand part of the Bill.

Clause 44.

The Hon'ble Mr. K. RAMA AYYANGAR:—"I do not press amendment No. 19 in my name."

With the permission of His Excellency the President, the following amendment was withdrawn:—"Delete sub-clause (d) of clause 44 (2)."

Clause 44 was allowed to stand part of the Bill.

Clause 45.

His Excellency the PRESIDENT:—"Amendment No. 20 in the name of the Hon'ble Yaqub Hasan Sahib Bahadur falls as also No. 21 in the name of the Hon'ble Mr. A. S. Krishna Rao."

10TH FEBRUARY 1919.]

(The President; Mr. Ranga Achariyar;
the Advocate-General.)

The following were the two amendments, in the name of the two honourable gentlemen:—

The Hon'ble Mr. YAQUB HASAN:—

20. After the words 'divisional councillors' insert the words 'and Muslim councillors' and after the words 'thirty divisions' insert the words 'and six Muslim divisions'.

The Hon'ble Mr. A. S. KRISHNA RAO:—

21. Substitute 'thirty-two' for 'thirty'.

Clause 45 was allowed to stand part of the Bill.

Clause 46.

His Excellency the PRESIDENT:—"Amendment No. 22 in the name of the Hon'ble Yaqub Hasan Sahib falls."

The amendment was:—22. Omit the word 'divisional' and insert the words 'and Muslim division' after the words 'each division'.

Clause 46 was allowed to stand part of the Bill.

Clause 47.

His Excellency the PRESIDENT:—"Amendment No. 23 also falls consequentially."

The amendment was:—23. After the words 'each division' insert the following:—

'and Muslim division, provided that the names of Mussalmans qualified to vote shall alone be entered in the lists for the Muslim divisions and they shall be omitted from the lists for the other divisions.'

Clause 47 was allowed to stand part of the Bill.

Clause 48.

Clause 48 was allowed to stand part of the Bill.

Clause 49.

His Excellency the PRESIDENT:—"I am in a little difficulty which amendment we may take."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"May I suggest a procedure?"

His Excellency the PRESIDENT:—"If you please."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"My amendment brings out many of the points brought out in the amendments proposed by the Hon'ble Yaqub Hasan Sahib and others, so that if it is taken as the basis, they may move their amendments. The Hon'ble Yaqub Hasan Sahib's amendment comes earlier and the Hon'ble Mr. A. S. Krishna Rao's amendment also comes earlier, but mine comprises both."

His Excellency the PRESIDENT:—"We shall first take the first four lines of the clause in the Bill settling the question of residence. I shall put to the Council sub-clause (1) of clause 49 until the words 'and either' shall stand part of the Bill."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"It is affected by my amendment."

His Excellency the PRESIDENT:—"It is affected by the other amendment. If the Council decides that that clause stand part of the Bill, it decides on the amendment that deals with that part."

The Hon'ble the ADVOCATE-GENERAL:—"I move that first four lines of clause 49 (1) stand part of the Bill."

The Hon'ble Mr. H. G. Stokes seconded the motion.

His Excellency the PRESIDENT:—"Now, Honourable gentleman will be free to speak against it in the sense of their amendments."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I move, Your Excellency, my amendment. The substance of clause 49 (1) is that residence in the division is to be made a necessary qualification for the person to be entered as a voter in the division. My first amendment is that residence in the division need not be a necessary qualification, where the person pays a property tax. I shall explain my position. Under the present law as it is, residence is not a qualification for being a voter in any particular division. That is to say, if he pays the property tax, he is entitled to be registered as a voter. He may live out of Madras; he may live in any other division, but if he pays the property tax in the division where the property is situate, for that property, he gets the vote. Now, the proposed section as amended by the Select Committee introduces this innovation and deprives the people who have votes already of

(Mr. Ranga Achariyar; Mr. Rajagopala Achariyar; [10TH FEBRUARY 1919.
Mr. Siva Rao; the President.)

the votes that they possess. That is one objection to the proposed provision by the Select Committee. Apparently the principle they have in view is the question of the plurality of votes. My suggestion is not open to that objection at all. In fact, the franchise is not personal. It is based upon property qualification. I can understand the objection to give one man more than one vote may apply to the case where it is purely manhood suffrage based upon the persons; but where the franchise depends upon paying municipal rates, the qualification attaches to the person who is the owner of the property, or rather the person who pays municipal rates. It depends upon the law of the place—as to who pays the rates. It is the owner that is made responsible for the municipal rate. Even if the occupier pays it, he can recover it from the owner. The scheme of the Act is to make the rate recoverable from the owner, the franchise depending upon the property qualification. That is a real qualification and that depends upon the locality where the property is situated. That is why the law has all along been that it follows the owner wherever he may be situated. Being immovable property the rate depends upon the property where it may be situated. It has all along been recognised in all franchises that where it is based on the property, residence is not made a condition precedent to qualify him for a vote. Till the recent Act of 1917 in England where the franchise depended upon the possession of real property, residence was not a condition precedent."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"How is it now?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Give us everything that England has; we are not fit enough to take English things in all other matters, but whenever it suits the Government, they say 'take what is the provision in England'; but whenever it does not suit them, they say 'this is not suited to this country.' So recently as 1906 when the House of Commons passed a Bill making residence a compulsory qualification the House of Lords rejected it. That is only very recently. Where the existing law provides that where a man pays the rate in a particular division, he shall be entitled to vote in that division, there is no reason in principle why that vote should be taken away. I want to satisfy some of my non-official friends. I have to satisfy not only my official friends, but sometimes my non-official friends also. Suppose the city is divided into thirty wards, the whole city having thirty elected commissioners, you will be entitled to record your vote for thirty persons. Instead of recording it at one booth, you record it at thirty different places. It is one vote for each candidate in each district. I being a resident in Madras, have property in Tanjore, and I pay the property tax in respect of that property. The qualification exists. Why could I not go and exercise the franchise there? Madras is divided into so many districts, in each district there are so many candidates and I have property paying the rate. The procedure is, I am served with thirty bills if I have thirty houses. The franchise being dependent upon the possession of property for which I pay taxes, there is really no reason why I should not have a vote. Further, in Madras it is not doing anything obnoxious in principle. It is the principle which exists under the present Act. The Honourable Member in charge has appealed to existing provisions whenever he wanted to oppose my amendments. I hope he will follow existing provisions and I hope he would not blow hot and cold. I hope he will say that there is no need for a change. If existing provisions are good in order to oppose my amendments, I invoke the aid of those existing provisions to support my amendment. I ask the Honourable Member to be consistent in this matter. There is nothing objectionable. I can take you through the numerous statutes where residence, so far as municipal franchise is concerned, is not made compulsory, where franchise is dependent upon the payment of rates. I therefore move my first amendment that residence need not be a condition precedent in the case of a person paying the property tax.

"My amendment is No. 26:—"In clause 49 (1), after the words "unless he" in the second line add as sub-clause (a)—"

"Has paid in the year preceding that in which the electoral roll is published a tax mentioned in clause (a) of section 98 in respect of property in that division or," omitting all the words from "has" to "either."

The Hon'ble Mr. A. S. Krishna Rao seconded the amendment.

The Hon'ble Mr. P. SIVA RAO:—"I sent up a similar amendment, amendment No. 24-A in the supplemental agenda and I wish to say a few words."

His Excellency the PRESIDENT:—"Yes, pray do. If the Honourable Member wishes to address himself to the residence for 120 days in the division, this is the time for him."

The Hon'ble Mr. P. SIVA RAO:—"Only that point, Your Excellency. The first clauses of my amendment relate to other things. The gist of the proposed amendment is to dispense with the residential qualification in the case of those who become entitled to vote by reason of the payment of property tax. In other words, I may be a resident of Bellary and I may happen to own a house in Madras within the limits of the corporation; there is absolutely no reason why I should not have a vote by reason of my having a house within the limits of the corporation. By reason of owning the house, the owner has a material stake in the municipality. He has as much interest in municipal affairs as anybody else and he is certainly entitled to have a voice in its concerns. Looking to the present Act of 1904 which is known as the City Municipal Act, this residential qualification is not insisted upon in the case of those who pay the property tax and I do not see why it should be insisted upon in this proposed Bill. One difference will arise between my amendment and probably the Hon'ble Mr. Ranga Achariyar's amendment. If

10TH FEBRUARY 1919.]

(Mr. Siva Rao; the Advocate-General;
Mr. Ranga Achariyar; Mr. Suryanarayana Rao.)

our amendments are carried into effect, they may probably mean an alteration in the wording of explanation (3). The wording of it may have to be modified by saying that a person shall not have more than one vote, he shall not be entitled to vote in more than one division by reason of his having a house in more than one ward. So far as this amendment is concerned, the amendment refers to voting at ward elections."

The Hon'ble the ADVOCATE-GENERAL:—"My honourable friend Mr. Ranga Achariyar was not right in saying that residence was not a qualification under the existing law. It is a necessary qualification in two cases. There are four qualifications."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I distinctly said that so far as the property tax is concerned, residence is not a qualification. I confined it to property tax. There is no use of misunderstanding me."

The Hon'ble the ADVOCATE-GENERAL:—"It is clear that the present Bill follows different rules as regards this question of franchise. Residence is the essential test under the present Act. The idea is that those only will be enabled to select their representatives to the corporation, those only will be enabled to take a real interest in the corporation who are actually residing. If they are non-resident gentlemen receiving rents probably through their agents, I do not understand what is the kind of interest which they can evince in municipal affairs. How are they qualified to choose the persons who are to represent them in the corporation? How are they to represent their grievances in the corporation? Beyond the fact that they own property and that some agent or a relative or a tenant occupies and pays the rent, what is their interest? What is sought to be provided really is, as the franchise is considerably widened, and as women are also entitled to vote, it is necessary to avoid plural voting. People who own houses in Madras cannot be given a predominant voice in the affairs of the city, simply because they possess houses in more than one division or simply because they are non-resident gentlemen in the mufassal, who own houses in Madras and may well be taxed. Are they to be regarded as persons who can have houses in Madras and may well be taxed. Are they to be regarded as persons who can effectively exercise the right of voting? What is intended in the Bill is to lay down residence as the first test by which the qualifications must be ascertained. This follows English legislation. The Municipal Corporations Act, which must be the model for the Madras City Municipal Act, expressly provides for it in section 9.

"The Municipal Corporations Act of 1882, not the County Council Act, that expressly lays down that a person must have either been occupying the house or must have been residing for twelve months in the borough or within seven miles from it and he must have been qualified with respect to the rates and he must have paid the rates up to a certain date. It is quite evident that this is not an innovation which is sought to be made. We make the councillors disqualified if they cease to reside in the city and we make the qualifications of voters the same as those for candidates. If we say that voters need not reside in the city and if at the same time we say that councillors would be disqualified if they do not reside in the city, this will make the position anomalous. So far as this particular amendment to omit the reference to residence in clause 49 is concerned, Government strongly oppose it, as all personal qualifications are abolished by the present clause. What is proposed is residence plus the payment of the tax or the occupancy of the house. That is a perfectly intelligible test and when women have been enfranchised and the electorate will be fairly unwieldy, to allow every house-owner who lives in the mufassal to vote, or a house-owner who resides in one division to have a vote in other divisions where he does not reside, but owns a house, would be to go against the elementary democratic principle that plural voting should be provided against."

The Hon'ble Mr. A. SURYANARAYANA RAO:—"Under section 37 of the Calcutta Municipal Act, residence is not a compulsory qualification to become a voter. Under section 37 of the Calcutta Act, 'A person shall not be entitled to vote at an election unless he . . . is enrolled in the municipal election roll as a voter of the ward for which such election is held. (2) A person shall not be entitled to be enrolled in the municipal election roll as a voter of any ward unless such person . . . resides or pays rates or other taxes, etc.' It does not say 'and', but only 'or'. When I refer to the Bombay Act, section 11, I see a similar provision there. There also the residential qualification is not insisted on. It says: 'A person shall not be entitled to the residential qualification unless he is enrolled in the municipal election roll as a voter of the ward for which such election is held. (2) A person shall not be entitled to be enrolled in the municipal election roll as a voter of any ward unless such person either . . . has been assessed to the qualifying tax, . . . or resides . . . in that ward.' So we see both in the Bombay and the Calcutta Acts mere ownership is considered sufficient to entitle a man to become a voter. I do not see any necessity for any improvement under the present Act and to insist on residence as a qualification before he can become a voter. Under section 49 of this Bill, I invite your Excellency's attention to explanation (3), sub-clause (2). It says: 'Any company has paid the tax mentioned in clause (a) of sub-section (1), shall be entitled to roll is published in the division, etc.' Now in regard to the company, what is the residential qualification that is insisted upon. Any company that pays the tax is entitled to one vote. It is payment of the tax that is considered sufficient to entitle it to vote. At least in the case of companies, personal qualification has been dispensed with and tax qualification has been considered sufficient. Again, when Your Lordship considers the definition of residence, is not the whole thing illusory? I invite attention to the definition of residence:

(Doctor Nayar ; Mr. Ranga Achariyar.)

[10TH FEBRUARY 1919.]

this reason that within the municipal localities, all the real property owned is merely house. Very few lands are owned in municipal areas and so far as a house is concerned, if there is a tax on the house, it is at once shifted on to the occupier and therefore the real man who pays the house-tax in the municipal area is the occupier and not the owner. As long as the occupier has the municipal franchise, I do not see any reason for a further claim for the owner to have a franchise. The only person who is disfranchised is the absentee landlord, the landlord who owns property and lives far away. Far from having any claim to franchise, I think he should pay something to the municipality, because the absentee landlord when he comes back finds the value of the house tremendously increased without any trouble on his part. Where the property owners require to be protected, I fail to see. I think, My Lord, that for future municipal purposes, we ought to definitely lay down that none but those who have resided for a certain time, should have the franchise, whether they are graduates, or whether they are property owners or anything else, that residence ought to be the essential qualification because unless you reside within the city, you do not know what the discomforts of the municipal administration are and what the comforts of the municipal administration are. Therefore the men who have to suffer and the men who are to be benefitted by the municipal administration—they are the proper authorities to decide how the municipal administration should be conducted. I strongly support the principle that rate-paying and residence should be the necessary qualification."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"My Lord, I am glad that theories, at least in this instance, find acceptance within the walls of this chamber. If we went on theories, we should have absolute democracy at once in this country; but we are not to have it. If theories are to find acceptance, why not introduce the occupancy rates? Why does the Act take the trouble to make the owner the person ultimately liable to pay the rate? Impose the occupancy rate; if the municipal government exists for the occupier, make the occupier pay. That is not what the Act does. The Act now says that the owner is the person liable for the municipal rate. So, the municipal government wants the owner to pay the rate and wants somebody else to have a voice in imposing that rate. That is evidently what it comes to. Is it consonant with reason, justice or with common sense to make one man pay and another man impose that tax."

The Hon'ble Dr. T. M. NAYAR :—"It is the other man that pays really."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"If I am deprived of my vote, I am deprived of membership in the Council; if the owner is deprived of the vote, he is not entitled to be a councillor. The Hon'ble the Advocate-General made so much of residence in these divisions. If I live on the northern side of the Poonamallee road and own a house on the southern side of the Poonamallee road, I am not entitled to vote in the division in which my property is owned. This is a purely artificial division for the purpose of convenience to divide the city into thirty divisions. Simply because I live on one side of the road, and the property is on the other side, to say that I should have no vote is absurd. I know what the defects are and what the conditions are, of municipal government on the other side; but still I am deprived of my right, because I do not live across that road and do not sleep for 120 days across that road. That is what it comes to—this beautiful provision about residence! Therefore I say the main principle on which I stand is this 'So long as you make the owner liable for the rate, you must not deprive him of the vote that he has under the law. Even on theory, I am prepared to defend my proposition; but apart from theory, I put it, practically. In Calcutta, residence is not a qualification. In that big city, which was till recently the capital of all India, residence is not a qualification. On the other hand, Calcutta goes further and it gives the rich man up to ten votes. If he pays Rs. 200, he has two votes, if he pays Rs. 500, he has five votes, if he pays Rs. 2,000, he has ten votes. In Bombay, as I have already pointed out, residence is not a condition but residence is made a condition only with reference to other qualifications. It is only in this Bill we have got this residence made a condition precedent so far as the owners are concerned. The Hon'ble the Advocate-General asks what kind of interest the house-owner would have who does not reside. It is the goose which lays the egg on which the administration is carried on. The golden eggs are to be drawn from the house-owners and if unlimited burden is to be imposed on the owners of houses, the owners of that goose are not to have a vote, but everybody else is to have a vote, then everybody else has the right to grumble that the streets are bad and are not sanitary,—everybody else can grumble but the owner who pays the rate should not have a voice in imposing that rate. That is what it comes to. He has every substantial interest. Unfortunately he is the man from whom you wring all the money from which you enjoy all the municipal amenities in the city. Therefore, I do not think there is any use of my wasting my breath and eloquence here. I have realized it sufficiently and I am learning it to-day. But as this is an important matter in which owners of houses in this city will be put to great loss by taking away the right which they have under the law, I had to say so much. You are asked to change the law; I ask you what reason there is for changing the law. Is it simply on abstract principles as the Hon'ble Dr. Nayar would have it? If so, let us have everything on abstract principles. It is not proper to deprive the owner of the right that he has. Residence in a division is meaningless. I therefore strongly appeal to the Council to accept the amendment."

The motion that the first four lines of clause 49, sub-section (1), be added to the Bill was put and agreed to.

10TH FEBRUARY 1919.]

(Mr. Ranga Achariyar ; the President ;
the Advocate-General ; Mr. Yaqub Hasan.)

The Hon'ble Mr. T. Ranga Achariyar claimed a poll which was taken with the following result:—

For	Against
The Hon'ble Sir Alexander Cardew.	The Hon'ble Mr. P. Siva Rao.
" Mr. L. Davidson.	" Mr. K. Rama Ayyangar.
" Mr. C. G. Todhunter.	" Mr. B. Venkatapati Raju.
" Mr. R. Ramachandra Rao.	" Mr. T. Ranga Achariyar.
" Mr. M. Young.	" Mr. K. Suryanarayanamurti
" Mr. L. E. Buckley.	" Nayudu.
" Mr. N. E. Marjoribanks.	" Yaqub Hasan Sahib Bahadur.
" Mr. R. B. Wood.	" Mr. Ahmad Tambi Marakkayar.
" Aziz-ud-din Sahib Bahadur.	" Mr. K. Chidambaranatha
" the Rev. G. Pittendrigh.	" Mudaliyar.
" Sir Francis Spring.	
" Mr. Littlehales.	
" Sir Gordon Fraser.	
" Mr. J. H. Thonger.	
" Mr. J. C. Molony.	
" the Most Reverend John Aelen.	
" Mr. W. Hutton.	
" Mr. W. J. J. Howley.	
" Mr. A. Y. G. Campbell.	
" the Advocate-General.	
" Mr. P. Rajagopala Achariyar.	
" Mr. H. G. Stokes.	
" Mr. M. Ramachandra Rao.	
" Dr. T. M. Nayar.	
" Mr. A. S. Krishna Rao.	
" Mr. B. V. Narasimha Ayyar.	

The motion was agreed to, 26 for the addition of the four lines to section 49 (1) and eight voting against the addition.

His Excellency the PRESIDENT :—"The next point that we have to decide is about sub-clause (1) (a) :—The Hon'ble Yaqub Hasan Sahib has an amendment dealing with it and so has the Hon'ble Mr. Ranga Achariyar. But they fall to the ground. I will put the next two lines."

The Hon'ble the ADVOCATE-GENERAL :—"I would suggest that 'or' be put before (b)."

His Excellency the PRESIDENT :—"Yes."

The Hon'ble Yaqub Hasan Sahib Bahadur :—"What is to become of my amendment?"

His Excellency the PRESIDENT :—"Your amendment has been really rejected by the decision of the Council on the other amendment. I will add it to the Bill."

The Hon'ble Yaqub Hasan Sahib Bahadur :—"It is usual to put the amendment."

His Excellency the PRESIDENT :—"There was a multiplicity of amendments. Gentlemen, instead of proposing amendments to the section, re-drafted the clause."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"My amendment is not that. I propose amendments to the existing section."

The Hon'ble Yaqub Hasan Sahib Bahadur :—"I had alternative amendments."

His Excellency the PRESIDENT :—"Clause (b) has been settled by the previous debate."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"I wish to substitute 'Rs. 120' for 'Rs. 60'."

His Excellency the PRESIDENT :—"As the clause stood, you propose to omit the residential qualification of 120 days, but you want to move an amendment which will make it more rigorous. Is there any amendment to sub-clause (b)?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"My amendment is to substitute 'Rs. 120'. It is not days, it is the amount."

His Excellency the PRESIDENT :—"The Honourable gentleman proposed to raise the occupancy qualification from 60 to 120 on the supposition that we would follow his advice and out of the Bill the residential qualification of 120 days."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"That is independent."

His Excellency the PRESIDENT :—"We will move clause (b) as in the Bill and the Honourable gentleman will move his amendment to raise the figure from '60' to '120'."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"I will also add 'or a graduate of the University'."

His Excellency the PRESIDENT :—"We will take that separately."

The Hon'ble the ADVOCATE-GENERAL :—"I will move clause (b) of section 49 (1): 'Has for not less than six months in such preceding year occupied a house in the city of an annual value of not less than sixty rupees'."

(Mr. Ranga Achariyar; Mr. Suryanarayana Rao; [10TH FEBRUARY 1919.
Mr. A. S. Krishna Rao; the Advocate-General;
Mr. Yaqub Hasan; the President.)

The Hon'ble Mr. H. G. Stokes seconded the motion.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I move that the word '120' be substituted for the word '60'. That is, the occupier gets a vote under this Act in addition to the owner. Under the existing law, the occupier is entitled to vote only if he has a house of the annual value of Rs. 240. The proposal here is to reduce it to Rs. 60 or Rs. 5 per mensem. I propose that it should be Rs. 120. I borrow the argument of the Hon'ble the Advocate-General that we are now adding to the unwieldy nature of the constituency by adding all sorts of voters of both sexes and therefore we shall be introducing complications by taking occupiers of houses paying only Rs. 5 per mensem. The other reason is that it will be merely the occupant voting. So long as there is no occupation rate, is it sound in principle? To go and reduce it to Rs. 5 per mensem is, I think, objectionable in principle. Payment of Rs. 5 per mensem means that the house will be a very small house indeed and it is unnecessary that such people should have a vote. On the other hand, the payment of Rs. 10 will satisfy the requirements of the case, and therefore I submit that '120' may be substituted for '60'.

The Hon'ble Mr. A. SURYANARAYANA RAO:—"I second this amendment. I think that Rs. 60 is too low a qualification and that Rs. 120 should be fixed as the minimum."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I regret I have to oppose this, Your Excellency. When we are all making very serious attempts to make these local institutions popular and representative of the people, when we have been making attempts to extend the franchise as wide as possible, it will be a retrograde step to go back on this proposal and to increase the property qualification. The Council has already decided that to ensure local knowledge, residential qualification is essential. Occupiers of houses are in a position to know the shortcomings of municipal administration and they will have personal knowledge of the various questions which can be used to the best possible extent. It is unfortunate that there lurks in the minds of some persons a suspicion that the occupier may not be in a position to safeguard the interests of the owners and that the absentee owners might suffer at the hands of the occupiers. I trust that occupiers will be as much interested in safeguarding the interests of the city as any house-owner. Let not any suspicion be responsible for increasing the qualification of the occupier. I strongly oppose the amendment. I would have come forward with a proposal to lower the qualifications; but as the matter stands at present, the Select Committee has taken various circumstances into consideration. It will probably become an unwieldy electorate if the qualification is made lower than Rs. 60. When they have come to that decision, I think we ought not to increase that figure."

The Hon'ble the ADVOCATE-GENERAL:—"Your Excellency, to raise the annual value of houses necessary for a voter from Rs. 60 to Rs. 120 would just deprive those occupiers who should have a right to vote and who, but for this qualification, would not have a right to vote. If you raise it to Rs. 120, you will be, to some extent, duplicating the property tax-payers. If occupiers of houses of the annual value of Rs. 120 were about 4,000 and occupiers of houses of the annual value of Rs. 60 would be 6,000, the result is that 2,000 persons must be paying the property tax, if you want to confer that benefit."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I beg to withdraw the amendment."

With the permission of His Excellency the President, the amendment was withdrawn.

Sub-clause (b) of section 49 (1) was allowed to stand part of the Bill.

The Hon'ble Yaqub Hasan Sahib Bahadur:—"When that proposition was put by the Hon'ble the Advocate-General and immediately after that, the Hon'ble Mr. Ranga Achariyar took up the question of residence, we concentrated our attention on the question of residence, so far as property tax was concerned. The other aspect of the question whether in the case of those who pay taxes in respect of their professions, residence is essential or not, was not taken, up at all. That was part of my amendment."

His Excellency the PRESIDENT:—"The Honourable Member has not been injured because, as I understand it, we have settled in a sense that he wished to have it settled under sub-clause (a) of section 98."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Sub-clause (b) is professional tax."

His Excellency the PRESIDENT:—"No. Sub-clause (b) is company tax and sub-clause (c) is profession tax."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Your Excellency, residence is insisted in both these cases. Your Excellency will allow me to move this small amendment that the question of residence should not be taken so far as profession tax is concerned."

His Excellency the PRESIDENT:—"That is settled, I am sorry if I have deprived the Honourable Member of the right of moving his amendment."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"I hope Your Excellency will allow me to move my amendment."

His Excellency the PRESIDENT:—"I am afraid I cannot go back. I must rule the Honourable gentleman out of order. We are now settled down to the word '60'."

10TH FEB. 1919.] (Mr. Ranga Achariyar; the President; Mr. A. S. Krishna Rao;
Mr. Siva Rao; Mr. Narasimha Ayyar.)

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"There is a sub-clause about graduate."

His Excellency the PRESIDENT:—"I must be fair to the Hon'ble Mr. Yaqub Hasan. He has clause (c) and that is the point raised in sub-clause (2) of section 49 of the Bill. It is the question of company votes that is raised in section 49 (2). Thus the whole of his amendments are covered. Coming to the graduate vote, I call upon the Hon'ble Mr. A. S. Krishna Rao to move his amendment."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I have the honour to move:—In clause 49 (1), add the following after the words 'sixty rupees' occurring in sub-clause (b):—

'or (c) he is a graduate of some University in His Majesty's dominions.'

"When the Bill was referred to the Select Committee, the Government laid down this qualification. Let us consider and see what possible objections can be urged against a graduate being a qualified voter at elections to the Corporation. It is true that by the extension of the franchise in the manner suggested, a very large number of graduates will have the necessary qualification and will be in a position to vote. A further question will arise whether it is necessary to enable the graduates who do not pay any of these taxes to vote at municipal elections. That is the only point for consideration. When we remember that this is a qualification which has been exercised and very properly exercised during the last so many years, there must be sufficient reasons for taking away that qualification. Is it suggested that these graduates not paying taxes will outnumber other people who pay taxes and who are qualified to vote? Is it suggested that it will prejudice those elections? That is the only standpoint which can be urged against it. Is it apprehended that graduates who do not pay any taxes will not be in a position to properly safeguard the interest of the rate-payers in the Corporation? I do not think that such a position can be reasonably taken. When we remember that the number of such graduates as do not pay taxes will be very few compared with the large number of tax-payers, such a contingency is not likely to arise and there need not be any apprehension whatever on that ground. I submit that these graduates who have been exercising the privilege for so many years, should be allowed to exercise that franchise; and they will be in a position to help the municipal administration rather than cause any sort of difficulty."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I second it, Your Excellency, and withdraw my amendment."

The Hon'ble Mr. P. SIVA RAO:—"I support it and I may also withdraw my amendment, which is to the same effect."

The Hon'ble the ADVOCATE-GENERAL:—"I must state that Government are unable to accept the amendment. The Bill as introduced provided for three personal qualifications: 'Is a graduate of some University in His Majesty's dominions or is a pensioned officer of the Indian Army or is a holder of any title or decoration prescribed by the Governor in Council, to be a qualification for inclusion.' These were the three personal qualifications in addition to the real qualifications that we mentioned in the Bill that was before the Select Committee. The Select Committee after carefully considering the matter, decided to omit all the three personal qualifications. The test which was adopted for laying down the franchise is residence of the rate-payer."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Only by a majority."

The Hon'ble the ADVOCATE GENERAL:—"Yes, by a majority."

"Therefore, I do not understand any necessity for the restoration of the graduate qualification. It will not be consistent with the rest of the clause. Rate-paying and residence being qualifications that have been introduced, these personal qualifications had to be ruled out. The old Act proceeded upon principles, altogether different from the principles upon which the present franchise is based in the present Bill. There is no question of graduates having a vote or not. If they fulfil the qualifications laid down in the Act, they will have a vote; otherwise not. There is no question of disfranchising the graduates. I do not know if it is a serious matter. Neither of the two Honourable Members who spoke on the subject, mentioned the number of graduates that would not pay the tax under clause (a) or would not be occupiers of houses of the value of Rs. 60 per annum. Most graduates would be occupiers of houses of not less than Rs. 60. I do not think there is any business behind this amendment. Because it is in the existing Act, Honourable Members want to restore it. But the existing Act has been deliberately departed from, so far as this clause is concerned. This amendment is intended to tack on to a new provision some antiquated provision in the existing clause. There is no harm by leaving it out."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, I have been carefully following the Hon'ble Advocate-General to see what reasons he would give for the exclusion of graduates in the qualification clause. His first position is that we had in the original Bill three qualifications of which the graduate qualification was one. Nobody has suggested that titles and pensions should still be qualifications. Why then insist upon the graduate qualification? My short answer to this is: while saying that graduates should be qualified we are in no sense, upholders of the position that pensioners and title-holders should not be given the franchise."

(Mr. Narasimha Ayyar.)

[10TH FEBRUARY 1919.]

Therefore, the first objection is hardly an objection. The second objection taken by the Hon'ble the Advocate-General is that it would not be consistent with the rest of the clause. What he means is that the general tenor of the qualifications suggested is property or income. And here comes something educational. My answer to it is: we have heard so much about literacy being so closely connected with the privileges of self-government. In order that any local self-government or provincial self-government should be conceded, a degree of literacy has been put forward as an important factor and it is rather astonishing to be told at the same time that the fact of one being a graduate should not have anything to do with the franchise. I wish to point out the basic reason underlying the present motion. The Hon'ble the Advocate-General said that there was an attempt to put an antiquated provision of the Act of 1904 and that there was really no grievance and therefore there was no necessity to refer to the graduate qualification. I am going to show that some antiquated things are excellent and we are apt to lose sight of the merit of such antiquated things. The list of electors will be the list of candidates also. In framing both we are trying to put forward a list of men who have a knowledge of local affairs and who are competent to advise. The possession of a diploma is *prima facie* proof of the possession of the qualification for advising people what to do. I think it has been so long acted upon that it is hardly necessary for me to take up the time of the Council in demonstrating the wisdom of that course.

"I shall proceed to the third ground put forward by the Hon'ble the Advocate-General. He says that every graduate will get in and no Honourable Member has put forward the number of graduates that will be excluded. That is really very important. I consider that as the only point made and I shall proceed to deal with that point. I was anxious to get this qualification of graduates brought in for two or three reasons all of which will affect the question put by the Hon'ble the Advocate-General as to what is exactly our grievance. I shall point out where the harm is. At present, a large number of graduates are exercising the franchise and it has not been made out by any one that the fact that the graduates have been exercising the franchise has caused any harm to municipal institutions. On the other hand, it has been realized that Madras is the premier municipality and it is setting an excellent example of how to conduct elections and take interest in elections. I think no small part of the glory of municipal success here is due to the fact that a very large number of graduates are exercising the franchise. So far from the possession of the franchise by graduates being proved to be wrong, we have every reason to believe that the possession of the franchise by graduates has added a great deal to the reputation of Madras municipal elections. Therefore, the more natural question for the public to consider and the more important point for the Hon'ble the Advocate-General to press is, which of these people are going to be kept out. I will give you the answer. I shall point out which of these graduates will be excluded. Our graduates, a good number of them belong to the floating population. They come and stay here for three or five years and during that period they do take as intelligent men interest in their own neighbourhood. If there is anything insanitary, they are the most active people to put things right. The resident population are thankful to the graduates for the assistance they give. I have myself lived for over eight or nine years in this town, of which I spent five years as a graduate. I know full well the ways in which the graduates spend their time here and what sort of qualification they possess. Very few of them possess the qualification of ownership of property or payment of taxes. Next comes the question of occupation. We have allowed people paying a rent of Rs. 5 to vote. I will show you how you exclude them. Explanation 2 says that, in respect of one house, only one person will be deemed to occupy the house and shall be the rate-payer. I know how many graduates live together for various purposes. They establish hostels and live together instead of taking wretched houses in a street like the Hanumanthalala Street, Triplicane, and subjecting themselves to plague; they take up a big house or a big flat and six of them live together, and if there are six of them, five will be debarred from voting. If our object is to exclude these people, if we want to penalise the people who want to have fine houses by acting on the principle of co-operation, we can tell the graduates as we do in this clause: 'you have no separate house, you will not be given a vote and you are not entitled to become voters by your education.' Are we not taking up a position which is condemned by the past history of the Madras municipality? It is quite clear that graduates have deserved the franchise that they have been enjoying and the first effect of the present Bill will be that several of these graduates who very often live together, will be excluded.

"I shall refer to the next class that we shall be very unfortunately excluding. On that matter, I am sure I will have the sympathy of the Government. We have given the franchise to women. With reference to women, what happens? Women themselves as owners of the property are very rare here. The reference to occupiers shows that only one can be a voter. Let us take the lady graduates. We have about two dozen in Madras of lady graduates, I suppose; is it the object of any gentleman to exclude the lady graduates and, if so, for what reason are we to exclude them? Their less-cultured sisters having possession of some property will be allowed to vote and yet, with reference to these people, we will be keeping them out; especially in the case of ladies for whom we have permitted the franchise, it appears to be a special case and it is a mistake to strike off graduates from exercising this privilege of being voters. It is absolutely unwise; I think it is a retrograde step to remove the qualification. It has been working very well. I know that in some cases this exclusion of the graduates is based upon a fear that graduates will swamp the election, that they will have their own way, they are men of ideas, and they will boom up their own candidates and cry down

10TH FEBRUARY 1919.]

(Mr. Narasimha Ayyar; Mr. Molony;
Mr. Ranga Achariyar; the President.)

other candidates. I do not know if that is the idea of the Hon'ble the Advocate-General. If persons with ideas and with energy come forward to carry on elections in well-recognized ways, it is not proper to say that they should be kept out, because they have not got property or because they do not keep a separate house paying Rs. 60 per annum. It is a wrong policy to exclude graduates. You are keeping the ladies out and you are also keeping the graduates out, both of whom deserve the franchise."

The Hon'ble Mr. J. C. MOLONY:—"I merely propose to give some figures. It is not proposed to penalize the graduates. The mere fact of being a graduate without being a taxpayer is a somewhat artificial action. Under the present existing law, sub-section (d), number of graduates registered as voters is 931 and it is impossible to say whether with the reduction in the tax-paying qualification a great many of them would not come in otherwise. It is extremely probable because the present electorate is 11,848, and the number of persons assessed to house-tax who will come in is 30,100, the number of persons assessed to professional tax is 7,000 and the number of persons coming in under the occupancy clause will be 6,500. I may also point out that the Hon'ble Mr. Narasimha Ayyar is not quite correct in considering that the women's only chance of getting a vote is the graduateship."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I did not say that."

The Hon'ble Mr. J. C. MOLONY:—"There are 7,173 women paying taxes to the municipality who will be qualified to vote under the law as now proposed and I may also add that, so far as my experience goes, a woman graduate in Madras would never be qualified simply because she is a graduate. A woman who has taken a degree will almost certainly be either in the medical or teaching profession and her professional tax will be very high and therefore she will have a qualification quite distinct from that of a degree."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Only one information I wish to give to the Hon'ble the Advocate-General if this is going to change his view. He wanted to know what class of people will be thrown out in case this is rejected. The graduates who are pursuing their career in the professional colleges will be thrown out. The other class that will be thrown out is the members of joint Hindu families, which the Hon'ble the Advocate-General is anxious to introduce. These junior members who are graduates will be thrown out."

The amendment was put and lost.

The Hon'ble Mr. B. V. Narasimha Ayyar claimed a poll which was taken with the following result:—

For	Against
The Hon'ble Mr. M. Ramachandra Rao.	The Hon'ble Sir Alexander Cardew.
" " P. Siva Rao.	" Mr. L. Davidson.
" " K. Rama Ayyangar.	" " C. G. Toddhunter.
" " K. Sadasiva Bhat.	" " A. Y. G. Campbell.
" " B. Venkatapati Raju.	" " R. Ramachandra Rao.
" " T. Ranga Achariyar.	" " L. E. Buckley.
" " Yaqub Hasan Sahib Bahadur.	" " M. Young.
" " Mr. Ahmad Tambi Marakkayar.	" " R. B. Wood.
" " K. Chidambaranatha Mudaliyar.	" " N. E. Marjoribanks.
" " A. Suryanarayana Rao.	" " Aziz-ud-din Sahib Bahadur.
" " A. S. Krishna Rao.	" " Dr. Nayar.
" " B. V. Narasimha Ayyar.	" " Mr. T. Richmond.
	" " Littlehales.
	" " Sir Fairless Barber.
	" " Gordon Fraser.
	" " Mr. J. H. Thonger.
	" " The Most Reverend John Aalen.
	" " Mr. J. C. Molony.
	" " W. Hutton.
	" " W. J. J. Howley.
	" " The Advocate-General.
	" " Mr. P. Rajagopala Achariyar.
	" " H. G. Stokes.

The amendment was lost, 12 voting for and 23 voting against.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I wish to oppose the latter part of explanation 2 which says: 'Nor shall more than one person be deemed to occupy the same house.' Will Your Excellency allow me to propose that?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"He is not in order in proposing any omission."

His Excellency the PRESIDENT:—"He is at liberty to propose the amendment. I have already put clause 49 down to the words in explanation 2."

[10TH FEBRUARY 1919.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :- "I can understand it."

Clause 49 down to those words was allowed to stand part of the Bill.

The Hon'ble Mr. A. S. Krishna Rao seconded the amendment.

His Excellency the PRESIDENT:—"I do not wish to exercise any powers which I have not got."

His Excellency the PRESIDENT :—“ We shall apply the same rule. If the Council objects to the Honourable Member moving this amendment, the Honourable gentleman cannot move it. With the consent of the Council, I may allow the Honourable gentleman to be heard.”

His Excellency the PRESIDENT :—“ It will apply to all people. It is better to allow the chairman a discretion.”

The remaining words of explanation 2 were allowed to be added to the Bill.

The whole clause 49 was allowed to be added to the Bill.

Clause 50 was allowed to stand part of the Bill.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—“ Why not we take up clause 51 to-morrow, Your Excellency ? ”

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"It will take a lot of time."

'27. Omit sub-clause (b) and make consequential alterations by omitting the lettering of sub-clause (a) and the word "and" at its end.'

"By this Bill, we have allowed women to come in as voters. I propose that we should go further and enable them to become councillors. It will take a long time when they will come forward, but there is no reason why we should object to any lady coming forward. I propose the amendment."

His Excellency the PRESIDENT :—“ Will the Hon'ble Mr. Siva Rao second that as he has sent up a similar amendment ? ”

The Hon'ble Mr. P. SIVA RAO:—"I second the amendment. It has been decided that all voters should be eligible to be candidates. If one is qualified to be a voter and if he is of the

(Mr. Siva Rao ; Mr. Rajagopala Achariyar ;
Mr. Ranga Achariyar ; Mr. A. S. Krishna Rao.)

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, this is a matter upon which a great deal can be said. But as we are all familiar with the arguments for and against allowing the franchise to women, I do not propose to take up the time of the Council by reciting them all, but I will simply indicate what the attitude of the Government is. At present, under the law as it now stands, women are not qualified either to vote at municipal elections or to come in as councillors. The Bill, if passed, will allow them to participate in municipal elections. The Hon'ble Mr. Molony has told us a few minutes ago that there are about 7,000 women who will now get the franchise in that way and participate in elections. The attitude of the Government is: while we recognize that a time will come when women will have to be returned to the Council, we consider that this particular change we have made is sufficient for the present. We do not at all deny that there may be women here and there who could well act as councillors and would probably do better than some of the men who are sitting as councillors. A similar argument might apply to us. I dare say there are women who will do much better than either I or my Hon'ble friend Mr. Narasimha Ayyar, but you have also to consider exactly what public opinion is ripe for. Whatever you may feel about the election of women to the local bodies, I do not think the country is quite fit for that. It is only now that we are emancipating them by giving them votes. Let us stop there for some time and let the public familiarise itself to this spectacle of women going along with men and recording their votes at the polling stations. I dare say the time will come when we can take the next step. I oppose this resolution solely on the ground that it is premature. Also please note what are the kind of women that you contemplate. A good lady doctor or an inspectress of schools—they are the kind of people who are needed and they might ordinarily come in by nomination. While section 51 says: 'No person shall be qualified for election as a councillor unless . . . such person is of the male sex', section 52 does not give the fact of the female sex as one of the reasons for disqualification for appointment. It is still open to us under the Bill, if passed, it is still open to us, I mean to His Excellency, to appoint women to the municipal council if he is so minded. But I do not think we are now called upon to take this last step also, namely, to declare that they should stand as candidates also for election. I think the thing is premature and on that ground I oppose it."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"I am in this unfortunate position so far as this amendment is concerned. The Corporation when I was not present, passed a unanimous vote that the amendment should be accepted. But, speaking as a practical man I am inclined to agree with the Honourable Member in charge at least in this instance although not in any other instance from this morning. I want to take rather a responsible view of the situation. Let us conceive what we are doing to-day by section 49. We are enlarging the electorate to a very large extent indeed by reducing the qualification and by giving votes to a larger number of people. I want to wait and see how it works. Having had some experience in elections, having contested a seat in two or three elections, I am inclined to give this warning : let us not proceed too fast. It will introduce complications. Therefore my own inclination is to give a vote against the amendment but the corporation vote is against me ; and so I propose to be neutral in this matter."

The Hon'ble Mr. A. S. KRISHNA RAO:—"If the Hon'ble Mr. Ranga Achariyar had taken up the view that it was too early for women to be allowed to be voters in municipal elections even when we are extending the electorate, I can understand his position. He has not raised any objection to women being allowed to participate in municipal elections. The franchise has been broadened to that extent. The question for consideration resolves itself into this: according to the information which the Hon'ble Mr. Molony was kind enough to furnish us, we have 8,000 women who will participate in elections. When we realize that there are women intelligent and capable enough to take part in affairs concerning municipal administration, why should we refuse them the privilege of allowing one of their own sex to represent them? I cannot myself imagine why when we had agreed to give them the right to vote at municipal elections, they should not be given the right to represent the ratepayers on the corporation.

“ My second reason is this : Honourable Members of Council will see that various respectable women in the Madras city convened meetings and expressed their desire that they should be allowed to participate in municipal elections and be allowed to stand as candidates. They held meetings and sent up copies of their resolutions. We find among the papers placed on the table, before the Council, proceedings of a meeting of women held on the 14th of December 1918 at Mylapore. It is to this effect : ‘ This meeting of the women of Mylapore, Madras, is of opinion that the municipal vote should at once be given to all women tax-payers, and also that women should be allowed to stand as candidates for the municipal council. This meeting calls upon the Legislative Council to include these two measures of justice in the Madras City Municipal Bill now under consideration.’ You will have noticed that it is only the proceedings of one meeting that are before us ; but from what was published in the various papers, it will be seen that in various parts of the city, they asked for it. When there is that demand

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 and 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Tuesday the 11th day of February 1919.

P R E S E N T :

His Excellency the Right Hon'ble JOHN, *Baron PENTLAND* of Lyth, P.C., G.C.S.I., G.C.I.E., Governor of Madras—*Presiding*.
The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.
The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.
The Hon'ble Mr. L. DAVIDSON, C.S.I.
The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur C.I.E., I.S.O., O.B.E.
The Hon'ble Mr. L. E. BUCKLEY, C.S.I.
The Hon'ble Mr. A. Y. G. CAMPBELL, C.I.E.
The Hon'ble Mr. W. J. J. HOWLEY.
The Hon'ble Mr. W. HUTTON.
The Hon'ble Mr. R. LITTLEHAILS.
The Hon'ble Mr. N. E. MAJORIRANKS.
The Hon'ble Mr. J. O. MOLONY.
The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.
The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).
The Hon'ble Mr. H. G. STOKES, C.I.E.
The Hon'ble Mr. C. G. TODHUNTER.
The Hon'ble Mr. M. YOUNG.
The Hon'ble Rao Bahadur T. RANGA ACHARIYAR Avargal.
The Hon'ble the Rev. G. PITTENDRIGH.
The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.
The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO PANTULU Garu.
The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.
The Hon'ble Mr. P. SIVA RAO.
The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.
The Hon'ble Mr. B. V. NARASIMHA AYYAR.
The Hon'ble Mr. K. SADASIVA BHAT.
The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.
The Hon'ble Mr. K. RAMA AYYANGAR.
The Hon'ble Sri RAJA RAO VENKATA KUMARA MAHIPATI SURYA RAO Bahadur, Raja of Pithapuram.
The Hon'ble Mr. B. VENKATAPATI RAJU.
The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.
The Hon'ble Mr. K. KUMARAN RAMAN KAVALAPPARA MUPPIL NAYAR.
The Hon'ble Yaqub Hasan Sahib Bahadur.
The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKYAR SAHIB Bahadur.
The Hon'ble Sir GORDON FRASER, Kt.
The Hon'ble Mr. J. H. THONGER.
The Hon'ble Sir FAIRLESS BARBER, Kt.
The Hon'ble the Most Rev. JOHN AELLEN, D.D.
The Hon'ble Mr. T. RICHMOND.
The Hon'ble Sir FRANCIS SPEING, K.C.I.E.
The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.
The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO Bahadur of Bobbili.
The Hon'ble Dr. T. M. NAYAR.

(Mr. A. S. Krishna Rao ; Mr. Narasimha Ayyar ;
Mr. Ramachandra Rao ; the President.) [10TH FEBRUARY 1919.

—let it be from a small section, let it be that the number of people who take part in these meetings is very small—when even a small number express a desire to take part in municipal affairs—on what rational grounds, can we refuse them that privilege? The next point which arises for consideration is this—let it not be supposed that simply because we allow this amendment to be passed, there will be a sudden rush and that some thing revolutionary will happen. Let us recall what took place at the elections to Parliament in the United Kingdom. Though the privilege was given to women, the number of women voters that took part was limited, the person returned being only one. Even in an advanced country like England, where the privilege has been given, it is only by a gradual process of development that it can really produce any substantial change. In this country, it must take a much longer time. When we are amending the Act, why should we retain this disqualification when we remove that disqualification for voters? If they succeed in securing votes let them take part in elections. I think we must take a liberal and broad view in these things."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency may allow me to make mention of one point. I am glad that the opposition to the present proposal has frankly rested itself not on logical grounds, but on the sole ground that it is premature to allow ladies to become candidates. The opposition recognize that their argument is illogical. What is meant by saying that it is premature? At present, it has to be recognized that we are allowing 7,000 women to exercise the franchise. Is it not premature to allow 7,000 women to exercise the franchise? but is it premature to allow five or six of these ladies who are more highly cultured to stand as candidates? What is the use of saying that for one purpose it is premature and for the other it is not? If for one purpose, the introduction of women in elections is premature, it is the faculty of the general women to judge. The vast majority of women will not know who the public men are. There may be women intelligent to take part in municipal affairs, who may be able to beat either me or the Hon'ble Mr. Rajagopala Achariyar. I do not go back upon the position that 7,000 women should be permitted, but when you give them votes, to deny them this is not sound. When a man goes and asks for food, you say 'I will give you rice, but I will not give you salt, or dhol or butter milk.' With reference to the position that women cannot be candidates, I will point out that there is one absurdity. We introduce the sex as a disqualification in this place only. It is not a disqualification for anything else. We are really putting forward a principle when the principle is indefensible. Its imperative necessity must be clearly made out before it can be accepted. The Honourable Member pointed out that lady doctors and trained nurses and ladies of high position might come in. As for their utility, I may point out that they will be useful in a way in which gentlemen in this Council would not be useful. They will serve on the Education Board, on the Charity Board and I think it would be really handicapping the corporation. We will be preventing useful people from coming into the council. I will make an appeal to all women (laughter) I mean I appeal strongly to all Honourable Members to agree to this position that all women voters should also have a right to be elected. Government retain the power under the law to nominate if they are competent ladies. So far as Government are concerned, they have the privilege. But so far as electors are concerned, they are not competent to elect proper women. Evidently the trained intellects on the Government side may come to proper decision and not those who are to elect. That is not a proper implication. If women can come in, it is good for the country and for all concerned that they should come in by way of election."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I do not share the feeling of the Hon'ble Mr. Narasimha Ayyar that women candidates would be of tremendous use to the corporation."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Not all."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"There will be nobody at present candidates. My main reason for voting for it is, that a general revision of the Act will not be undertaken for a long time and especially, I have not heard the Hon'ble Mr. Rajagopala Achariyar suggesting that a tremendous revolution will come about if women are allowed to be candidates and therefore, I am prepared to vote for it. I quite recognize that it will take a considerable time. Even in Parliament, even when women have been enfranchised, there were very few candidates. It will continue to be so in this country for some considerable time. In the meantime, if comes forward, why should she be prevented. It is admitted that 7,000 women would be voters. But we would not allow them to be candidates. If they are fit enough to be voters, there is no reason why they should not be fit enough to be candidates. Perhaps there may be women engaged in the educational and medical services who may come forward to serve as commissioner. I am rather against having a statutory bar on the ground of sex."

His Excellency the PRESIDENT:—"I will put the amendment which is in clause 51, to omit the words 'and such person is of the male sex.'"

The amendment was put and lost; and the retention of the words was agreed.

The Hon'ble Mr. B. V. Narasimha Ayyar demanded a poll which was taken with the following result:—

10TH FEBRUARY 1919.]

(The President; Sir Gordon Fraser.)

For		Against	
The Hon'ble Sir Alexander Cardew.		The Hon'ble Rao Bahadur V. K. Ramanuja Achariyar.	
" Mr. L. Davidson.		" Mr. Ramachandra Rao.	
" C. G. Todhunter.		" P. Siva Rao.	
" A. Y. G. Campbell.		" B. Venkatapati Raju.	
" R. Ramachandra Rao.		" K. Sadasiva Bhat.	
" M. Young.		" K. Suryanarayanamurti	
" L. E. Buckley.		" Nayudu.	
" N. E. Marjoribanks.		" the Raja of Pittapur.	
" R. B. Wood.		" Mr. A. Suryanarayana Rao.	
" Aziz-ud-din Sahib Bahadur.		" A. S. Krishna Rao.	
" Mr. K. Rama Ayyangar.		" B. V. Narasimha Ayyar.	
" Dr. T. M. Nayar.			
" Mr. Ahmad Tambi Marakkayar.			
" Sir Francis Spring.			
" Mr. Littlehales.			
" J. H. Thonger.			
" J. C. Molony.			
" Sir Gordon Fraser.			
" Fairless Barber.			
" Mr. W. Hutton.			
" W. J. J. Howley.			
" the Advocate-General.			
" Mr. P. Rajagopala Achariyar.			
" H. G. Stokes.			

The motion for the retention of the words was agreed to, 24 voting for and 10 against it.

Clause 51 was allowed to stand part of the Bill.

His Excellency the PRESIDENT:—"I would ask what would be the most convenient course to take in the amendments to clause 52—which is the best amendment to be taken up—to meet the general critics of the Bill. Have we to take the Hon'ble Mr. Thonger's amendment or the Hon'ble Sir Gordon Fraser's amendment? The Hon'ble Mr. Ahmad Tambi Marakkayar's amendment is different. I may take clause 52 (1)(b) and the amendment of the Hon'ble Mr. Thonger, which is a direct negative which settles the point. I will put that at our meeting to-morrow."

The Hon'ble Sir GORDON FRASER:—"My amendment does not go quite so far as the Hon'ble Mr. Thonger's. Will I be prevented from moving it?"

His Excellency the PRESIDENT:—"Yours is an addition. You can move it as an addition. We will take up clause 52 to-morrow."

The Council adjourned till 11 a.m. on Tuesday the 11th February 1919.

H. G. STOKES,

Acting Secretary to Government, L. & M. (Legislative) Dept.

(*Sir Gordon Fraser; the President; Mr. Rajagopala Achariyar; the Advocate-General; Mr. Thonger.*) [11TH FEBRUARY 1919.]

know, because it is a routine matter in the office which does not come before me; but that one particular matter is sufficient to debar me from doing what little I can to help the Corporation work. The same objection would apply to the other senior men in my office; but on the other hand there is no objection whatever to my juniors who have not had my experience or the experience of other senior men sitting on that Corporation. I have further arguments to bring forward and I will bring them forward when I move my amendment."

His Excellency the PRESIDENT:—"The Hon'ble Mr. Rajagopala Achariyar."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"No sir, the Hon'ble the Advocate-General."

The Hon'ble the ADVOCATE GENERAL:—"Your Excellency, Government oppose the motion for the deletion of this clause on very sound business principles and not on legal principles. I do not wish to be drawn into the relative merits of the lawyer and the business man because I myself belong to the legal profession and I will certainly not attempt to do that. But English lawyers are as keen as the business men that we have and this law which we have inherited today as embodied is the law which is derived from Englishmen and I do not understand Mr. Lloyd George to have repealed the provisions like this in all the Corporation Acts in England and allowed business men to come in."

"Passing from this reference of the Hon'ble Mr. Thonger, I must point out first to Honourable Members of Council that we are enacting no new law. The Hon'ble Mr. Thonger has himself fairly admitted and he has also said that he does not contest the principle. He says the principle is a wholesome principle but he only says that it should not be made applicable to Madras. It might be made applicable to other parts of India and other parts of the Empire."

The Hon'ble Mr. J. H. THONGER:—"I did not say that."

The Hon'ble the ADVOCATE GENERAL:—"It should not be made applicable to Madras. This provision found place in Act I of 1884. It is to be found in section 7 (g) and section 27 of Act I of 1884. When the Act was re-examined and passed in 1904, the Council re-affirmed the principle and as far as I am aware, no complaints were made at the time and no one suggested that business men would be kept out. I welcome that all the more, because the present Chief Justice who was then the Advocate-General was responsible for the re-examination of the Bill and he had considerable English experience to guide him in retaining that provision."

"Then, going to other parts of India, this finds a place both in the Bombay and the Calcutta Acts in all its rigidity and this finds a place in the District Municipalities Acts,—the District Municipalities Act of Bombay and the District Municipalities Act of Bengal and the District Municipalities Act of Madras—and it finds a place everywhere. It finds a place in the English Municipal Corporation Act, section 12, which says:—'A person shall be disqualified for being elected and for being a Councillor, if and while he—

(a) is an elective auditor or a revising assessor, or holds any office or place of profit other than that of mayor or sheriff, in the gift or disposal of the Council, or
(b) is in holy orders, or the regular minister of a dissenting congregation, or
(c) has directly or indirectly, by himself or his partner any share or interest in any contract or employment with, by or on behalf of the Council.' It remains on the statute book to-day. I submit to the Council therefore, that really no weighty reasons have been urged why this provision which on principle is admitted to be absolutely right and which has been in force in all the Indian enactments dealing with municipal affairs and also all the principal English statutes dealing with Corporations—why this should be deleted in a Bill passed in 1919 for the City of Madras. The principle itself is a fairly clear principle. It is a principle which applies in the Law of Trusts and other laws. Members of the Corporation are in a sense trustees for the public. You cannot have a trustee who has some interest inconsistent with the interest of the beneficiary. That is the main principle and the policy of this provision has been stated most authoritatively by the Court of Appeal in a case in 22 Queen's Bench, to which I will briefly refer. There the Master of the Rolls said: 'They (such provisions) are intended to prevent the members of local boards, which may have occasion to enter into contracts, from being exposed to temptation or even to the semblance of temptation.' Another Justice, Justice Lindley said: 'The object (of such provisions) is to prevent the conflict between interest and duty that might otherwise inevitably arise.' Another Judge says: 'It seems to me that if we held the contrary, it would be letting in the very mischief the Act intended to prevent, and subjecting the Members of Local Boards to the class of temptations which it was intended to remove.' In 1906, 2 King's Bench, it was stated: 'The mischief aimed at is to prevent persons in the position of guardians from deriving benefit from contracts which they have to control.' This principle is a business principle. If a man is really a keen business man, he cannot avoid his business interests and business habits in dealing with the Corporation. It is a business principle that it is necessary to restrain him from keenly pursuing his business when he is in the Corporation. The object of the rule is not to keep out business men as the Hon'ble Mr. Thonger seems to imagine from the municipal council; but on the other hand, just like the other Acts, this will enable business men to come into the Corporation and certainly I for one, and I am certain that everybody else also, would welcome business men on the Corporation; but it only says to business men: 'If you want to enter the Corporation,

11TH FEBRUARY 1919.] (*The Advocate General; Mr. Ranga Achariyar; Sir Gordon Fraser.*)

do not do business with the Corporation. Have other customers, but do not have the Corporation as your customer. If you are too keen a business man to omit one good customer like the Corporation, keep out of the Corporation.' It does not keep out the business men from the Corporation; very few business men will be prevented from entering into the Corporation; it is only business men that want to enter into contracts with the Corporation that will be prevented. Again it must be noticed that this is an improvement upon the existing Act. The words in this section are: 'Interested in a subsisting contract.' If the interest in the contract is one that has expired, it does not matter; if he is interested only in a contract subsisting at the time of the election, he is disqualified. Again, it does not prohibit shareholders from coming in at all, but it only prohibits contractors or managers from coming in. There are many business men who are shareholders who can come in and there are many directors who may not desire to do business with the Corporation and who can easily get in and equally add strength to the business capacity of the Council. I would submit to the Council that this is really going back upon a very well-established principle. Members of municipalities more experienced than myself, I dare say, may be able, if they wish, to speak on it. So far as I am concerned, I can only limit myself to matters raised in the amendment and it is impossible to deal with cases put by the Hon'ble Mr. Thonger and the Hon'ble Sir Gordon Fraser. If men like them are kept out, it would be a misfortune; but it would be a more serious misfortune if business men are to be in the Council and do business with the Corporation. They need not do business with the Corporation. I need not refer to particular cases, in which all the facts are not known, whether really business men will be kept out of the Council. If they do not want to do business, I do not think any of them will be kept out at all."

"Then it was suggested that clause 34 of the Bill is quite a sufficient safeguard and the only object of putting in that clause was to prohibit business men from voting. Clause 34 is quite general. If a councillor cannot vote, in a discussion as to his own assessment, we will not be able to sit on appeal or revision in connexion with his own assessment; that is quite of a general nature. It is not confined to persons who are interested in a contract or employment. It is perfectly plain that a councillor interested in a contract will be in an awkward position in many ways in respect of the contract even though debarred from voting on it. For one thing, he would get prior information which would not be open to outside competitors and clause 34 will hardly be a sufficient safeguard. He may not be challenged by the other councillors; the councillors may be similarly situated and may be on the Standing Committee and it may consist of a quorum of three. In order to claim the same indulgence, the member who seeks to vote on a contract in which he is interested will not raise an objection and even if the others raise the objection, there is no guarantee that the execution of the contracts and the rates of the contracts will be scrutinised by the Corporation authorities. So long as a Member of the Corporation is interested in a contract, it is somewhat difficult; it may be a difficult and delicate task for the executive of the Corporation and the other councillors to supervise the execution of the contract and the terms of the contract. Naturally, it would be a bad example if you allow business men with contracts to get in, because others will claim the same privilege. Section 34 exists; clause 34 finds a place in the existing Act, and also the other existing enactments. It finds a place in the English Corporations Act and nevertheless, section 12 of the English Corporation Act is enacted. There too, there is a clause like this preventing persons having pecuniary interest from voting, but that does not affect the general question. I have therefore very little to add except to inform the House that this is an amendment which from the business point of view and not merely from the legal point of view, ought to be opposed. I must say Government oppose it."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I also oppose the amendment. I may say at the start that law is no respecter of persons, and here in the Legislative Assembly we are no respecter of persons. This observation, I am called upon to make in view of the fact that the Hon'ble Mr. Thonger introduced his own name and also that of the Hon'ble Sir Gordon Fraser in supporting his amendment. We ought not to be guided by such personal appeals in legislating on a question of principle."

The Hon'ble Sir GORDON FRASER:—"There is no personal appeal at all. It was simply put forward as an example."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"This principle is not only as old as 1884 but it is as old as 1782. In England your Excellency will remember the provision relating to Members of Parliament which came into actual question in the year 1917 in the case of Sir Samuel Stuart. He was interested as a partner in that firm of Montague & Co. who had contracts with the Secretary of State for India and the committee of the House of Commons over which the Prime Minister presided, differed over the question whether Sir Samuel Stuart could be deemed to be disqualified or not and they referred the matter to the Privy Council for decision. That is the Statute of 1782. The same argument was advanced then and that case is reported in the 1917 volume. The Lord Chancellor said: 'The mischief guarded against by the Act is the sapping of that freedom and independence by members being admitted to profitable contracts'. Although he attributed no corrupt motives, Sir Samuel was declared to have forfeited his seat in Parliament. 'Law is law and we must administer it', they said. It is a very sound principle and therefore Sir Samuel was declared to have forfeited his seat. In this country the law is even milder in the case of business men than the law in England, and here we may point out, your Excellency, that in the case of

(The President; Mr. Thonger; Mr. Ranga Achariyar.) [11TH FEBRUARY 1919.]

The Council met at 11 a.m. when the discussion on the Madras City Municipal Bill, 1918 was resumed.

Clause 52.

His Excellency the PRESIDENT:—"I now put: clause 52 down to the end of sub-section (1) (b) (ii) be part of the Bill."

Clause 52 down to the end of sub-section (1) (b) (ii) was allowed to stand part of the Bill.

His Excellency the PRESIDENT:—"Then comes the next sub-clause (iii) and I call upon the Hon'ble Mr. Thonger to move his amendment."

The Hon'ble Mr. J. H. THONGER:—"Your Excellency, the amendment which I have the pleasure to propose in connexion with section 52 (1) (b) (iii) is that it should be deleted, viz., 'interested in a subsisting contract made with, or any work being done for the corporation except as a shareholder (other than a director) in an incorporated company.' In order to get the correct sense of that clause, I must refer to the first part of section 52 which reads as follows:— 'A person shall be disqualified for election or appointment as a councillor if such a person is at the date of nomination, election or appointment interested in a subsisting contract made with or any work being done for the corporation except as a shareholder (other than a director) in an incorporated company.' May I also draw the attention of the Council to the next clause 53 which says:— 'Subject to the provisions of section 54, the councillors shall cease to be a councillor if he, subject to the proviso to section 52, sub-section (1), acquires any interest in any contract made with or work being done or to be done for the corporation except as a shareholder (other than a director) in an incorporated company.' In order to complete the case, may I refer back for a moment to clause 34 which says:— 'No councillor shall vote on or take part in the discussion of any question coming up for consideration at a meeting of the council or of any standing committee or any committee, if the question is one in which, apart from its general application to the public, he has any direct or indirect pecuniary interest by himself or his partner'. It further goes on to say that the councillor may be prohibited from voting in any matter in which he is believed to be interested. Taking these three sections together, we see first that according to section 52 a person is disqualified if he has any interest in a contract, or under section 53, if he acquires any interest he would cease to be a councillor and in order to further safeguard any risk of a person who, despite these safeguards, still manages to become a councillor, he is debarred from voting on any subject in which he is interested. This clause 34, in the circumstances, seems to me to be of little value, because if a man cannot enter the corporation or cannot stay there by virtue of a contract, he certainly cannot have any opportunity of voting. But I welcome this clause 34 as its presence in the act makes it all the easier for me to propose my amendment. There is a very important principle implied in the clause which I now wish to amend and that principle is that no person shall be permitted to be a councillor for his own peculiar benefit or for the benefit of any firm or company which he represents. This is a principle which no one contests; in fact we all most heartily support it. The only difference is in the application of the principle. It has been argued that one of the reasons for the retention of this clause is that it appears in the old Act and that is perfectly true. But I may mention that it has been honoured in the breach for many years past, because it was felt by the corporation that the presence of leading business men on the corporation was essential and I believe the president of the corporation is prepared to testify to the fact that he never knew of any breach by any business man in connexion with this clause. They have never attempted as far as is known to take personal advantage of their position. It is also observed that we must retain it in the present Municipal Act, but what is suitable to a place like Bombay or Calcutta need not be suitable to Madras. Both Bombay and Calcutta are infinitely larger places than Madras and the firms have contracts, and are thereby debarred from councillorship, it is not going to affect the representation of business men on the council. But the position in Madras is different. Here we have a comparatively small community and if we are going to debar the men who have going to depend upon the smaller men who are very good in themselves, but who are not accused in charge deprecated all references to what took place in the Select Committee, though he himself made a reference; I presume, however, that the proceedings of the Select Committee are not secret and I may adduce an argument from what transferred there in support of my amendment. As Honourable Members are aware, there have been a good many alterations we came to this particular clause which is the real crux of the whole situation. If this clause statute. The business representatives on the Select Committee made a very great stand in connexion with the deletion of this particular clause and I am very pleased to say that we managed in the first instance to persuade the Select Committee that this omission would be a most distinct advantage to the Bill."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"By a majority."

11TH FEBRUARY 1919.] (Mr. Thonger; the President; Sir Gordon Fraser.)

The Hon'ble Mr. J. H. THONGER:—"Yes, by a majority. It could not be by a minority. We considered that as a victory, not a personal victory, but a victory in the interests of the city of Madras and in connexion with the Corporation Bill. I need hardly say that the fact that we had attained this particular object added zest and interest to the remaining portions of this Bill which, so far as business men are concerned, were of no interest. If this had been turned down, I should have considered the whole Bill in the light of a needless attempt to flog a dead horse; and I should have thought that I should have been better occupied in my own personal affairs than in attending the meetings of the Select Committee. It was on almost the last day of the Select Committee meetings that we were told the legal mind had become perturbed. In the earlier meetings, we had eliminated the principle, but now it was urged that the principle must be stated. Arguments at that stage were unfortunately of no avail and our majority turned into a lamentable minority and the clause was re-inserted. It was useless for the business men to say that we agreed with the principle; instead of wrecking the Bill, we safeguarded it and the safeguard is contained in the section to which I referred. The manner in which this particular question was approached shows very strongly the different points of view of the legal and the business mind. The legal point of view was that the principle must be stated; never mind the result. The business man said, 'no, we need not have the principle stated, we have safeguarded your principle'. The legal man looks at the Tables of Stone 'thou shalt, and thou shalt not'; but the business man says, they are the emblems of principles. He says 'I will regard the principles but I do not want the stones'. It is a struggle between the letter of the law and the spirit of the law and we are told in a certain book: 'the letter killeth but the Spirit giveth life'. The letter of the law will kill this Bill unless my amendment is accepted."

His Excellency the PRESIDENT:—"The Honourable Member will please address the chair."

The Hon'ble Mr. J. H. THONGER:—"To illustrate my point, might I refer to my own case. There are many persons like myself. Representing, as I do, Messrs. Spencer & Co., we are interested in a contract, whether it is a small or a big contract is of no particular moment, but as a matter of fact it is a contract which runs to some hundred rupees per month only, signed, sealed and delivered. By virtue of this rigid rule, not only I, but every other member of Messrs. Spencer & Co., is debarred from councillorship. Our advice in a thousand and one subjects might be of the utmost importance to the Corporation and yet because we are interested in Rs. 100 per month, the city of Madras cannot be benefited by our advice. Your Excellency, to carry it a little further, suppose my amendment is struck off, leading business men are not eligible for the Corporation and then who is left? I believe the class from which the Corporation is principally recruited is the legal profession. Are we going to leave the business interests of the city in the hands of the law, pure and simple? I have the greatest admiration for the lawyer as a lawyer; but I am of opinion that in business matters the business man is the better man. It has been said that the absence of business man in the Corporation will be no calamity. The person who made that statement can know very little of business men. We admit we occupy an inferior position because we do not advertise ourselves. The biggest business man is probably occupied in business affairs in a small back office in a business house. His name may be unknown though his firm's name will be known. But he himself may probably have the finest brain that ever existed; but still he will be unknown. Take the lawyer. He may be in the first flight or he may be of the very lowest rung; but it is essential to his business that he should create publicity. Therefore the feeling is that the lawyer is the better man of the two. It is very true, Your Excellency, that in times of peace and that kind of thing, the business man does not come before the public eye, but it is in times of economic stress, or the stress of nations that the business man comes to the front. What is the position now in England? Every Government Department of any importance whatever is controlled by business men—munitions, food, railways, shipping, and all these different departments are co-ordinated by that wonderful man, the lawyer, Lloyd George. Mr. Lloyd George is a wonderful man, not because he is a lawyer but because he had the strength of his convictions to break away from the red tape of legal methods because he had the strength of mind to break his tables of stone, because he had the common sense to allow himself to be inspired by business methods and business ideals and surround himself with business men. What is the reward that Madras gives to the business men of the Empire? It says, we have no use for you, we can carry on our Corporation Bill without you. It is implied that business men are a soundly lot and that even safeguards cannot control them and therefore we must debar them from the Corporation altogether."

"Your Excellency, it is a very important question which the Council has to decide to-day and it is put in a few words: are we going to follow the fine example set for us by the British Premier and in approaching a business subject, do it from a business point of view, or are we, on the contrary, in order to state a principle which might just as well be safeguarded, going to ruin our Corporation Bill as a sound business measure."

The Hon'ble Sir GORDON FRASER:—"Your Excellency, as I have an amendment on the same clause, which I shall bring up later on, I simply second this amendment of the Hon'ble Mr. Thonger in a very few words. He referred to his own personal position. This is the only point at present to which I will refer. Under the clause as it stands, no senior member of my firm would be in a position to do service to the corporation by accepting a seat on the council of the corporation, because we happen to be the agents of a large oil company and we supply oil to the corporation. What the particulars of that contract are, I personally do not

(Mr. Ramanuja Achariyar ; Sir Francis Spring ;
Mr. M. Ramachandra Rao ; Doctor Nayar ;
Mr. Ranga Achariyar ; the President.) [11TH FEBRUARY 1919.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—"Your Excellency, I oppose the amendment though I am not a lawyer."

The Hon'ble Sir FRANCIS SPRING :—"Your Excellency, I strongly oppose the amendment. I certainly consider that the legislation enunciated by the Hon'ble the Advocate-General is absolutely sound. It prevails, I think, throughout the British Empire and I do not see why in Madras we should make an exception. Much as I should regret to see the Corporation of Madras deprived of the assistance of men of the calibre of some of our leading mercantile and businessmen whose names we are familiar with, yet I think it would be like 'the letting out of water' to surrender the principle that men likely to be interested, that men who are interested, I should say rather, in contracts with the Corporation, or a Board like my own, should not sit at the Board's table."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"My Lord, I was surprised at the warmth with which both the Honourable Members who have proposed and seconded this amendment have stated their case in support of it. My Lord, the principle enunciated in this section which debar members of municipalities from being interested in contracts is a very sound one and I may say I will ask the Hon'ble Mr. Thonger to picture to himself what will happen if a contract is given, say, for the supply of metal and gravel in the Madras Municipality to one of the commissioners. First of all, there are so many conditions as regards the quality of the material. Every one of them will have to be enforced by the Corporation officers—the size of the metal, the places where they should be stored, and its quality. Does the Hon'ble Mr. Thonger seriously suggest that in the discharge of their duties, the Corporation officers will not be influenced by the fact that the contractor is a member of the Corporation? If any proposal like Mr. Thonger's is made, in any municipality in the mufassal or in any district board, I think the members will feel scandalized. It goes to the very root of municipal morality and will seriously jeopardize the purity of the administration. Take again the case of lighting. Assuming that one of the commissioners is interested in street lighting and gets a contract for the supply of the necessary power in the case, say, of electric lighting or in the case of lighting by ordinary kerosene, does the Hon'ble Mr. Thonger say that if the contractor is a member of the Corporation it will be easy for the inspecting staff to perform their duty? Would it be easy for the President to withhold payment of bills for work not done or work indifferently done? or to provide against all other sins of commission and omission for which the contractor may be liable?"

"Considering it from any aspect, I am surprised at the way in which this question is put before this Council. The Hon'ble Mr. Thonger said that this rule was rather observed in the breach than in the observance. I am very sorry to hear of it."

The Hon'ble Dr. T. M. NAYAR :—"No. That is not correct."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"Here is the Hon'ble Dr. Nayar connected with the Corporation for a long number of years who says he does not know of any such thing."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"I was not aware of it myself."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"My Lord, there are two gentlemen who deny that that is the existing state of affairs. I should be surprised if the existing state of things has been correctly stated. It would show that notwithstanding the provision in the statute, it is possible for officers of the Corporation to forget the sound principle of law and it makes it all the more necessary that it should be there in the Act, and not only should it be there, but anybody who is responsible for the violation of this sound rule of conduct should be brought to book. I think, my Lord, that any violation of this rule would land the members of the Corporation in a very serious position and I think on these grounds I must oppose the amendment."

"The Hon'ble Mr. Thonger also stated that he had a contract for Rs. 100 with the Madras Corporation. If he thinks that as between serving in the Corporation and giving his valued services to the people of Madras, Rs. 100 is much more valuable to him, it seems to me that the only alternative is to keep out of the Corporation and have his Rs. 100. Otherwise, I should respectfully point out that the conflict between duty and interest is so well established that even members of the Madras Corporation belonging to business firms should be protected against themselves."

His Excellency the PRESIDENT :—"If I may advise the Council, we can come to an agreement. The position of the Government is quite plain and the case has been clearly and forcibly stated in transparent good faith that the object is the genuine desire to further public interests and for my part I will go further on behalf of the Government and say that nothing is done in order to prevent or even discourage the eligibility of businessmen serving on the Corporation or in any public body; it would not only be unjust, but it would be against public interests. The question on this occasion is a much more limited one. It is whether or not this portion of this clause should stand part of the Bill—whether we should accept the amendment of the Hon'ble Mr. Thonger. In the first place, we have no representation from the Corporation

11TH FEBRUARY 1919.] (The President ; Mr. Nurasimha Ayyar ; Mr. Molony ;
Doctor Nayar ; Mr. Runga Achariyar ; Mr. Rajagopala
Achariyar ; Mr. Yaqub Hasan ; Mr. Thonger ;
Sir Gordon Fraser.)

in favour of such an alteration and really the case rests on the peculiar conditions of Madras. No doubt the conditions of Madras may be less favourable from the standpoint of the Honourable Mover of this proposition than those existing in larger cities like Calcutta and Bombay. But the policy of this provision is universal, it is not confined to larger cities. It is absolutely universal and not only is it universal, but it is ancient and it has the support of all modern authorities. It represents a high standard, a standard, shall I say, of public life to which Madras no less than other cities should conform and I think it would be regrettable if this Council were to come to any other decision on the point."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"May I offer a word of personal explanation in voting? From what the Hon'ble Mr. Thonger said, an outsider would suppose that such lawyers as vote against this amendment are actuated by selfish motives. The members of the legal profession are as anxious as others about this principle."

The Hon'ble Mr. J. C. MOLONY :—"The Hon'ble Mr. Ranga Achariyar and the Hon'ble Dr. Nayar stated that they were never aware of a case where a commissioner would be disqualified. There has been a case in which a commissioner may be disqualified as in the Bill and the case has been dinned into their ears. It is a case in which we buy oil from the large oil companies, the Standard Oil Company, the Asiatic Petroleum Company and the Burma Oil Company. We began purchasing from all these companies, we began with Best & Co. In one other case, there was a tender for a certain article and that gentleman has been purchasing articles."

The Hon'ble Dr. T. M. NAYAR :—"A word of personal explanation. This instance which the Hon'ble Mr. Molony refers to did not take place when I was a member of the Corporation or a member of the Standing Committee. If I had been, I should have most strongly protested."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"As regards the purchase, is it the purchase for an existing contract or . . ."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"We had better proceed."

His Excellency the PRESIDENT :—"Let us go on. The Honourable Member can get the information from the President."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"I should like to know if it is true. The President has stated it as a fact. It did not come up before the Corporation."

The Hon'ble Yaqub Hasan Sahib Bahadur :—"I simply want to say that the Indian businessmen, not only the lawyers, are opposed to it."

The Hon'ble Mr. J. H. THONGER :—"Your Excellency, you have very kindly put the position so very clearly before the Council that I think I must withdraw my amendment."

With the permission of His Excellency the President, the amendment was withdrawn.

His Excellency the PRESIDENT :—"I do not know if the Hon'ble Sir Gordon Fraser wishes to move his amendment No. 33. If it is to be moved at all, it would appropriately be moved here."

The Hon'ble Sir GORDON FRASER :—"I would like to move it if only to give me an opportunity of replying to the several remarks which have been made in the previous debate. I recognize there is no chance of this amendment being carried, but two or three remarks have been put forward to which I would like to reply, if Your Excellency would allow me to say a few words of explanation."

His Excellency the PRESIDENT :—"Pray go on. The Council will hear you."

The Hon'ble Sir GORDON FRASER :—"Remarks have been made both by the Hon'ble the Advocate-General and the Hon'ble Mr. Ranga Achariyar that this clause affords absolutely no ground for the suggestion that any business people will be kept out. I am afraid that does not hold good, because in Madras a great many business people of the bigger firms represent not hold good. They have certain duties to perform. It would be quite impossible for me to say that I would remain on the Corporation at the present moment and refuse to allow my firm to sell oil on behalf of a company I represent to the Corporation. There is a misunderstanding there. My position is perfectly plain. Under this clause as it stands, I have no right to sit on the Corporation. I have been on the Corporation for three or four years. There again actual facts contradict the remarks of the Hon'ble Dr. Nayar and the Hon'ble Mr. Ranga Achariyar. This rule has been more honoured in the breach than in the observance not only in my own case, but in the case of other members of Madras firms who have gone on the Corporation. For the last 15 or 20 years simply on the assurance that this clause was a dead letter businessmen have been accepting seats on the Corporation."

The amendment was not put to the Council.

His Excellency the PRESIDENT :—"Next is the amendment of the Hon'ble Mr. Thonger which is similar to the amendment of the Hon'ble Mr. Ahmad Tambi Marakkayar."

The Hon'ble Mr. J. H. THONGER:—"I particularly said that it would be wrecked as a business measure and not as a Bill."

The Hon'ble Dr. T. M. NAYAR :—"My Lord, the Council has heard two businessmen and two lawyers on the subject. I am afraid I am not much of a lawyer and whatever business capacity I might have originally started with has not survived my experience of the Madras Corporation. I am afraid that the expediency on which the Hon'ble Mr. Thonger pleads for this amendment will not survive a close analysis of the conditions existing in the Madras Corporation for the consideration of contracts. Everybody has admitted that on principle the amendment cannot be accepted. It has been accepted in England, it has been accepted in India, it has been accepted everywhere and the Hon'ble Mr. Thonger has himself admitted that on principle the rule, as it stands, is unexceptionable. The expediency which he pleads for is that Madras being an exceedingly small commercial place, there would not be sufficient commercial men to serve on the Corporation if such restrictions are imposed upon them. But, Sir, how many commercial men of standing have in the past cared to tender for the Corporation contracts? My experience has been, for a long number of years, that we could not get any firm of high standing to tender. I have on more than one occasion spoken to many commercial people in the city and asked them why they did not tender and they told me that under the conditions existing in the Madras Corporation they did not care to tender. This rule was one of those things intended. I do not say it has effectively done so, but this is one of those one of those things intended. I do not say it has effectively done so, but this is one of those rules intended to check some of those abuses against which commercial men complain. Safeguards and rules like this are not intended to apply to very respectable persons. The criminal law is not intended for law-abiding persons; it is intended for criminals. The safeguards are intended for the many tenderers who are not very strict in the methods they adopt. Now, if the honourable commercial gentlemen who moved this amendment were to get this safeguard done away with, they will have to compete against unscrupulous contractors who will come into the Corporation and use the advantage which they derive by getting rid of this law. The Hon'ble Mr. Thonger and even the Hon'ble Mr. Fraser think that by keeping the contractor from voting on a particular contract, all the mischief that is likely to be done is prevented and that that is sufficient. But if he knows the inner working of the Corporation as much as I do, that is the least of the mischiefs. A commissioner who is there who is interested in a contract will set up a subterranean machinery for working in his interests and we do not know where it will end. No one has yet been able to fathom the exact nature of this subterranean machinery and he will enlist other commissioners to work on his behalf and it is settled that this influence which he will bring to bear on other commissioners and on the executive officers in the Corporation, in that way corrupting them in the discharge of their functions—it is that mischief which has to be prevented even more than the voting. One vote does not matter after all and an energetic contractor can get half a dozen votes in one afternoon. It is the influence which he will be able to exercise when he is actually on the Corporation that has to be counted. Therefore, Sir, I am afraid that if this safeguard is not taken away, the flood-gates of secret machinations inside the Corporation house will be let loose and innumerable contractors will come and I am afraid that then the Hon'ble Mr. Thonger and the Hon'ble Sir Gordon Fraser will come here and ask for protection against them by the introduction of some rule or clause because these honourable gentlemen will not descend to the methods which others may stoop to and they will find themselves handicapped and it is therefore in the very interests of the respectable commercial men that we want this rule to be retained. I want something more than this rule. If I had been in time here to send notice of my amendments, I would have sent notice of an amendment to make it more stringent. If I cannot do it, all that I can do is to most emphatically object to this amendment. I am quite sure that the Honourable Members who moved this amendment have not exactly understood the nature of the results which might follow; if they want to understand it, they must remove this rule and come in as contractors along with several others and then in a fortnight's time they will understand it. I am afraid that under no condition can we afford to relax the rule. I hope the Council will reject this amendment."

(Mr. Thonger; the President; Mr. Krishna Rao; [11TH FEBRUARY
Mr. Yaqub Hasan; the Advocate-General;
Mr. Ranga Achariyar.)

The Hon'ble Mr. J. H. THONGER:—"The amendment which I wish to propose is that before the word 'presidency' the word 'stipendiary' be inserted. It is amendment No. 31—
'31. In sub-clause (iv) of clause 52 (1) (b) insert before "presidency" the word "stipendiary."'

"It is suggested that if I substitute the word 'salaried' for the word 'stipendiary' the Hon'ble the Advocate-General is prepared to accept it. I move it in that form."

The Hon'ble Mr. Ahmad Tambi Marakkayar seconded the amendment.

His Excellency the PRESIDENT:—"The word 'salaried' is to be substituted for the word 'stipendiary'."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I think that the provision already inserted is satisfactory and that there is no necessity for the amendment. The effect of this amendment is that honorary presidency magistrates who are nominated for that place will also be eligible to have a seat on the municipal corporation. I am inclined to think that the alternative amendment suggested by the Hon'ble Mr. Thonger is more satisfactory than the one now moved. Instead of saying that all honorary presidency magistrates shall be eligible to continue as commissioners, he suggests the following proviso, if amendment No. 31 is lost:—
'provided that an honorary magistrate may offer himself for election, but on appointment or election as councillor shall forthwith resign his position as honorary magistrate, failing which his appointment or election as councillor shall be void.'

"I think that provision is satisfactory. We know that Corporation cases are likely to go up before honorary magistrates and it is not desirable that they should have seats on the Corporation. But when once he is elected, it is open to him to resign his position as honorary magistrate and continue as member of the Corporation. So far as I am concerned, I oppose the amendment notwithstanding the fact that there is no opposition by the Government."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"I am opposed to this amendment. This amendment is brought under the impression that, at present, honorary presidency magistrates do not try municipal cases and so there may be no harm if they sit in the Corporation as councillors. But it is to be remembered that honorary magistrates have first-class powers, the same powers as salaried magistrates have. It is only the Chief Presidency Magistrate who sends them certain class of cases; but there is no rule that cases which are tried by stipendiary magistrates should not be sent to honorary magistrates. Some day they may be sent. For example, the number of cases that are tried by the stipendiary magistrates are too many, they are not able to deal with them; suppose some of those cases are sent before honorary presidency magistrates. There is no rule that only certain cases should come before honorary magistrates and questions in which the municipality is interested may also come before the honorary magistrates. So, there is no necessity for qualifying the magistrate with the word 'stipendiary' or 'salaried'. Let all magistrates be excluded from becoming members of the Corporation. There is however one disability. A person who is an honorary magistrate may be willing to be appointed commissioner, but he cannot offer himself for election; if the proposal of the Hon'ble Mr. Thonger is accepted, he may offer himself for election and as soon as he is elected, he shall have to resign his post of honorary magistrate."

His Excellency the PRESIDENT:—"Since he began his speech, I had an opportunity of ascertaining that the Hon'ble Mr. Thonger is quite willing to substitute the second amendment for the first amendment. That will meet the view of the Hon'ble Mr. Yaqub Hasan. The Hon'ble Mr. Thonger may withdraw his first amendment."

The Hon'ble Mr. J. H. THONGER:—"With your kind permission, I withdraw my amendment No. 31."

With the permission of His Excellency the President, the amendment was withdrawn.

The Hon'ble Mr. J. H. THONGER:—"I beg to propose the following proviso be added at the end of clause 52 (1): 'provided that an honorary magistrate may offer himself for election, but on appointment or election as councillor shall forthwith resign his position as honorary magistrate, failing which his appointment or election as councillor shall be void.'"

The Hon'ble Mr. A. T. G. M. Ahmad Tambi Marakkayar seconded the amendment.

The Hon'ble the ADVOCATE-GENERAL:—"I accept it."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"The mischief is not avoided. The same principle underlies the disqualification with reference to clause (5) of section 52 (1). It says that a person shall be disqualified if at the date of election he is 'already a councillor whose term of office as such will not expire before his fresh election or appointment can take effect.' Not only the fact that he may have to try municipal cases is the underlying objection, but the more serious underlying objection is that as magistrate in the city he will have to decide questions and voters may have to go before these magistrates and also, as a presidency magistrate in the city, he will have influence in the city. It is to avoid that influence that a sitting councillor is prevented from seeking the suffrage. I think the same influence will be there in

11TH FEBRUARY 1919.] (Mr. Ranga Achariyar; Mr. Ahmad Tambi Marakkayar;
Mr. Narasimha Ayyar; Mr. Siva Rao.)

the case of a person who is a magistrate of the city. Ratepayers have to appear before them in other matters. There are various other minor offences and they will have to come before these magistrates and therefore the influence will be there and the mischief is not avoided by accepting the proposal."

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR:—"Your Excellency, a similar provision is in the Municipal Act in the mufassal. Many municipal councillors are being appointed as honorary magistrates, but they have been exempted from taking up any part in municipal cases. As a matter of fact, for seven years I served both as a municipal councillor and as a honorary magistrate. In the interests of the Corporation itself, if the member of the Corporation is a magistrate, it will be interesting, though he cannot take part in municipal cases, he can at least watch the cases. Here is the existing provision of the District Municipalities Act:—

'In order to be qualified to be appointed a municipal councillor, a person must . . .
(d) not be a municipal councillor or an officer or servant holding office under this Act or an honorary magistrate for the municipal town, unless, in the case of his being an honorary magistrate, the Governor in Council exempts him from the disqualification.'

"This power of exemption is delegated to the Collector and he is exempting councillors in becoming honorary magistrates. I do not see how the interests of the Corporation or the public would suffer by a man having both these appointments. As the case stands at present, I do not see any reason why an honorary presidency magistrate should not stand for election and if elected, he might be called upon to resign his magistrateship."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, I wish to add a few words to what the Hon'ble Mr. Ranga Achariyar said. We are now trying to improve the law, to amend the law and to put a proper complete code as the City Municipal Act. At present as the law stands, an honorary presidency magistrate cannot be a municipal councillor. That is the existing state of affairs and now an amendment is brought in, the effect of which will be to introduce honorary presidency magistrates into the list of persons eligible for election as councillors. The question naturally arises: what is the need for this move and is it a move in the proper direction? I do not remember having heard at any time that the list of persons eligible to be commissioners is restricted and that we do not find sufficient number of suitable men to be commissioners presidency magistrates are kept out. If anyone has heard any such objection because honorary presidency magistrates are kept out, I will mention something on the contrary to show that the objection, I shall be glad to hear of it. I will mention something on the contrary to show that the move is in a wrong direction. With reference to the provision which my Honourable Friend Mr. Ahmad Tambi Marakkayar has brought to the notice of the Council, it has been repeatedly brought to the notice of the public that the combination of these two, the honorary magistrate and the municipal councillor in the mufassal is very undesirable, and that exemption is to be specially sought for. In some cases, with reference to these exemptions I have put so many interpellations about the total number of exemptions showing that the combination of these two officers is not quite desirable. I found out that there were only 18 or 19 exemptions, of which 3 were unfortunately in Salem town and at present there are 4 or 5 of such combinations in Salem town, the rest being distributed all over. Because there is a provision and because people beg at your doors, you have to yield to their importunity and let them hold the two offices. There is no complaint on the score of want of persons. So, in the case of mufassal municipalities it is increasingly recognized that the combination is undesirable and the proper move is to amend the District Municipalities Act to bring it into line with the existing City Municipal Act and not in the opposite direction. This amendment is a move in the wrong direction and I have to oppose this amendment. I am sorry that the Bill is sought to be disfigured by the introduction of a provision of which the public has expressed its unmistakable condemnation."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I strongly oppose this amendment; and before I do so, let me make myself perfectly clear. The issue before us is whether an honorary magistrate shall be eligible for membership of the Corporation. You decide one way or the other, you try to introduce the provision in the District Municipalities Act which says that before he becomes qualified, he ought to get the exemption of the Governor in Council or the Council may decide that he shall be qualified. I am aware that this disqualification is based on the wellknown principle that no person shall combine in himself both the office of prosecutor and judge and as an honorary magistrate of the town, he is called upon to try municipal cases and if he figures as a member of the Corporation, he has to initiate some prosecutions, and is responsible for the prosecutions also and so the disqualification itself rests on some excellent grounds. So far as the merit of this proviso is concerned, it does not make him disqualified, but it says that he shall be an eligible candidate; but it gives him the option if he is appointed to make up his mind to resign the office of magistrate and hold the office of municipal councillor or to continue as an honorary magistrate. What is to become of the poor electorate which has been driven to elect him if he makes up his mind not to resign his office of magistrate? There is no binding obligation on him to resign. The proviso merely says that his election would be void. That means that the ward will be subject to the worries of a fresh election. What is the harm in asking an honorary magistrate to make up his mind to have a full survey of the situation, gauge his position well and make up his mind before he stands whether he shall have

(Mr. Siva Rao ; Doctor Nayar ; Mr. Ranga Achariyar ; [11TH FEBRUARY 1919.
the President ; Mr. Thonger ; Mr. Yaqub Hasan.]

this or that. If he is defeated as a municipal councillor, he can seek reappointment at the hands of Government. I object to this amendment on the ground that it is unnecessarily vague. It says:—

‘Provided that an honorary magistrate may offer himself for election, but on appointment or election as councillor shall forthwith resign his position as honorary magistrate, failing which his appointment or election as councillor shall be void.’

“If it is unchallenged now, there is the danger of this provision running into the District Municipalities Act and we have to determine what is the stage at which he has to make up his mind,—is it after the chairman of the municipality declares him elected or is it after the Government approve of his election or is it after all the objections are heard and finally disposed of one way or the other? It will lead to endless complications and there will be applications for extension and the applicant may ask for further time to make up his mind. For these reasons, I strongly oppose this amendment. The electorate should not be treated lightly for the convenience simply of this honorary magistrate candidate, but he ought to make up his mind which is better, either the magistrature or the membership of the Corporation.”

The Hon'ble Dr. T. M. NAYAR:—“My Lord, I support the amendment. The Hon'ble Mr. Ranga Achariyar and the other lawyers who have followed, have curiously enough not quoted any English law. They have at an earlier stage in the discussion quoted profusely what the English practice is. If they had looked up the English law on this point, they would have found that most honorary magistrates in England are members of local bodies as, and it is a common practice there to appoint members of local bodies honorary magistrates. Therefore the English practice is in support of this amendment. The Hon'ble Mr. Ranga Achariyar made out that an honorary presidency magistrate in the city of Madras will have to deal with election disputes and things like that.”

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—“I did not say election disputes.”

The Hon'ble Dr. T. M. NAYAR:—“If he will read the rules in connexion with honorary magistrates, he will find that none of these cases come anywhere near the honorary presidency magistrate. They are not allowed to sit alone, but in benches. They are allowed to try only such cases as the Chief Presidency Magistrate sends them and the Chief Presidency Magistrate exercises due discretion in the matter. I can tell you as one who was an honorary magistrate for a long time that I never got any municipal cases near me; the only cases that I got were cases of cruelty to animals, committing of nuisance and drunken disorderliness; probably some municipal subordinates may have been implicated in case of drunken disorderliness. Otherwise, there is nothing connected with municipal cases before an honorary magistrate. To penalize a man because he is an honorary magistrate, I do not see what advantage we have from that except that about 30 to 40 gentlemen who are presidency magistrates might be kept out of the list of eligible candidates. The list of eligible candidates will now be a few thousands and to have 30 or 40 men kept out of it, will not be any great advantage. I do not think there will be any grave miscarriage of justice by allowing an honorary magistrate to sit on the Corporation, because he has absolutely nothing to do with municipal cases unless Government are going to alter the existing law.”

His Excellency the PRESIDENT:—“My Honourable Friend has asked me to say a word as to the position. He was endeavouring to meet the opinion of Honourable Members and to reconcile differences on this point. There was a good deal in what the Hon'ble Dr. Nayar has said. This is a provision which is in the old Act sub-section 4—it says Presidency Magistrate without a qualification.”

The Hon'ble Mr. J. H. THONGER:—“Your Excellency, you are perfectly correct in saying that a Presidency Magistrate cannot come up for election, but there is nothing to prevent a councillor from becoming an honorary presidency magistrate.”

His Excellency the PRESIDENT:—“That is very likely the case. The position of the Government on this amendment is to stick to the Bill as we put it down. My Honourable Colleague who is in charge of the Bill proposes to adhere to the Bill as it stands in this respect. He was anxious to meet and endeavour to reconcile differences; but on the whole, the balance of matter.”

The Hon'ble Yaqub Hasan Sahib Bahadur:—“Does it mean that the proposition of the Hon'ble Mr. Thonger is not to be accepted?”

His Excellency the PRESIDENT:—“No. The attitude of the Government is that they are against adding this proviso.”

The amendment to add the proviso was put and lost.

His Excellency the PRESIDENT:—“That would take us down to the words ‘presidency magistrate’ in clause (4) of section 52. I do not think that there is any further amendment on this clause or on any other clause of this section. If I am correct no amendment is to be moved in regard to this clause.”

Clause 52 was allowed to stand part of the Bill.

11TH FEBRUARY 1919.]

(Mr. Yaqub Hasan ; Mr. Thonger ;
Sir Gordon Fraser ; Mr. Ranga Achariyar ;
the President ; Mr. M. Ramachandra Rao.)

Clause 53.

The Hon'ble Yaqub Hasan Sahib Bahadur:—“I withdraw amendment No. 34 standing in my name.”

With the permission of His Excellency the following amendment was withdrawn:—“Omit sub-clause (i).”

The Hon'ble Mr. J. H. THONGER:—“My amendment No. 35 ‘Omit sub-clause (d) of clause 53 (1)’ goes out.”

With the permission of His Excellency the President, the amendment was withdrawn.

The Hon'ble Sir Gordon Fraser:—“I withdraw amendment No. 36.”

With the permission of His Excellency the President the following amendment was withdrawn:—

“36. For sub-clause (d) of clause 53 (1) substitute the following:—
‘subject to the proviso to section 52, sub-section (1) acquires any interest in any contract made with or work being done or to be done for the Corporation except as a shareholder (other than a director) in an incorporated company, unless such interest is declared at the time of acquisition, and such councillor shall not speak or vote on any question relating to any contract or work in which he is so interested.’”

Clause 53 was allowed to stand part of the Bill.

Clauses 54 to 62.

Clauses 54 to 62 were allowed to stand part of the Bill.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—“Section 55 may be reserved till the Hon'ble Sir Gordon Fraser's amendment on section 413 is settled. That section may have to be remodelled if the amendment of the Hon'ble Sir Gordon Fraser is accepted.”

His Excellency the PRESIDENT:—“We must go clause by clause. The Bill will have to be redrafted if earlier provisions are affected by any later alterations by the Council.”

Clauses 54 to 62 were allowed to stand part of the Bill.

Clause 63.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—“I do not propose amendment No. 37 in my name.”

With the permission of His Excellency the President, the following amendment was withdrawn:—

“Explanation, line 2.—Substitute the word ‘regulations’ for the word ‘rules’ and omit the words ‘Governor in’.”

Clause 63 was allowed to stand part of the Bill.

Clause 64.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—“I wish to say a word with regard to clause 64.”

His Excellency the PRESIDENT:—“There is no notice of an amendment.”

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—“Then I wish to oppose it. I object to this clause. This defines undue influence. It says: ‘Every person who threatens any voter or candidate with injury to his person, reputation or property, or to the person or reputation or any one in whom he is interested with intent . . . publishes statements which he knows to be false and which materially affect the candidate or his election . . . shall be punished with imprisonment of either description which may extend to six months or with fine or with both.’ The portion of it to which I raise objection is the one which refers to publishing statements which he knows to be false and which materially affect the candidate or his election. This clause is the one to which I raise strong objection. It is very vague. It says that if any statement is published, which is false and which materially affects the candidate or his election, it is an offence; it may be that many statements may be made at any date or his election, it may refer to his politics, to his caste, to his private character; it may refer to anything. We do not know what statements materially influence elections. It seems to me that we shall be letting in the investigating officer to undertake a roving inquiry into all the statements made at an election. I was looking up the corresponding provision in the Corrupt Practices Act which relates to parliamentary elections which probably afforded the foundation for this amendment. The section there raises a definite issue and says: ‘Any person who before or during an election knowingly publishes a false statement of the withdrawal of a candidate at such election for the purpose of promoting or procuring the election of another candidate, shall be guilty of an illegal practice.’ The corresponding provision of the English Act relates to false statements that a particular candidate has withdrawn from the contest thereby influencing the election of another candidate.”

(Mr. M. Ramachandra Rao; Mr. Rajagopala Achariyar; [11th FEBRUARY 1919. the President; Mr. Narasimha Ayyar; Mr. Ranga Achariyar.]

That is an entirely different matter. But this section says: 'Any person who publishes statements which he knows to be false and which materially affect the candidate or his election.' It is very wide and certainly much wider than is warranted by the language of the English Act. It is likely to produce a great deal of acerbity even after the elections if defeated candidates are permitted at elections to bring up points on the statements made, which might be alleged to have materially affected the election. I would therefore suggest, my Lord, that this should be omitted."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"You are suggesting that the whole section should be omitted?"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"No, only a portion."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I have to inquire whether the Honourable Member is suggesting the deletion of the whole clause or an amendment to omit a portion of the clause. If he is suggesting an amendment, no notice has been given of it, but if he is opposed to the whole clause, I can understand it."

His Excellency the PRESIDENT:—"It is rather late in the day. There is no notice of an amendment. It goes to the root of the provisions of this clause and it is rather late to raise it. I should say that the Honourable Member should vote against the passing of the whole provision."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"That is what I am doing. I think I am within my rights in objecting to a particular portion of a clause. I would request Your Excellency to put that clause separately."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I have nothing to say except that at present the motion before the Council is whether clause 64 is to stand or not."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"He opposes clause 64 (b) (ii)."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"That may be his intention, but the motion before the Council is whether clause 64 stand part of the Bill or not."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency may be pleased, as your Excellency has got the power, to take clause (a) and clause (b) separately."

His Excellency the PRESIDENT:—"That is in fact permitting an amendment of which no notice has been given. I am quite willing to give expression to the views of the Council, but it is rather a late stage to have an amendment of this character and I do not see any provision in these rules to accept that. It is best for the Honourable Member and those who agree with him to vote against the whole clause."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"We are not against the whole clause but only against clause (b) (ii)."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I raised the whole question yesterday and Your Excellency suggested that such a rule should not be rigidly observed."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I do not wish to be understood to say that we have nothing to say on the merits. But I feel bound to point out that if we are going to put this sub-clause by sub-clause separately thereby getting rid of the obligation that notice should be given of amendments, the chances are with a Bill of 418 sections that even the three weeks which the Hon'ble Mr. Ranga Achariyar expressed as a reasonable period will be far exceeded. I put it on general grounds: Is the Council prepared to say that, if any Honourable Member who has not given notice of an amendment discovers a material mistake and now asks for his idea being given effect to, it could put a particular clause, sub-clause by sub-clause or put it line by line so that the particular thing which he objects to might come out separately. I venture to submit for the consideration of the Council, of all Honourable Members, that this Bill has been before the public for a sufficient length of time, for the statutory period, and it was open to the Honourable Member to have read it and given notice of an amendment. He might have given notice of it yesterday and asked His Excellency's special permission for moving it to-day. Now when this clause is proposed to be put, we are asked to discuss the merits of a particular bit of it."

"Proceeding to the merits, I may say that this thing was discussed in the Select Committee. Originally, clause (b) stated 'spreads rumours which he knows to be false.' The Hon'ble Mr. Ramanuja Achariyar will bear me out that we considered this was far too elastic and likely to give trouble and we considered that the expression 'publishes statements which he knows to be false' would be a better thing. It is a definite thing. If he knows his statement to be false and if it would materially affect the candidate and thereby prevent the free exercise of the discretion of the voter, then the man is guilty. I venture to say that there is nothing very harmful in this. Why is there this anxiety to protect persons who publish false statements which materially affect candidates and which thereby prevent voters from exercising their discretion correctly in the matter of voting? On the merits, thing, of the wider issues: are we going to use this particular device of putting a clause, sub-clause by sub-clause or adopt the additional device of putting it line by line so as to obviate

11th FEBRUARY 1919.] (Mr. Rajagopala Achariyar; Mr. Krishna Rao; the President; Mr. Narasimha Ayyar.)

notice being given of amendments. Unless notice is given, there is no opportunity for Government to consider them and Honourable Members would have no opportunity of considering them. I object to any change and on behalf of Government I press for clause 64, as it is, standing part of the Bill."

The Hon'ble Mr. A. S. KRISHNA RAO:—"With regard to the point of order raised by the Hon'ble Mr. Rajagopala Achariyar, may I draw Your Excellency's attention to Rule 23 of the Council Rules at page 90. It is in accordance with rule 23 that we have to give notice of amendments."

His Excellency the PRESIDENT:—"That is on motions generally."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Rule 48 at page 94 expressly states: 'Any member wishing to propose an amendment affecting the substance of a Bill shall send a copy of the proposed amendment to the Secretary in accordance with rule 23.' It expressly refers to rule 23 and that is why I now refer Your Excellency to rule 23. Rule 23 says: 'Members who wish to make any motion at any meeting must give notice of their intention at the next preceding meeting or must send such notice in writing to the Secretary at least six clear days before the day fixed for the meeting at which they intend to make the motion. Provided that the President may, at his discretion, permit a motion to be made of which such notice has not been given.'

His Excellency the PRESIDENT:—"Will the Honourable gentleman finish reading rule 48?"

The Hon'ble Mr. A. S. KRISHNA RAO:—"Rule 48 says: 'and the Secretary shall enter the same in the printed statement of business prepared under rule 7; but it shall not be necessary to give previous notice of amendments of a purely verbal character or of amendments consequential upon, or moved in respect of, amendments which have been carried.' That points out only the rights of members to move amendments without notice so long as they are of verbal character or consequential upon amendments which are carried. I respectfully submit that rule 23, which applies to this motion and others, permits the President at his discretion to allow an amendment to be made without notice. There is a general discretion given to the President."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I never questioned Your Excellency's discretion in the last resort."

His Excellency the PRESIDENT:—"The Honourable Gentleman who moved this was quite content to vote against that clause. The question does not arise."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"The question that the Hon'ble Mr. Ramachandra Rao mooted was whether clause 64 (b) (ii) is not too wide and too dangerous. At first I also thought that it was very wide and might really render elections difficult because printers will be afraid of printing circulars issued by candidates, because they might be thought dangerous or affecting elections. On subsequent thought, it strikes me that there are points for and against, and I think if it is sufficiently important, I would point out to the Council one easy method by which the amendment can be put. I would refer to rule 70."

His Excellency the PRESIDENT:—"The Honourable Member need not refer to that."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"At the present stage, the Hon'ble Mr. Ramachandra Rao's point has been sufficiently brought before the House to rouse the attention of Government. If in the meanwhile Government think that the evils are so great, we might get an amendment from the Government side."

His Excellency the PRESIDENT:—"The motion before the Council is that clause 64 be added to the Bill."

Clause 64 was then allowed to stand part of the Bill.

Clauses 65 to 68.

Clauses 65 to 68 were allowed to stand part of the Bill.

Clause 69.

The Hon'ble Mr. A. S. KRISHNA RAO:—"I do not move amendment No. 38."

With the permission of His Excellency the President, the following amendment was withdrawn:—

"In sub-clause (b) substitute 'fifteen' for 'seven'."

Clause 69 was allowed to stand part of the Bill.

Clauses 70 to 77.

Clauses 70 to 77 were allowed to stand part of the Bill.

Clause 78.

His Excellency the PRESIDENT:—"The Hon'ble Mr. Rama Ayyangar is not here. I take it he is not prepared to move his amendment."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I shall move it on his behalf."

[11TH FEBRUARY 1919.

"It will be seen that what is proposed to be done by the present clause is to give power to the commissioner to sanction any estimate the amount of which does not exceed Rs. 10,000 and then, when the amount exceeds Rs. 10,000 but does not exceed Rs. 50,000, the sanction of the standing committee is required. My first amendment relates to the commissioner's jurisdiction. The present section in the existing Act, the section corresponding to this appears as section 86 of the Act: what it says is: 'With respect to the making of contracts under or for the purposes of this Act, the following provisions shall have effect namely, (c) no contract (other than an agreement for the acquisition of immovable property) which will involve an expenditure exceeding two thousand rupees and not exceeding ten thousand rupees shall be made by the President unless the same has been previously approved by the standing committee'; so that while the present power of the President who is practically all-in-all in the corporation, only extends up to Rs. 2,500, the power that is sought to be given by the present provision extends it up to Rs. 10,000. What is the spirit of this amendment I cannot really understand. In fact it is proposed to adopt the principle of extending the principles of local self-government in the present Act. The body that is generally in charge of the administration of the municipality is the corporation. There is need for delegating its functions in some cases and therefore it has been provided in clause 23 that whenever those functions are exercised by the bodies to whom those powers are delegated, it shall not be exercised by the corporation, except by means of clause 24 which provides for resolutions being passed. There is an express prohibition to the council exercising the powers which are delegated; once they are delegated, there is an end of it and it is mostly delegated by the Act itself. Under these circumstances, the question is whether the power of the new commissioner appointed under the new Bill should be considerably enhanced or should be enhanced at all. There may be very good grounds for arguing that under the new Act his powers ought not to be extended further. But however, I do not myself press it to that extent. I only want to fix the limit at Rs. 2,500 instead of Rs. 10,000. One has only to go through the expenditure side of the budget of the Madras Corporation to be satisfied that my amendment is absolutely essential and necessary. I find that in the main works which have been sanctioned as special works by the Madras under-ground drainage and other similar works when these are taken out, we find that generally almost all the works relating to the several branches of administration of the Madras Municipality come within the limit of Rs. 10,000. In fact, I made a calculation of the several schedules given in Appendix II (A) to the Administration Report for the year 1917-18. Appendix II (A) gives us the expenditure on each of these. There are about 13 schedules and the various schedules are given according as the expenditure relates to one branch of administration or another. We find that except in the case of materials supplied, the supply of kerosene oil and other substances, it is found that very few cases exist in which the work is to be done by the municipality for over Rs. 10,000. Very few there are; it came to—as I calculated it—about 10 or 15 instances in the year. The total expenditure of the municipality is about 40 and odd lakhs. When money to be disbursed towards sinking funds is taken away out of this, the establishment takes away a lot of money and the rest is distributed for a lot of works, it is found that there are very few works which cost more than Rs. 10,000 for which contracts will have to be entered into. As I said, the principle of this Bill is not to question the power of the delegated authority once it is delegated. That is a peculiar provision. Ordinarily the person that delegates power is entitled to revoke the power, but the provision made here in the interests of the corporation is, the powers entrusted to the standing committee and the commissioner, once there is a delegation made up to a certain limit, it shall not be ordinarily interfered with. Under these circumstances, we must keep the limit of the extent to which the commissioner or the standing committee may go within reasonable limits, reasonable compared with the items of expenditure of the municipality. If by one stroke of the pen almost the whole works relating to the corporation are taken away out of the hands of the council and the standing committee, I do not think my Lord, that it is a proper provision. I come from the mufassal and I am not acquainted with all the details of municipal administration in Madras. Whatever it be, on the main principles of the Bill, seeing that once delegation is made, it is not to be interfered with, it is absolutely necessary that the delegation is kept within limits proportionate to the works to be ordinarily undertaken by the corporation; and I think Rs. 2,500 is a fair limit which will show that most of the routine work as well as the ordinary minor work will have to be undertaken by the commissioner only. Extraordinary powers are given by the Government to the commissioner on emergency occasions and even there a limit ought to have been put. In emergency cases, the commissioner may incur any expenditure. We discussed his delegation powers yesterday. It is only very proper that a limit should be placed at Rs. 2,500. There is no reason given by the Select Committee for having gone from Rs. 2,500 to Rs. 10,000 by this amendment. It is absolutely essential to limit it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“ Your Excellency, all that I can say is that the Select Committee gave a great deal of thought to this particular matter and as I hope to show, if the Honourable Member would take the whole framework of this

particular thing, he would see why exactly it was put like this. Under the law as it now stands, there is really no restriction on the powers of the President to sanction estimates, entering into contracts and incurring any expenditure. In the framework of this Bill the Select Committee drew that distinction. I am explaining what the Select Committee did. I want the council to know the whole thing, because several other amendments are coming up and it would be an advantage to have the whole thing presented clearly. What the Select Committee did was; it drew a distinction between estimates being sanctioned and subsequent stages. When an estimate for a work is prepared, whether that expenditure is to be sanctioned or not, to whom the work is to be given—those things do not arise. There are three stages; according to the value of the work; we say that if the estimate is up to Rs. 10,000 the commissioner may sanction it, which means not that the commissioner will go straight on and spend that amount, but he has to satisfy himself that it is suitable, that the rates are reasonable; it is in fact a thing which has to be considered as a reasonable item of expenditure provided funds can be found for it. That is the first thing. We divided it into three stages. We gave power to the commissioner up to Rs. 10,000 and then from Rs. 10,000 to Rs. 50,000 we gave power to the standing committee; if the estimate exceeds Rs. 10,000 but is under half a lakh, that will go to the standing committee. It does not mean that the standing committee will forthwith embark on the work or incur any expenditure. If it exceeds Rs. 50,000, up to 2½ lakhs, it goes to the council, and if it exceeds 2½ lakhs, it goes to the Local Government—the idea being that for very large works exceeding 2½ lakhs, it is advisable that the expert advisers of the Government Public Works Department should scrutinize the estimates. That is why there are these stages so far as estimates are concerned. Similarly we have provided three stages in regard to contracts; up to Rs. 10,000 we say that the commissioner may enter into contracts and above Rs. 10,000 up to Rs. 50,000 the standing committee may enter into contracts and above Rs. 50,000 the council may enter into contracts. The Local Government do not come into play because they have nothing to do with entering into contracts. The provision in regard to incurring actual expenditure is contained in clauses 154 and 155. Clause 154 says: 'The Commissioner shall, on or before the tenth day of December each year, prepare and submit to the standing committee a budget containing a detailed estimate of income and of expenditure for the ensuing year, and if it is in his opinion necessary or expedient to vary taxation or to raise loans, shall submit his proposals in regard thereto.' Clause 155 says:—

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—“ The section says having regard to all the requirements of the Act.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Yes. I am quite prepared to concede that the final incurring of expenditure is in the hands of the council, to lay down on what lines expenditure should be incurred. Probably there is no difference of opinion between the Honourable Member and ourselves but I fear the Honourable Member has some idea that the commissioner sanctioning an estimate somehow or other commits the corporation to that extent. I submit he does not."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Why, may I ask?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYA:—"How does the standing committee by sanctioning an estimate between Rs. 10,000 and Rs. 50,000 commit the corporation to that expenditure? The thing should be provided in the budget. Any work may come up for consideration during the year. Estimates are prepared from time to time as the need arises and section 157 says: 'The council may refer the budget estimate back to the standing committee for further consideration and re-submission within a specified time, or adopt the budget estimate or any revised budget estimate submitted to it, either as it stands, or subject to such alteration as it deems expedient: provided that the budget estimate finally adopted by the council shall make adequate and suitable provision for each of the matters referred to in clauses (a) and (b) of section 155, sub-section (2)'. During the course of the year, works come up from time to time and estimates are prepared and then the powers of sanction of the different classes of officers are regulated by that section—up to Rs. 10,000 by the commissioner, from Rs. 10,000 to Rs. 50,000 by the standing committee, above 50,000 and up to 2½ lakhs by the council and above 2½ lakhs by the Local Government. It is however perfectly open for the council to decide on the advice of the standing committee what expenditure shall be incurred in the ensuing year and to choose those works; what the sanctioned estimates are and they may take up those estimates. It may be that they take up the estimate of a work or expenditure as sanctioned by the commissioner, or as sanctioned by the standing committee or a third work for which the council has sanctioned the estimate. My point is that the sanctioning of the estimate by the commissioner or the standing committee or the council or the Local Government does not commit the corporation to any financial liability on account of that work unless that thing is provided in the budget. And in regard to the budget, we have a specific provision: there is a section under which it is open to the council to frame regulations to regulate its course of action. There are a number of other sections which come under the schedules that payment of any sum out of municipal funds can be made only when it is covered by a budget grant.

11TH FEBRUARY 1919.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—" My Lord, there seems to be a certain amount of misapprehension as regards the exact scope of the Hon'ble Mr. Rama Ayyangar's amendment. Honourable Members will notice that in section 77, there is the word 'contracts', the heading above section 77 is 'contracts'. The first section 78 says: 'The commissioner may sanction any estimate, the amount of which does not exceed Rs. 10,000.' The substantial point raised by this amendment and the amendment to section 80 which is in terms an amendment to section 78 is this: what are the financial powers of the president, spending is tired."

6 60

THE MADRAS CITY MUNICIPAL BILL, 1918.

(Mr. M. Ramachandra Rao ; Mr. Molony ; the President ; [11TH FEBRUARY 1919.
Mr. Venkatapati Raju ; Doctor Nayar.)

what are the financial powers of the standing committee and what are the financial powers of the council? In the earlier sections it was laid down that these powers are exclusive, that the statutory powers given to the president cannot be over-riden by the standing committee and similarly that whatever financial powers are given to the standing committee cannot be interfered with by the Council. It therefore comes to this: if a contract is entered into by the president, he can do so under the scheme of this Act where the estimate is less than Rs. 10,000. We are not dealing with the technical sanction or the estimate; we are dealing with the substantial question of the financial powers up to which the president can exercise authority. That limit has been fixed by section 78 and section 80 which deal with the substantial question of contracts and the financial power of the president is fixed at Rs. 10,000. Similarly with reference to the standing committee, the limit is Rs. 50,000 and any estimate which exceeds Rs. 50,000 and in reference to which a contract has to be entered into, will have to come before the council. The substantial question which Honourable Members have to consider is whether these limits are proper whether it is necessary to surrender to the standing committee these large powers of entering into contracts and sanctioning estimates. The Hon'ble Mr. Molony was dealing with the question of sanctioning and looking into estimates. That is merely technical sanction and I am not much concerned with it."

The Hon'ble Mr. J. C. MOLONY:—"As a point of order, might I suggest that the Honourable Member is going into the question of contracts? This is dealing with the estimates for spending money and sanctioning details of what the corporation has sanctioned."

His Excellency the PRESIDENT:—"I have not criticised the scope of the Honourable Member's observations. The Hon'ble Mr. Rajagopala Achariyar placed the whole point and pointed out that the point upon which the council should vote is whether Rs. 2,500 is to be substituted for Rs. 10,000 in relation to estimates and not contracts."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I do not understand the position taken up by the Hon'ble Mr. Molony; I do not know whether he says that the mere sanctioning of the estimates up to Rs. 10,000 should be left to the president independently of the question of entering into contracts for the same amount. Under the scheme of the Act, both are dealt with together in sections 78 and 80 and if the Hon'ble Mr. Molony says that he would be prepared to concede this power to the commissioner merely for sanctioning, leaving the question of contracts for the same amount to be considered by the standing committee, that would be a different question. As I understand the scheme, and the provisions of sections 78 and 80, it seems to me that it is identically the same thing. If the president has the power of sanctioning estimates he has the power to carry this out by entering into contracts."

His Excellency the PRESIDENT:—"So far as this amendment is concerned, it deals with estimates; and the council has no power to go beyond it. This clause deals with estimates and estimates alone."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, we are under the impression that we are liberalising the Act. This is one of the provisions which I say is a retrograde step. The Hon'ble Mr. Rajagopala Achariyar told us more than once that a commissioner is an independent or a semi-independent person. If he is an independent person, he is not under our control. The Honourable Member in charge is perfectly right in saying that after all, we are making sanction of an estimate; that has nothing to do with actual expenditure. But I respectfully submit to the council that it is only the thin end of the wedge, because if we read the latter provision, we will understand that when the amount exceeds Rs. 10,000 but does not exceed Rs. 50,000 the sanction of the standing committee shall be required. If it is merely sanctioning estimates why is anybody's sanction necessary? In section 80 it is specially provided 'you will obtain the sanction of the estimate where you have the power to do it.' No one would undergo the trouble of securing the sanction unless the person has the power to provide for it. That is the reason why they state, you can pass the estimate where you have a right to enter into contracts under section 80. Therefore the Hon'ble Mr. Rama Ayyangar gave notice of amendments to both sections 78 and 80. Unless you consider all these before you pass it, it will be meaningless and it will be anomalous to say that we must obtain the sanction of the standing committee with reference to Rs. 50,000 whereas we need not do it in regard to Rs. 10,000. In considering this provision, we will have to consider the whole thing, section 78 and section 80."

The Hon'ble Dr. T. M. NAYAR:—"There has been a great deal of confusion, my Lord, in this amendment which is unfortunate; but I will confine myself to the actual amendment under discussion. That is purely so far as estimates are concerned. I entirely agree with the Hon'ble Mr. Molony that there is no object in reserving sanctioning of estimates to the corporation or the standing committee. In the past, estimates have all come up before the standing committee meeting, they were sanctioned *en bloc*. Checking estimates is a thing which only a member with some training and experience of the Public Works Department can do. Actual passing of the estimates is a matter of very small importance. Personally, the only thing I looked into when any estimates came before me, was to see whether it was covered by the budget grant, whether there was a sum of money to meet that expenditure. I certainly have no objection to the passing of estimates not only up to Rs. 10,000 but estimates up to one lakh by the commissioner and relieving the other bodies entirely of the purely technical task of checking the figures. Other financial powers are quite different and I will come to them when we deal with section 80."

11TH FEBRUARY 1919.] (Sir Francis Spring ; Mr. Ranga Achariyar ; Mr. Yaqub Hasan ; the President ; Mr. Krishna Rao ; Mr. Rama Ayyangar.)

The Hon'ble Sir FRANCIS SPRING:—"Many non-official members have spoken and I may be allowed to say a few words, as a practical man familiar with matters of this kind, budgets and and so on, estimates for the last thirty or forty years. The point that has been missed, the Hon'ble Mr. Rajagopala Achariyar tried to make it clear—but I do not know if he has succeeded in making it clear—to the lawyer members is that the real fundamental control of the Council is exercised through the budget. Unless and until any expenditure has been embodied in the budget, neither the commissioner nor the standing committee has power to do anything practical in regard to it. He may sanction the estimate, but that does not mean sanctioning the expenditure. It ought to be thoroughly understood and made clear in the Act that this is what really is intended. Clause 78 should have begun as the corresponding clause, if I am not mistaken, in my own Act begins; 'subject to provision in the budget made therefor, the commissioner may sanction any estimate up to Rs. 10,000.' Had these words been inserted they would have made the whole thing quite clear."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"If that is in order, I second it."

The Hon'ble Yaqub HASAN SAHIB Bahadur:—"I am opposed to this amendment. I think it is misunderstood. We have to see what the present practice is. I have served on the standing committee for several years, but the Hon'ble Mr. Ranga Achariyar has not served and so he does not know what the routine is. The routine is this; that estimates are taken round to members in several boxes. We never look at them, no one looks at them and in the standing committee meeting when the estimates come up, the president says 'here are the estimates, please pass them' and everything is passed. There used to be one member of the standing committee, a contractor who is dead now who used to take interest in some of these estimates and used to ask 'why is the cost of stock brick given here at Rs. 20 a thousand, while it is sold in the bazaar for Rs. 18 a thousand?' He used to higggle with the president but the other members used to consider it a waste of time. The thing is this: nobody is competent to enter into the question of estimates. The president is competent and we have to take his opinion and we have to leave it to his discretion. This section 78 is a vast improvement on the existing law. It says that above Rs. 10,000 the standing committee must sanction. There will be discrimination made; all estimates up to Rs. 10,000 will be passed by the commissioner and above Rs. 10,000 will be passed by the standing committee and then the standing committee will give more attention to it. At present, an estimate comes for Rs. 100 and another comes for a lakh and both are treated alike. When estimates which are really important will be placed before the standing committee, then they will give more attention to it. Only I think this provision is a vast improvement and the standing committee will give attention to estimates which require attention. Considering what amount of business is done in the corporation, if you take all the estimates above Rs. 2,500 to the standing committee, you will be wasting the time of the standing committee and in practice the standing committee will not give any attention to them. Small details up to Rs. 10,000 might be left to the commissioner."

His Excellency the PRESIDENT:—"May I take vote?"

The Hon'ble Mr. A. S. KRISHNA RAO:—"May I move an amendment suggesting Rs. 5,000."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I withdraw my support to the amendment so far as section 78 is concerned."

The Hon'ble Mr. RAMA AYYANGAR:—"I wish to say a few words."

His Excellency the PRESIDENT:—"I think really we must close the discussion; we have had a lot said."

The Hon'ble Mr. RAMA AYYANGAR:—"I have no objection to the discussion being closed, but I have a right of reply. The Hon'ble Dr. Nayar, the Hon'ble Mr. Yaqub Hasan and the Honourable Member in charge have raised questions which are not quite relevant and the Hon'ble Mr. Molony has raised a particular point to which I shall refer later on. So far as sections 154 and 155 go, it is better to see the wording of those sections. They refer to detailed estimates of the budget, of receipts and expenditure. There is really no necessity at that stage when the budget is ordinarily brought before the council of estimating in detail for every work there. I have no doubt there may be cases in which estimates or rather complete estimates, are completely drawn up and placed before the council and in such cases re-consideration may not arise. In the case of general expenditure, out of 33 lakhs, except in a few cases, about 23 or 25 lakhs will have to be left entirely for tentative proposals; for example metalling and gravelling can be approximately estimated; but it cannot be that an estimate which is to be prepared later could be made complete at that stage. However, a provisional estimate of expenditure and receipts is totally made and I have no doubt there may be some specific detailed estimates which require no further sanction. But as it happens in the local boards and municipalities, and I think it would be so in the case of the Madras corporation, in the case of such estimates as are provisionally made and which could not be detailed, the matter is not taken to be sanctioned as a complete estimate at that stage, so much so that when the work is taken on hand the district board engineers, the municipal engineers and other engineers elsewhere prepare them in detail and they are sent for further consideration by the council. These are again passed at a later time. If in the case of these estimates which are prepared in detail at the time of the budget

11TH FEBRUARY 1919.] *(The President; Mr. Ranga Achariyar;
Mr. Rama Ayyangar.)*

His Excellency the PRESIDENT:—"That the Honourable Member has not to address his remarks to. We have had a considerable discussion on the question already in the opening remarks earlier. I am not contesting the right of the Honourable Member. He will be allowed, but I want to remind the Council that we have already devoted considerable amount of time to this subject. We will now adjourn."

The Council then adjourned for a short interval.

The Council 're-assembled at 3 p.m.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Your Excellency, I wish to move under rule 70 of the Business Rules for a temporary suspension of the rules, so that we may go back to sections 78 and 79. There is a real difficulty which has occurred to many of us, and it will not do for us when we are now legislating to leave it in that undefined condition. Therefore, I feel it necessary that we should go back to sections 78 and 79. I formally move for this purpose that the rules be suspended."

His Excellency the PRESIDENT:—“ Which rules does the Honourable Member refer to? We must have a definite reason. We have now passed those sections. If we find that the judgment of the Council conflicts with what we have already done, that would be a reason for doing so. The Honourable Gentleman's reason is purely hypothetical.”

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" May I explain ? It has been explained to the Council that section 78 means merely technical sanction—sanctioning merely a pile of papers— and does not mean anything else. There is no other section which gives power to sanction even one rupee expenditure. If section 78 is not the section which gives the Commissioner power to spend any money, there is no other section which gives him that power. There is a schedule which gives him power to pay certain sums, but this will not come under any of these scheduled items. I therefore think that if section 78 is to mean what is now attributed to it by the Honourable Member in charge, the Commissioner will be left without power to incur any expenditure. That is not a state of things which we should encourage. Therefore we have to consider the matter carefully. If section 78 is to mean what the Hon'ble Mr. Molony and the Honourable Member say it means there will be no power for the Commissioner to spend one rupee."

The amendment was put and lost.

The Hon'ble Mr. K. Rama Ayyangar demanded a poll which was taken with the following result:—

His Excellency the **PRESIDENT**:—"That does not arise on clause 78 wherever else it arises. There is really nothing for the Council to consider. If the Honourable Gentleman wants any point to be seriously considered, he may communicate privately with the Honourable Member responsible for this Bill. Let us go on with our consideration of the Bill. My Honourable Friends and the Government and everybody wish to co-operate in making the Bill workable. Let us go on with our consideration of the Bill. If the decision of the Council creates any deadlock, my Honourable Friend will not hesitate to bring it to the notice of the Council. I think we will just go on with the consideration of clause 80. I call upon the Hon'ble Mr. Rama Ayyangar to move amendment No. 42."

The Hon'ble Mr. K. RAMA AYYANGAR :—" I beg to move the following amendment :—

‘In sub-clause (c) of clause 80 (2) *substitute* “ Rs. 2,500 and 10,000 ” for “ Rs. 10,000 and 50,000 ” respectively.’

“ Your Excellency, at this stage it is necessary to briefly mention the position that we have come to. Clause 77 says ‘ The Council may determine either generally for any class of cases or specially for any particular case, whether the Commissioner shall execute works by contract or otherwise.’ There is, as far as I know, section 80 which says ‘ The Council may enter into and perform all such contracts as they may consider necessary or expedient for carrying into effect the provisions of this Act.’ So that, entering into contracts is a stage which comes in after the estimates and sanction. This entering into contracts alone is covered by section 80. The preparation of estimates and the giving of sanction will have to come in in the budget. There is no other provision for it as far as I see the scope of the present Bill. But in the budget, though some grants may be specifically made, others are not made as grants; they are only lump provisions made. In respect of them, except where the Council proposes to give them on contracts, it looks as if there is no provision for sanctioning any expenditure by the Commissioner or the Standing Committee otherwise than by contracts. In the case of contracts, this comes in and limits are fixed. I want that even in such cases the limits must be modified as I propose in my amendment. The effect of it will be that in a case in which the contract is entered into if the expenditure to be incurred exceeds Rs. 2,500, I want the Select Committee to look into it, and I want the Council to look into it when it is over Rs. 10,000. This means, as I have already pointed out, their attention will be drawn only to very few cases. Between Rs. 2,500 and Rs. 10,000, there will be 50 or 60 instances. Above Rs. 10,000 and up to Rs. 50,000 there may be about 6 or 7. These must be within the competence of the Council. The Corporation must have the right to judge of all cases where the value is above Rs. 10,000. Practically, according to the present scheme, this is the only section as construed by the Honourable Member in charge which substantially enables the Council or the Commissioner or

The amendment was lost, 10 voting *for* and 25 *against*.
 Clause 79 was allowed to stand part of the Bill.

Clause 80.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARYAR :—“I propose to move amendment No. 41. In clause 80 (1) for the word ‘they’ in the second line read ‘it.’”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIAR:—"The Government accept it."
The amendment was put and agreed to.

His Excellency the PRESIDENT:—"Does the Honourable Gentleman move amendment No. 42?"

The Hon'ble Mr. K. RAMA AYYANGAR :—“That refers to contracts.”

(Mr. Rama Ayyangar; the President; Doctor Nayar; [11TH FEBRUARY 1919
Mr. Ranga Achariyar.]

and passed by the municipal corporation, it is sought to be said that the estimates can be sanctioned by the president to any extent on the scale laid down by the corporation, I have no objection. It is not stated in any section of the whole Bill that the budget shall finally conclude the officers of the department and it cannot actually conclude; something of it has to be revised and removed. As regards the other point that was raised by the Hon'ble Mr. Molony that in fact he found it necessary to take it over and over again either to the Council or to the standing committee for sanction, I quite agree with him that it ought to be avoided. Therefore it is that I want to place the limit within which he need not go before them. I have no objection to raise the limit in regard to estimates already sanctioned unless there is an extraordinary revision of estimates, so that in the opinion of the commissioner or the standing committee, their sanction has to be obtained. But where there is only a general estimate, I think the first time the estimate is sanctioned it will have to go before the body which will have the financial power to sanction it. They propose separate limits to the various bodies. In the case of estimates completely sanctioned by the Council, it need not have to go before the Council but in other cases they will have to go. I want that in case of estimates below Rs. 2,500 the commissioner should be entitled to pass even new ones. The position is absolutely clear to everybody. The present provision will commit the corporation to expenditure on the items sanctioned by the commissioner, though it is not sanctioned in the budget. I submit I cannot understand the Hon'ble Mr. Ranga Achariyar withdrawing his support of the amendment or the Hon'ble Dr. Nayar saying that he would fight the case out in another section. I submit the amendment should be accepted."

The amendment was put and lost.

Clause 78 was allowed to stand part of the Bill.

Clause 79.

The Hon'ble Mr. K. RAMA AYYANGAR :—"I have the honour to move amendment No. 40— in clause 79 (1) substitute Rs. 10,000 for Rs. 50,000. All my arguments to amendment No. 39 which, I urged, will be applicable to this case. I want that the power of the standing committee in these matters must be limited to Rs. 10,000 and therefore anything that has to be placed before the council must be of the value of Rs. 10,000. As I have shown, there are very few works over Rs. 10,000 that have to be undertaken."

His Excellency the PRESIDENT :—"Sub-clause (2) of section 78 has already decided the point which in effect decides that the sanction of the standing committee shall be required. It seems to me that it is rather inconsistent with that clause which has been passed that the standing committee should sanction estimates between Rs. 10,000 and Rs. 50,000. The report shall be laid by the standing committee to the Council and the Council shall reject or approve of it."

The Hon'ble Mr. K. RAMA AYYANGAR :—"Section 79 refers to new projects which are framed."

His Excellency the PRESIDENT :—"I think not. The question regarding the contract comes under section 80."

The Hon'ble Mr. K. RAMA AYYANGAR :—"Where the entire estimated cost exceeds Rs. 50,000, it is not a mere estimate that the section refers to."

The Hon'ble Dr. T. M. NAYAR :—"The question whether work is to be undertaken or not comes in here."

His Excellency the PRESIDENT :—"If the Honourable Member will refer to section 80, clause (3), then will come the question of contracts. Then we have the second stage of the proceedings. I do not know, I may be wrong."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"May I draw your Excellency's attention to clause (6)? You may either reject a project or consider a project. Sanctioning estimates is one stage, sanctioning a project is another stage and sanctioning contracts is a third stage."

His Excellency the PRESIDENT :—"If you will allow me to say in clause 79 (1) we are dealing with estimates."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"We are dealing with projects."

The Hon'ble Dr. T. M. NAYAR :—"Suppose there is a locality that has to be drained in order to get rid of malaria. That is a project and that may have to be put before the corporation and the corporation may accept it or reject it. If they accept it, then the details and estimates will come in. The question is whether we should undertake it or not."

His Excellency the PRESIDENT :—"One specific amendment before us is that Rs. 10,000 be substituted for Rs. 50,000. We shall go on."

The Hon'ble Mr. K. RAMA AYYANGAR :—"The effect of this clause will be not to place before the Council all the projects which cost below Rs. 50,000. Unless they are sanctioned by other means, there will be no opportunity for the Council to consider. Therefore in a case in which the Council has to be committed, I submit, my Lord, where the entire estimated cost is Rs. 10,000, it must be for the Council to decide whether that commitment should be made or not. I think this alteration of Rs. 50,000 to Rs. 10,000 may be accepted. It includes the sanctioning of the expenditure for that work and therefore there must be that limitation."

11TH FEBRUARY 1919.] (Mr. Krishna Rao; the President; Doctor Nayar;
Mr. Ranga Achariyar; Mr. M. Ramachandra Rao.)

The Hon'ble Mr. A. S. KRISHNA RAO :—"I second the amendment; may I say a few words?"

His Excellency the PRESIDENT :—"May I point out this: what is the amendment? Section 79 (1) proposes that 'when a project is framed for the execution of any work the estimated cost of which . . .'"

The Hon'ble Dr. T. M. NAYAR :—"Rough estimates."

His Excellency the PRESIDENT :—"Exceeds Rs. 50,000, the commissioner shall cause a detailed report to be prepared' including the estimates and drawings and the standing committee shall lay that report before the Council. That report is the report of estimates and the Council shall consider that report of estimates or reject that report of estimates; so that the effect of the Honourable Gentleman's amendment in this clause which relates entirely to estimates is simply to insist that in all projects, the entire estimated cost of which exceeds Rs. 10,000, the standing committee is obliged to lay those estimates before the Council and power is taken away by his amendment from the standing committee and given to the Council in all estimates between Rs. 10,000 and Rs. 50,000. He is taking the powers away from the standing committee and insisting upon the corporation considering not contracts but estimates."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"The section says 'may reject or approve of the project.'"

His Excellency the PRESIDENT :—"Let it be a project. Let me refer to the earlier wording 'the project the estimated cost of which, etc.' The report is on the cost of the project."

The Hon'ble Dr. T. M. NAYAR :—"May I explain, my Lord?"

His Excellency the PRESIDENT :—"Does the Honourable Gentleman contest my interpretation?"

The Hon'ble Dr. T. M. NAYAR :—"I do. In the ordinary way, general sanction has been already given in the budget, for the estimate which is framed and a work which is included under the budget head. But here is something which is not included under the budget. Suppose the proposal comes from the Health Officer or the drainage officer for certain improvements to be done, which may have beneficial effects; the corporation may order detailed estimates. In one case, it is all the general sanction which is already made but in this case the general sanction has not been made. Therefore the real issue which the corporation has to decide is the question whether the work is to be carried out or not. That is the point which my Honourable Friend wants a decision on to be left to the corporation."

The Hon'ble Mr. A. S. KRISHNA RAO :—"As has been pointed out by the Hon'ble Dr. Nayar section 79 has nothing to do with the sanction of estimates under section 78; though the words 'the estimated cost of which' is used in sub-clause (1) of section 79, this clause essentially deals with the sanctioning of projects. Even if a project is to be sanctioned, the scheme has to be approved as also the estimates which have to be sanctioned later on. If the project is to be undertaken, it is for the Council to decide whether this work is to be undertaken or not. Is it to be undertaken in the case of new works or projects for the expansion of water-works costing over Rs. 10,000 the discretion of the Council is to be taken away and that the standing committee alone is to decide whether a new work is to be undertaken or not? Notwithstanding the interpretation suggested I would draw your Excellency's attention to what is essentially contained in sub-clause (6) of clause 79 (1). At the end of that sub-clause it is stated: 'The Council shall consider the report and may reject the project, or may approve it either in its entirety or subject to modifications.' It does not deal with the approval or disapproval of estimates. Similar words are used in sub-clause (2) where it is stated also that the Governor in Council may reject the project or may sanction it either in its entirety or subject to modifications. Therefore it is essentially different from what is contained in the previous clause; and the only point for consideration is whether this Council will allow the standing committee to exercise the discretion of sanctioning or approving of new projects up to Rs. 50,000. I think Rs. 10,000 is high enough. If there were a proposal to limit it to less than that amount, I would have gladly supported it."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"I have not heard the Honourable Member in charge in explanation of this clause 79. If clause 78 is the same as clause 79, I do not understand why section 79 comes in into the Bill. Section 78, as has been pointed out by my Honourable friend Dr. Nayar, is intended to provide for cases of technical sanction of estimates, the works having been already approved either by the budget sanction or otherwise, so that the general wish of the Council having been ascertained, the technical sanction required is given by the President under section 78. Whereas, under section 79 it seems to me it is intended to commit the Council to a new project, in regard to which the wishes of the Council have not been ascertained section 79 says that the project should be prepared and that the estimates should also be prepared and placed before the Council. The financial limit up to which this can be done is mentioned in section 79. I am averse to any construction of sections 78, 79 and 80 independent of each other. I raise the question that sections 78, 79 and 80 substantially settle the financial powers of sanction of the commissioner, the standing committee and the Council either in regard to expenditure already included in the budget or in regard to new projects. Therefore, that is the substantial question raised by these three amendments. There are three stages; there is a stage where the work is generally sanctioned by the Council and the estimate is prepared. Then there is a stage where there is a new work which is not already considered by the Council in regard to which the wishes of the Council have to be ascertained and

(Mr. Rama Ayyangar ; Mr. Siva Rao ;
Mr. Rajagopala Achariyar ; Mr. Suryanarayana Rao ;
the President)

[11TH FEBRUARY 1919.]

the Standing Committee to exercise the power to sanction expenditure only on contracts. In any event, so far as this question goes, we may make it perfect. I submit that the limits to the power of the Commissioner should be Rs. 2,500 instead of Rs. 10,000 and of the Standing Committee Rs. 10,000 instead of Rs. 50,000. The total expenditure of the Corporation is about Rs. 33 lakhs, as shown by the Administration Report for 1917-18. As I said in regard to expenditure of over Rs. 10,000 we have only very few cases and between Rs. 2,500 and Rs. 10,000 we have again only very few cases, 20 or 25. Building contracts are specifically sanctioned by budget grants and in these cases the question will not come. But in the case of lump allotments where estimates are subsequently prepared, even where contracts are entered into, the matter will have to go before the Council. This is a matter, as I said, which should be considered by the Government. But whatever it is, in the case of things to be carried out by contract, I want the limits should be Rs. 2,500 and Rs. 10,000. For a municipality of this income that will be a fair limit. I find in Bombay the limit is Rs. 5,000 but the income of Bombay is much larger than that of Madras. It is more than double. Looking to the present Act and the power under it, it ought not to be much over Rs. 2,500 ; it must be below Rs. 2,500 properly speaking. But the conditions of Madras are peculiar and the Select Committee has sought to increase it. I shall give proper weight to that consideration, but my Lord, even then it is necessary to fix it at Rs. 2,500 and Rs. 10,000 and not at Rs. 10,000 and Rs. 50,000."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I am one of those who think that sections 78, 79 and 80 are simply continuations and if the amendment moved by the Hon'ble Mr. Rama Ayyangar in respect of section 78 had been carried, this would have been a consequential amendment. But as that has not been carried, and as the view has prevailed that section 78 applies only to technical sanction and does not refer to any power of sanctioning expenditure, we have had another opportunity of urging the same position when the Council has to consider clause 80. There cannot be any doubt that under clause 80 the Commissioner has power to enter into contracts in case of works which do not exceed Rs. 10,000 in value. That means, in the case of such works it is not necessary for him to obtain any other sanction, either the sanction of the Standing Committee or of the Council. He is supreme in a matter like this and he can sanction the expenditure himself on a work the value of which does not exceed Rs. 10,000. He can sanction it himself and he can enter into the agreement. That means he can sanction the expenditure himself. It is also equally plain that if the expenditure exceeds Rs. 10,000 and does not exceed Rs. 50,000, the Standing Committee has power to sanction it and incur the expenditure binding the Council and commit it in respect of this expenditure and also enter into the contract. When once such estimate exceeds Rs. 10,000 it has to be sanctioned by the Standing Committee and the Commissioner can enter into the contract ; and if it exceeds Rs. 50,000 he has to obtain the sanction of the Council. So it is clear from clause 80, if it is not plain from clauses 78 and 79, that the Commissioner has got power to sanction expenditure on works, the value of which does not exceed Rs. 10,000. The Honourable Mover proposes that these powers are excessive and the powers of sanctioning expenditure may be reduced to Rs. 2,500. I have mentioned various reasons why the Commissioner's powers should not be raised, especially when he is not appointed by the Council and not responsible to the Council and not removable by the Council. There is very little popular control in the Corporation. It is not desirable that his powers should be increased. The effect of this clause 80 means that he is supreme so far as works the value of which does not exceed Rs. 10,000 are concerned. The Council has not got power to interfere with him. In the case of works which do not exceed Rs. 50,000 the Standing Committee is supreme. The Honourable Mover proposes that it should be reduced to Rs. 10,000. I also strongly appeal to your Excellency's Government to consider the effect of sections 78, 79 and 80 together. We have been at variance. There is one view that section 78 means technical sanction ; there is the other view that it means committing the Council to expenditure. Then there is the word 'project'."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Are we going back to section 78?"

The Hon'ble Mr. P. SIVA RAO:—"I am appealing to your Excellency to consider it. This word 'project' is most unfortunate and has given rise to the impression that it means new works. Section 78 prescribes something ; section 79 says something in the case of estimates which exceed Rs. 50,000. If instead of 'projects' we had substituted 'estimates', it would have been more fully in consonance with the provisions of the Bill."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency."

The Hon'ble Mr. A. SURYANARAYANA RAO (interrupting):—"Your Excellency, before the Hon'ble Mr. Rajagopala Achariyar replies, I have one doubt which I wish to have cleared. In clause 80 (2) (b) I see 'No contract for any purpose which, in accordance with any provision of this Act, the Commissioner may not carry out without the sanction of one of the other municipal authorities, shall be made by him unless such sanction has been given'. What are these authorities?"

His Excellency the PRESIDENT:—"That is another matter. There are certain contracts which can be carried out only if they are approved by the higher authorities—some by the Standing Committee and some by the Corporation. I think the Honourable Gentleman may allow the Honourable Member to proceed. Perhaps the Hon'ble Mr. Rajagopala Achariyar may clear up the point."

11TH FEBRUARY 1919.] (Mr. Rajagopala Achariyar ; Mr. Krishna Rao.)

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I have very little to add to what I have said on the previous occasion. With the indulgence of this Council and Your Excellency I went considerably out of my way when we dealt with clause 78 and explained the framework of this Bill in regard to estimates, in regard to contracts and in regard to expenditure. I did that, so that the Council might have the advantage of having in one view what exactly is in our minds when we put in these provisions in that particular way, and it may not be committed to isolated decisions upon isolated things. I believe with Your Excellency's permission the discussion on clause 78 did cover a very wide ground, in fact the whole thing. I have very little to add to what I then said."

"So far as this clause is concerned I will simply say what I have already said. Under the present law the Commissioner has power to enter into contracts below Rs. 2,000 and we consider he may have power to enter into contracts up to Rs. 10,000. Secondly the Honourable Member says that in Bombay it is Rs. 5,000. That Act was thirty years ago. I submit after an interval of thirty years we may put it in Madras at Rs. 10,000. It does not carry us very far one way or the other. Whatever control the Corporation as a body has over the Commissioner should, as pointed out by the Hon'ble Sir Francis Spring, be through the budget. It is the budget which has to be controlled. The Honourable the Advocate-General will later on if necessary read some of the provisions of the present Bill in regard to the budget, from which entering into reckless expenditure or committing the Corporation to things to which he should not commit it. The budget is the mechanism by which the control of the general body should be exercised ; and it is not by simply reducing Rs. 10,000 to Rs. 2,500. If under the present procedure the budget has not sufficient details such as would enable the Corporation to exercise adequate and detailed control, make it more strict. The Hon'ble the Advocate-General will point out that we have provided a certain number of rules ; there are provisions to frame regulations and by-laws so that the grip of what we call the Finance Committee may be made as strong as possible over the Commissioner. I would very much deprecate simply knocking down isolated figures here and there. I am speaking as one of those who framed this law. The whole thing has been framed according to definite principles and if you go and alter one figure in one place you may unconsciously be setting the whole Bill out of gear. I am strongly against any change such as is proposed by the Honourable Member in clause 80 (2) (c)."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, when the amendment of clause 78 was being discussed, the main ground upon which the opposition proceeded from the Hon'ble Mr. Rajagopala Achariyar and the Hon'ble Mr. Molony was that it was no use fighting against a provision regarding the sanctioning of estimates when even now the President is sanctioning estimates and the Standing Committee is passing the same *en bloc*. It was suggested that we were fighting against a shadow when we objected to the provision regarding the sanctioning of estimates. It was then suggested that the more important power was about the giving of power to various officers in the making of contracts."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I did not say that."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I am summing up what was said by the Hon'ble Mr. Rajagopala Achariyar and the Hon'ble Mr. Molony in opposition."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"You are summing it up wrongly so far as I am concerned."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I am not in a position to reproduce the exact words. In mentioning the two members who opposed it, I mentioned the Hon'ble Mr. Rajagopala Achariyar and the Hon'ble Mr. Molony ; I believe I have correctly reproduced the substance of what they said. I did not say what was said by each of them separately."

"Coming now to the present proposal, the only point for consideration is whether it is desirable to extend the power of the Commissioner in the making of contracts up to the limit suggested. It is pointed out that the Bombay Act of 1888 which gave power up to Rs. 5,000 was passed thirty years ago and that Madras may increase the powers up to Rs. 10,000. It will be remembered that when the City Municipal Act of 1904 was passed sixteen years ago by the local Legislative Council, they deliberately thought it wise to restrict the power of the President to Rs. 2,000 and of the Standing Committee to Rs. 10,000. The question for consideration now is whether under the scheme of the Bill now under consideration and taken up fifteen years after the passing of that Act it is necessary to increase the power of the Commissioner from Rs. 2,000 to Rs. 10,000 and that of the Standing Committee from Rs. 10,000 to Rs. 50,000. That is the effect of the provision inserted in the Bill by the Select Committee. The effect of the proposal of the Hon'ble Mr. Rama Ayyangar would be that the power of the Standing Committee would be as it was under the Act of 1904 and the power of the Commissioner would be increased from Rs. 2,000 to Rs. 2,500. I would suggest, My Lord, that to increase the powers to the extent suggested in the Bill in the present stage of development is unreasonable. I venture to place before this Council the views of the Madras Corporation on this important question. If there is any body whose views have to be respected, it is that body. At the meeting held on February 4th, they deliberately came to the conclusion that the financial powers of the Commissioner should be restricted. It appears from the papers which must have been communicated to the Legislative Department that it was first suggested that the President

(Mr. Krishna Rao ; Mr. Narasimha Ayyar ;
Doctor Nayar.)

[11TH FEBRUARY 1919

should have power up to Rs. 2,500 and they finally raised it to Rs. 5,000. In view of that particular fact it is not desirable to increase it to Rs. 10,000. But it may be reduced to Rs. 5,000. If Your Excellency will permit it, I am prepared to move an amendment to that portion to substitute Rs. 5,000 for Rs. 2,500 to bring it into consonance with the view of the Madras Corporation. Your Excellency may take the sense of the whole Council as to whether they would have Rs. 2,500 or Rs. 5,000. The power of the Standing Committee may remain up to Rs. 10,000."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"I support this proposal."

The Hon'ble Dr. T. M. NAYAR :—"I expected to hear from the Honourable Member in charge some satisfactory reason for increasing the powers of the Commissioner so far as entering into contracts was concerned. All that I heard from the Honourable Member was, as he pointed out, what the present power of the president is—that he can enter into contracts up to Rs. 2,000—and he thought there was no reason why it should not be extended to Rs. 10,000. That is an excellent example of mathematical deduction, but it is not quite satisfactory when applied to municipal bodies. There are two or three reasons which he could adduce, if he were in a position to adduce them, which would justify him in making this increase from Rs. 2,500 to Rs. 10,000. If he could prove that in the past there has been any delay in placing contracts for works on account of this restriction on the powers of the president, he will be justified in saying that to avoid delay 'we will now raise the power of the president to Rs. 10,000.' There is no such suggestion, and I am quite sure he cannot prove that any such delay has occurred. Another reason which could reasonably be brought forward would be if he could show that the standing committee of the future will be so much overloaded with work that they ought to be relieved of a part of their duty and this part should be transferred to the commissioner. Instead of the standing committee of the future being overloaded with work, they will have considerably less work than before, because one standing committee has been split up into four committees, and they will have greater time to devote to their respective works than they had in the past. These two would have been satisfactory reasons for the increase."

"Now I can give satisfactory reasons for not increasing the powers. This Bill to amend the Madras Municipal Act has been undertaken in order to make the Madras Corporation more of a self-governing body and to give the representatives of the people greater control over income and expenditure. If that is the reason, it will be out of place in that Bill to take away the power of controlling the expenditure from the council and putting it more into the hands of the commissioner who as compared with the president of the corporation at the present time will be less a part of the corporation than he is now. So looked at from whichever point of view, the change from Rs. 2,000 to Rs. 10,000 is unjustifiable."

"The Honourable Member in charge is suffering under a delusion, and this delusion is shared by several other Honourable Members, that in the budget the corporation has complete control over all the expenditure. It is a general sort of control in the budget, but beyond that there is no control. The control that you can exercise through the budget is control of policy and is not complete control. When you come to details to check expenditure you must have recourse to other sources of control. I can give an instance: For example under the budget head 'education' you may put in a sum of Rs. 1,00,000 with the remark 'for providing ten elementary schools.' In sanctioning that entry in the budget you have control over the policy, your policy being that you should build ten elementary schools in the coming year. To that extent you have control. But there that control stops. If you want to go any further with regard to the details, you must have control at some subsequent stage, otherwise you lose all control subsequently. Take this present instance. After this entry is put in the budget, the commissioner can proceed to complete all these ten schools without the corporation or the standing committee having any control whatever. According to your proposal, he can have ten different estimates prepared in the office and provided they are all under Rs. 10,000, he sanctions them; and according to your proposal he straight away enters into ten different contracts. The contracts are let and all that the corporation will know is when the ten schools have been built. I ask the Council: is that all the control which you mean to give to the representatives of the rate-payers in a question of that sort? They have decided to build ten schools. Is that control to stop there? If it is not to stop there, you should not give these exceedingly wide powers to the commissioner."

"I entirely fail to see any reason for this change. Under the existing Act the president can enter into contracts up to Rs. 2,000 and the standing committee up to Rs. 10,000 and salary. There must be some reason for the departure. If it is proposed to give the corporation power to enter into contracts above one lakh you can give a reason for it. You may say, our policy is to give more power to the corporation, and we will make it a really self-governing body and we will give it greater power. That is a valid reason. If you give greater power to the standing committee, you can also give a valid reason, because the work in municipal bodies is coming to be carried on more and more by standing committees. The general body being too large a body to go into details, it has become customary to delegate to the standing committee the control over details. But so far as transferring power to the commissioner is concerned, I cannot see any justification, because it is agreed on all hands that the commissioner is as such a transitional institution; during the time when you are training these local bodies to assume full responsibility the commissioner is put in as a sort of check by the Government."

11TH FEBRUARY 1919.] (Doctor Nayar ; Mr. Richmond ; the President ;
Mr. M. Ramachandra Rao.)

Therefore the less you exercise it the better for the development of the self-governing body and for the general advancement of the country. Therefore, when you put that check at the beginning of this new institution, you should not invest the commissioner with more power than the present president of the corporation has, because the municipal corporation of the future which will come into existence under this Bill is supposed to be a body with greater powers controlled less by the Government than the old municipal council which is to expire. If that is the theory, this Bill does not carry it into effect. My Lord, I do not see any substantial reason for this proposal except the arbitrary one which the Honourable Member has given, viz., the mathematical reason. I cannot help thinking that if the Government adhere to this proposal and carry this Bill into law as it is, the Bill will be a reactionary one and not an improvement."

The Hon'ble Mr. T. RICHMOND :—"My Lord, I regret I am unable to agree with the Honourable Member in charge of the Bill when he says that the provisions regarding the budget contain adequate safeguards against the misuse of power by the commissioner or afford adequate opportunity for the council to exercise its check. If so, I am not able to see why any pecuniary limit should be laid down. There is absolutely no reason for fixing any pecuniary limit if this view is correct. The very fact that you fix a limit shows the necessity for this amendment. The only question is, are you going to fix the limit at Rs. 10,000 or lower? We are introducing an entirely new method or system in the corporation. We are for the first time introducing an official under the designation of commissioner. Who will be the commissioner we do not know. Now we know the executive action is in the hands of the president. Supposing later on you find that the pecuniary limit which you now impose is a high limit, it will be necessary to introduce an amending Act to reduce the limit. When once after fixing the limit you lower it, it is practically moving a sort of vote of censure on the administration. If you give power up to Rs. 10,000 and then you take it away, it is a censure, because it means he is not using it properly. On the other hand if you give him power up to Rs. 2,500 and if experience shows that you can safely raise that limit, you can raise it and you will be paying a compliment to him by raising it from Rs. 2,500 to Rs. 10,000. You are bringing in this new scheme for the first time and I would ask you to accept the amendment and start with a limit of Rs. 2,500. I agree with the observations made by my Honourable Friend Doctor Nayar and I think his long experience should count in our accepting the amendment."

"Before I sit down I may mention another matter closely allied to this. In considering an amendment of this nature and others, would it not be far better if the official members are allowed to vote as they like? There are members who have large experience of municipal municipalities and administrative experience, and if they are allowed to freely give their opinions, we may arrive at a decision which will be much more satisfactory than one obtained by a solid phalanx of official votes. If official members could vote according to what their experience dictates it would I think improve matters."

His Excellency the PRESIDENT :—"I do not see how that question arises on this matter."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"My Lord, a great deal has been said about the control of the budget; but before I deal with that point, I may perhaps say generally that the effect of sections 78, 79 and 80 which the Honourable Member now wishes to be considered together would be to shift unduly the financial control of the corporation, first to the commissioner and then to the standing committee. My Lord, in discussing section 78 I expressly pointed out that the whole framework of sections 78, 79 and 80 was to settle the financial powers of each of these three authorities. It was at one time stated that section 78 merely referred to technical sanction. Now we are landed in this difficulty that in regard to section 80 we have either to reduce the powers of the commissioner and the standing committee or to pass the section as it is. I feel very strongly that by enacting section 80 as it is we shall be reducing the powers of financial control of the corporation to a very undesirable extent. In fact, any contract may be entered into finally without the intervention of the council by the standing committee up to Rs. 50,000. Similarly any contract may be entered into by the commissioner without the intervention of either the standing committee or the council up to Rs. 10,000. As to whether this policy of delegating financial control up to Rs. 50,000 to the standing committee and up to Rs. 10,000 to the commissioner is right is a point which deserves very careful consideration. I entirely associate myself with the Hon'ble Doctor Nayar who has pointed out that no adequate reasons have been assigned as to why this limit should have been fixed at Rs. 10,000 and 50,000. Instead of Rs. 10,000 the Honourable Member might have put it as Rs. 20,000 and as regards the standing committee he might as well have put it at Rupees 1,00,000 instead of Rs. 50,000. It seems to me, My Lord, this arbitrary, high limit of the financial control of the standing committee and the commissioner is unreasonable, if we are to be guided by what has been done in Calcutta and Bombay. My Honourable Friends have referred to these provisions."

"Now coming to the budget, so far as the Codes under the Municipal Acts are concerned, each work requires not only budget sanction but individual sanction of the corporation. Each contract has to be brought up before the council. It has to be sanctioned and the contract has to be entered into and the work carried out. That individual sanction is the opportunity for the council to exercise its financial control. Therefore, My Lord, the fact that a particular work is provided for in the budget does not at present do away with the individual sanction for the work after the scrutiny of the estimate and for its subsequent carrying out, on

(Mr. Ranga Achariyar ; Mr. Rajagopala Achariyar ; [11TH FEBRUARY 1919.
Mr. Rama Ayyangar.]

the year he exceeds the pecuniary limits laid down such contract shall not be deemed to be invalid. That is, I submit, giving a loophole of escape which ought not to be given. I therefore propose to reintroduce the safeguard that was already in the original Bill, viz., 'unless at the time of entering into the contract the parties had sufficient cause to believe that such limits would be exceeded.' That is what the original Bill proposed in 1916. When this section was re-drafted in 1918 I do not know whether it was there or whether it was not there; I forget it. I only want to restore what the Government themselves proposed when they introduced this section, and have now dropped. This would fix a limit upon their entering into such contracts at unit rates. The Commissioner will think twice before he enters into such contracts and so also the Select Committee would think twice before entering into such contracts. That will be some protection, if not sufficient protection. You will take away even that protection, and you can evade sections 80, 81 and 82 by entering into contracts on the unit basis. I therefore propose this amendment."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I have very little to say except that we omitted it, because we apprehended that in practice it would be difficult to work this proviso 'unless at the time of entering into the contract the parties had sufficient cause to believe that such limits would be exceeded.' I would also draw attention to the fact of the use of the words 'not precisely determinable, in clause 83. In view of those words we thought that section 83 as it left the hands of the Select Committee was the best way in which we could put it. I therefore oppose the amendment."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"One word, Your Excellency. I do not understand the practical difficulty at all. I suppose the office is a working office having records of the previous years and I suppose they know what quantities of straw or metal are required for a year. Can we not work on that basis? The language is 'not precisely determinable.' It is not 'not approximately determinable.' It leaves it in the hands of the office. It does not afford protection at all. On the other hand it makes it even worse. Unless it is precisely determinable you can enter into a contract on the unit basis, and such excuses will be always available. I therefore submit it is a most mischievous provision."

The amendment was put and lost.

The Hon'ble Mr. K. RAMA AYYANGAR:—"I do not propose to move amendment No. 44." Amendment No. 44 which was not moved was as follows:—

After the words 'when work' insert 'duly sanctioned'.

Clause 83 was allowed to stand part of the Bill.

Clause 84.

Clause 84 was allowed to stand part of the Bill.

Clause 85

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I beg to move amendment No. 45—

In clause (b) of the proviso insert the words 'Revenue Officer' after the words the 'Health Officer' and substitute the words 'twelve hundred' for the words 'fifteen hundred'.

Omit all the words after the word 'Rupees' and substitute the following words:—

'Provided that in the case of any of these officers who have held the appointment for not less than five years the monthly salary may be raised by the Council to a sum not exceeding Rupees fifteen hundred.'

"There are some instances in which the Government by legislation propose to lay down to the corporation certain injunctions as to what salary they ought to pay to the Health Officer, the Revenue Officer and the Engineer. Why when we are entrusting the affairs of the City to the corporation we should not leave it to the corporation to determine from time to time what salaries they should pay and why we should fix it passes my comprehension. Not only that; the Bill provides that we must pay a certain salary to the Health Officer, Revenue Officer and Engineer, and then it says the minimum is so much and the maximum is so much. That is to say we have no knowledge of the inner finance of the corporation and here is the legislative authority which seeks to impose the maximum limit and minimum limit on the corporation without due regard to the financial condition of the corporation. That is what I object to. I say that the maximum has been too largely fixed at Rs. 1,500 in the case of the Health Officer and the Engineer. When we consider persons in a similar position in the Government departments we find that the salary proposed to be given to the Health Officer and the Engineer is very extravagant indeed. For instance the District Medical and Sanitary Officer, first class, only gets Rs. 1,300, second class Rs. 950. When we take Engineers, the Executive Engineer, first grade gets Rs. 800—50—1,250 in the Imperial Service, and in the Provincial Service Rs. 535—35—850. I do not think the position of either the Health Officer or the Engineer can be said to be above the position of these people. Even the Superintending Engineer, third class, gets only Rs. 1,500, second class Rs. 1,750 and first class Rs. 2,000. That is, so far as the Engineer and the Health Officer are concerned, I do think that Rs. 1,500 is an excessive maximum to fix. At the same time the minimum is all right, i.e., Rs. 600 in each case. I do not think we can get people below that sum. I object to the maximum. I propose that the maximum in each case should not exceed Rs. 1,200."

11TH FEBRUARY 1919.] (Mr. Ranga Achariyar ; Mr. Rajagopala Achariyar ;
Mr. Yaqub Hasan ; the President.)

"The second thing I propose is similar to what I did in the case of the Commissioner. One frequent cause of complaint in the Corporation is that we take trouble to bring out an Engineer, he gets experience in our works and he stays two or three years and then he goes away elsewhere. Therefore I propose there should be some inducement for these people to stay on here, and I propose that in the case of any of these officers who have held appointments for not less than five years the monthly salary may be raised to Rs. 1,500 so that eventually the maximum may be reached after certain approved service. But in fixing the initial salary it shall not exceed Rs. 1,200. That is the object of the amendment. I am sure we can get good officers on these salaries. Very many eminent people have held the post of Health Officer, such as Captain Cornwall and Captain Ross. It is now only Rs. 1,000 under the existing Act, and I now propose to make it Rs. 1,200. We are already saddled with a costly commissioner and we should not be saddled with these costly officers. As it is, our establishment in the Engineering Department not only comprises engineers in charge of roads and other things but we have a mechanical engineer, a water works engineer, a drainage engineer and we are going to have various people in charge of pumping stations and so we shall require other engineers. We are not going to be content with one engineer. The City was content with one engineer a few years ago, but during the last seven or eight years we have been burdened with a lot of engineering staff. I do not think that it is necessary that we should have this costly establishment. I therefore commend my amendment for your acceptance."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the Hon'ble Mr. Ranga Achariyar began his case by saying that at a time when we are giving wider powers to local bodies we are putting in a rule fixing the maximum and minimum limits to the pay of the officers, and he says it is wrong and contrary to principle; and that we should give a free hand to the Corporation to fix the pay. On that argument may I venture to point out that what the Honourable Member should have done was that he should have proposed to delete the whole thing."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Hopeless, as I am, even in this modest proposal?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"When was that hopelessness discovered?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"After two days' experience."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The hopelessness was discovered only now. The Honourable Member proposes to reduce the maximum. It means he would restrict the discretion of the Corporation. The Corporation is an important local body which may need a very superior man as Engineer, Health Officer or Revenue Officer. Leave the local body alone; if he had said that, I would have taken it. It is a reasonable view. But he says inasmuch as the Council should be left alone I would put forward an amendment which will tie its hands. The Bill as approved by the Select Committee says that the Council can appoint a man up to Rs. 1,500. We are now told, in the interest of giving a wider discretion to the Council, we shall not give more than Rs. 1,200. I shall pass from that point."

"The next point is, knowing as we do the rates of salary for the kind of men that we want for the office of Engineer and Health officer, I submit to the Council for consideration that the limit of Rs. 1,500 is by no means excessive. It is because you are not in a position to pay these men adequately you lose their services, and the Corporation will be well advised to provide adequate pay for these men. In the long run it may be more economical for the Corporation to get a man not exactly on high pay but a reasonable starting pay so that he can rise to a reasonable maximum. We give complete discretion to the Corporation to pay the maximum gained experience. That would be more economical. My own impression is that Rs. 1,500 is not high enough, but it is the very lowest that we should provide as the maximum. It is not proposed that a man who comes in should be given Rs. 1,500 straight away. What the section says is 'The Council shall appoint a Health Officer, an Engineer and a Revenue Officer . . . provided that the monthly salary of the Health Officer and the Engineer shall be not less than six hundred rupees and shall not exceed fifteen hundred rupees and the monthly salary of the Revenue Officer shall not be less than six hundred rupees and shall not exceed twelve hundred rupees.' As it is, the Council has got a pretty wide discretion in fixing the starting pay and a wide discretion in allowing the men to go on to a particular pay thereby ensuring their remaining with them. I think in the interests of efficiency that the liberty should not be restricted. I oppose the amendment."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"If I am in order I should like to move that the proviso be omitted. This is an amendment to the amendment. I propose that the proviso itself be omitted altogether."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Has the Honourable Member given notice of it?"

The Hon'ble Dr. T. M. Nayar rose to speak.

His Excellency the PRESIDENT:—"If the Honourable Gentleman wishes to speak against the proviso, let him do so now."

(Mr. M. Ramachandra Rao; Mr. Ranga Achariyar; [11TH FEBRUARY 1919.
Mr. Molony.]

a contract entered into by the commissioner or the standing committee. I do not know whether it is seriously contended that simply because the work is mentioned in the budget all further financial control by the council or the standing committee is not necessary or desirable.

"My Lord, in this Council where there are several officials who have served as presidents of district boards and as municipal chairmen there should be no difficulty in ascertaining the practice. My Honourable Friend Mr. Richmond's suggestion that in this matter there shall be no official block is one which eminently deserves the favourable consideration of the Government. It is a question as to what safe limits may be placed for the commissioner, the standing committee and the council. That is the only point we have for consideration and in a matter like this I submit every member of this Council may be allowed a free expression of views. I do not know why on an occasion like this such a course should not be adopted. Therefore, My Lord, I am really unable to support this proposal because it shifts the financial responsibility of the council and it reduces its powers of control and unnecessarily increases the powers of the standing committee and the commissioner."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"My Lord, I do not wish to make any general observation. I am quite content to take the skilful surgical operation performed by the Hon'ble Doctor Nayar on the attitude taken by this Government. I wish to give my practical experience as to how the thing works in the corporation. If anything attracts the attention of the council it is these contracts, which come up. Then the attendance is full and more attention and more time is paid. Then it is that the councillors take an interest. The evil arising out of allowing these large powers to the commissioner is it would land us in great difficulties. We have had recent bitter experience how a contract was entered into and we were landed in litigation in the Court and but for the skilful advocacy of the Hon'ble the Advocate-General we would have been mulcted in costs. However that may be, if you entrust these large powers of entering into contracts to the standing committee or the commissioner who always work inside their chamber without public notice and public scrutiny, without their being exposed to the public gaze, things are not likely to take a fair turn. Oftentimes contracts have come up before us where the standing committee had accepted not the lowest tender but the highest tender for some reason the Engineer or the Health Officer puts on paper and the standing committee is given some story, but when it comes to public discussion those reasons disappear. The standing committee's proposals when they came up before the corporation have been overruled in not less than 50 per cent of cases. That being the case instead of there being any reason to raise the limit, past experience dictates to us that there is no reason for increasing the powers. If you call for returns for the last three or five years of cases where the corporation had to over-rule the decisions of the standing committee in regard to the acceptance of contracts, you will find that a much stronger case is made out for reducing the limit rather than enhancing it."

"What really is the reason given? The suggestion made was that the Bombay Act was passed 30 years ago. Has human nature improved in 30 years? What argument is derived by merely stating that fact? It would be a mere sham and pretence to say that you are creating a corporation with full powers when you are really taking away the real powers and putting them in the hands of the commissioner who is an outside man and whom we cannot remove except by a high majority. I strongly appeal to the Council that the powers of the corporation should not be surrendered like this."

"This is the only way in which we can put a check on the expenditure. Let us observe the growth of expenditure. It has been complained time in and time out that we are landed in bankruptcy and unless you give the rate-payers' representatives full financial powers the corporation will be landed in much greater difficulty. Instead of giving a beneficial measure you will land them in further difficulties."

The Hon'ble Mr. J. C. MOLONY:—"I shall merely make a very few remarks. The first is a general one. I would submit that the budget thus does give the corporation control over the general disposition of its finance, but, as the Hon'ble Doctor Nayar has suggested, that when the corporation has resolved on spending one lakh for building ten schools the corporation has finished with the matter. Financial control does not mean the choice of particular contractors. The commissioner has over him Your Excellency's Government and the Council. If in a matter like this he shows himself unfit to be trusted, I dare say Your Excellency's Government will remove him, or failing that the corporation can remove him."

"As regards the case mentioned by the Hon'ble Mr. Ranga Achariyar, I am afraid it is scarcely a happy one. He said we went to law and would have been mulcted in costs but for the skilful advocacy of the Hon'ble the Advocate-General."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"On a technical point."

The Hon'ble Mr. J. C. MOLONY:—"The contract in that case was entered into by the decision of the corporation. I venture to think that his statement that the main occasion on which the corporation took an interest in public affairs was in giving contracts is not complimentary to the corporation. I would not have mentioned this point, but for the fact that I have been protesting at meetings of the corporation and meetings of the standing committee time and again against the unvarying rule of giving the contract in every case to the lowest tenderer. We give contracts to do things always to the lowest tenderer. If it were left to me personally, probably I would give them to the person who will do them properly. I can give instance after

11TH FEBRUARY 1919.] (Mr. Molony; the President; Mr. Ranga Achariyar.)

instance which resulted in the contractors doing nothing. I have argued this question with the standing committee and the corporation and they always said 'we are bound by principle, and people will speak ill of us otherwise'. Let people speak ill of me in any way they like—I am used to it. If I can get the work done, I do not mind it. That is the only broad way of looking at things. I strongly support the proposal to extend the Commissioner's powers."

His Excellency the PRESIDENT:—"Before I ask the Council to vote I should like to point out that after all it comes down to a question of figures. We have had a discussion ranging over the whole financial principles of the Bill, the question of the policy of having a Commissioner, and have been asked whether the proposal will not deprive the Council of its powers. It is merely a question of figures. If the figures were what the Honourable Member wanted we should not have had all this unimportant discussion. It centres round the figures and I must really draw the attention of this Council to this fact that at this stage, when every opportunity has been given for the discussion both in the Council and the Select Committee according to the provisions made in our rules, it is essentially too late to upset the whole scheme of the Bill. That is really what this discussion comes to. It comes down to a question of figures, which is after all the point on which we have to vote. I now put the amendment."

The amendment was put and lost.

The Hon'ble Mr. Rama Ayyangar demanded a poll which was taken with the result that 16 voted for and 21 against it.

The following was the division:—

For	Against
The Hon'ble Mr. V. K. Ramanuja Achariyar.	The Hon'ble Sir Alexander Cardew.
" Mr. M. Ramachandra Rao.	" Mr. L. Davidson.
" Mr. P. Siva Rao.	" Mr. C. G. Todhunter.
" Mr. K. Rama Ayyangar.	" Mr. A. Y. G. Campbell.
" Mr. T. Richmond.	" Mr. B. Ramachandra Rao.
" Mr. K. Suryanarayanamurti	" Mr. M. Young.
" Nayudu.	" Mr. L. E. Buckley.
" Dr. T. M. Nayar.	" Mr. N. E. Marjoribanks.
" Mr. B. Venkatapati Raju.	" Mr. Aziz-ud-din Sahib.
" Rev. G. Pittendrigh.	" Mr. A. Subbarayalu Reddiyar.
" Mr. T. Ranga Achariyar.	" Sir Francis Spring.
" Mr. A. Suryanarayana Rao.	" Mr. R. Littlehales.
" Mr. A. S. Krishna Rao.	" Sir Gordon Fraser.
" Mr. B. V. Narasimha Ayyar.	" Mr. J. H. Thongeri.
" Mr. Yaqub Hasan Sahib.	" the Most Rev. John Aalen.
" Mr. Ahmed Tambi Marakkayar.	" Mr. J. C. Molony.
" Mr. K. Chidambaranatha	" Mr. W. Hutton.
" Mudaliyar.	" Mr. W. J. J. Howley.
	" Mr. P. Rajagopala Achariyar.
	" the Advocate-General.
	" Mr. H. G. Stokes.

His Excellency the PRESIDENT:—"The next amendment is consequential and it falls."

The amendment referred to ran as follows:—

In sub-clause (e) of clause 80 (2) substitute the words 'Rs. 2,500' for 'Rs. 10,000'.

Clause 80 was allowed to stand part of the Bill.

Clause 81.

Clause 81 was allowed to stand part of the Bill.

Clause 82.

Clause 82 was allowed to stand part of the Bill.

Clause 83.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"My amendment to clause 83 is as follows:—

"43 After the full stop into a comma at the end of the clause and add the following:—
'unless at the time of entering into the contract the parties had sufficient cause to believe that such limits would be exceeded'."

"This is another enhancement of the power of these bodies to break the rule. The rule itself is very wide and this is a provision to enable them to evade even that restriction by quoting at unit rates. Supposing it is a supply of hardware or metal which takes away large sum in the shape of stores or any other material like straw or gram or various other things—when such a contract is entered into, you simply enter into the contract giving the unit rates and the contractor has to supply the articles for the year. The section says that simply by reason of the fact that by the close of

(Mr. Ranga Achariyar; Mr. Rajagopala Achariyar; [11TH FEBRUARY 1919.
Mr. Rama Ayyangar.]

the year he exceeds the pecuniary limits laid down such contract shall not be deemed to be invalid. That is, I submit, giving a loophole of escape which ought not to be given. I therefore propose to reintroduce the safeguard that was already in the original Bill, viz., 'unless at the time of entering into the contract the parties had sufficient cause to believe that such limits would be exceeded.' That is what the original Bill proposed in 1916. When this section was re-drafted in 1918 I do not know whether it was there or whether it was not there; I forget it. I only want to restore what the Government themselves proposed when they introduced this section, and have now dropped. This would fix a limit upon their entering into such contracts at unit rates. The Commissioner will think twice before he enters into such contracts and so also the Select Committee would think twice before entering into such contracts. That will be some protection, if not sufficient protection. You will take away even that protection, and you can evade sections 80, 81 and 82 by entering into contracts on the unit basis. I therefore propose this amendment."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I have very little to say except that we omitted it, because we apprehended that in practice it would be difficult to work this proviso 'unless at the time of entering into the contract the parties had sufficient cause to believe that such limits would be exceeded.' I would also draw attention to the fact of the use of the words 'not precisely determinable' in clause 83. In view of those words we thought that section 83 as it left the hands of the Select Committee was the best way in which we could put it. I therefore oppose the amendment."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"One word, Your Excellency. I do not understand the practical difficulty at all. I suppose the office is a working office having records of the previous years and I suppose they know what quantities of straw or metal are required for a year. Can we not work on that basis? The language is 'not precisely determinable.' It is not 'not approximately determinable.' It leaves it in the hands of the office. It does not afford protection at all. On the other hand it makes it even worse. Unless it is precisely determinable you can enter into a contract on the unit basis, and such excuses will be always available. I therefore submit it is a most mischievous provision."

The amendment was put and lost.

The Hon'ble Mr. K. RAMA AYYANGAR:—"I do not propose to move amendment No. 44." Amendment No. 44 which was not moved was as follows:—

After the words 'when work' insert 'duly sanctioned'.

Clause 83 was allowed to stand part of the Bill.

Clause 84.

Clause 84 was allowed to stand part of the Bill.

Clause 85

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I beg to move amendment No. 45—

In clause (b) of the proviso insert the words 'Revenue Officer' after the words the 'Health Officer' and substitute the words 'twelve hundred' for the words 'fifteen hundred'.

Omit all the words after the word 'Rupees' and substitute the following words:—

'Provided that in the case of any of these officers who have held the appointment for not less than five years the monthly salary may be raised by the Council to a sum not exceeding Rupees fifteen hundred.'

"There are some instances in which the Government by legislation propose to lay down to the corporation certain injunctions as to what salary they ought to pay to the Health Officer, the Revenue Officer and the Engineer. Why when we are entrusting the affairs of the City to the corporation we should not leave it to the corporation to determine from time to time what salaries they should pay and why we should fix it passes my comprehension. Not only that; the Bill provides that we must pay a certain salary to the Health Officer, Revenue Officer and Engineer, and then it says the minimum is so much and the maximum is so much. That is to say we have no knowledge of the inner finance of the corporation and here is the legislative authority which seeks to impose the maximum limit and minimum limit on the corporation without due regard to the financial condition of the corporation. That is what I object to. I say that the maximum has been too largely fixed at Rs. 1,500 in the case of the Health Officer and the Engineer. When we consider persons in a similar position in the Government departments we find that the salary proposed to be given to the Health Officer and the Engineer is very extravagant indeed. For instance the District Medical and Sanitary Officer, first class, only gets Rs. 1,300, second class Rs. 950. When we take Engineers, the Executive Engineer, first grade gets Rs. 800—50—1,250 in the Imperial Service, and in the Provincial Service Rs. 535—35—850. I do not think the position of either the Health Officer or the Engineer can be said to be above the position of these people. Even the Superintending Engineer, third class, gets only Rs. 1,500, second class Rs. 1,750 and first class Rs. 2,000. That is, so far as the Engineer and the Health Officer are concerned, I do think that Rs. 1,500 is an excessive maximum to fix. At the same time the minimum is all right, i.e., Rs. 600 in each case. I do not think we can get people below that sum. I object to the maximum. I propose that the maximum in each case should not exceed Rs. 1,200."

11TH FEBRUARY 1919.] (Mr. Ranga Achariyar; Mr. Rajagopala Achariyar;
Mr. Yaqub Hasan; the President.)

"The second thing I propose is similar to what I did in the case of the Commissioner. One frequent cause of complaint in the Corporation is that we take trouble to bring out an Engineer, he gets experience in our works and he stays two or three years and then he goes away elsewhere. Therefore I propose there should be some inducement for these people to stay on here, and I propose that in the case of any of these officers who have held appointments for not less than five years the monthly salary may be raised to Rs. 1,500 so that eventually the maximum may be reached after certain approved service. But in fixing the initial salary it shall not exceed Rs. 1,200. That is the object of the amendment. I am sure we can get good officers on these salaries. Very many eminent people have held the post of Health Officer, such as Captain Cornwall and Captain Ross. It is now only Rs. 1,000 under the existing Act, and I now propose to make it Rs. 1,200. We are already saddled with a costly commissioner and we should not be saddled with these costly officers. As it is, our establishment in the Engineering Department not only comprises engineers in charge of roads and other things but we have a mechanical engineer, a water works engineer, a drainage engineer and we are going to have various people in charge of pumping stations and so we shall require other engineers. We are not going to be content with one engineer. The City was content with one engineer a few years ago, but during the last seven or eight years we have been burdened with a lot of engineering staff. I do not think that it is necessary that we should have this costly establishment. I therefore commend my amendment for your acceptance."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the Hon'ble Mr. Ranga Achariyar began his case by saying that at a time when we are giving wider powers to local bodies we are putting in a rule fixing the maximum and minimum limits to the pay of the officers, and he says it is wrong and contrary to principle; and that we should give a free hand to the Corporation to fix the pay. On that argument may I venture to point out that what the Honourable Member should have done was that he should have proposed to delete the whole thing."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Hopeless, as I am, even in this modest proposal?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"When was that hopelessness discovered?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"After two days' experience."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The hopelessness was discovered only now. The Honourable Member proposes to reduce the maximum. It means he would restrict the discretion of the Corporation. The Corporation is an important local body which may need a very superior man as Engineer, Health Officer or Revenue Officer. Leave the local body alone; if he had said that, I would have taken it. It is a reasonable view. But he says inasmuch as the Council should be left alone I would put forward an amendment which will tie its hands. The Bill as approved by the Select Committee says that the Council can appoint a man up to Rs. 1,500. We are now told, in the interest of giving a wider discretion to the Council, we shall not give more than Rs. 1,200. I shall pass from that point."

"The next point is, knowing as we do the rates of salary for the kind of men that we want for the office of Engineer and Health officer, I submit to the Council for consideration that the limit of Rs. 1,500 is by no means excessive. It is because you are not in a position to pay these men adequately you lose their services, and the Corporation will be well advised to provide adequate pay for these men. In the long run it may be more economical for the Corporation to get a man not exactly on high pay but a reasonable starting pay so that he can rise to a reasonable maximum. We give complete discretion to the Corporation to pay the maximum gained experience. That would be more economical. My own impression is that Rs. 1,500 is not high enough, but it is the very lowest that we should provide as the maximum. It is not proposed that a man who comes in should be given Rs. 1,500 straight away. What the section says is 'The Council shall appoint a Health Officer, an Engineer and a Revenue Officer provided that the monthly salary of the Health Officer and the Engineer shall be not less than six hundred rupees and shall not exceed fifteen hundred rupees and the monthly salary of the Revenue Officer shall not be less than six hundred rupees and shall not exceed twelve hundred rupees.' As it is, the Council has got a pretty wide discretion in fixing the starting pay and a wide discretion in allowing the men to go on to a particular pay thereby ensuring their remaining with them. I think in the interests of efficiency that the liberty should not be restricted. I oppose the amendment."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"If I am in order I should like to move that the proviso be omitted. This is an amendment to the amendment. I propose that the proviso itself be omitted altogether."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Has the Honourable Member given notice of it?"

The Hon'ble Dr. T. M. Nayar rose to speak.

His Excellency the President:—"If the Honourable Gentleman wishes to speak against the proviso, let him do so now."

(Mr. Yaqub Hasan; the President; Doctor Nayar.) [11TH FEBRUARY 1919.]

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"Yes. I am now speaking on the Hon'ble Mr. Ranga Achariyar's amendment."

His Excellency the PRESIDENT:—"I wish to indicate the position to the Honourable Gentleman. The motion will be that clause (b) of section 85 which is part of the proviso will stand part of the Bill. The Honourable Gentleman will not be able to move the omission of the proviso after that."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"I am moving that the whole proviso should be omitted."

His Excellency the PRESIDENT:—"We have already taken the discussion on clause (b) of the proviso. It is not open to the Honourable Member to move that amendment. He will now make his remarks on that."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"I am opposed to this proviso. In my opinion it is not necessary that the appointment of these officers should be confirmed by the Governor in Council. The Corporation is quite competent to deal with the question. We may have confidence in the Corporation that its appointments will be made after careful consideration and the appointment would be suitable. So I oppose this proviso (a) and in my opinion it should be omitted."

His Excellency the PRESIDENT:—"Does not the Honourable Gentleman mean (b)?"

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"I am for its omission."

His Excellency the PRESIDENT:—"I have listened to the Honourable Gentleman's remarks as well as I could. What is the Honourable Gentlemen's position? Does he wish the first part of the proviso to be omitted or the second part?"

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"I want the whole proviso to be omitted. I may proceed to deal with (b). In the case of salary the Hon'ble Mr. Rajagopala Achariyar said that he could understand the Hon'ble Mr. Ranga Achariyar if he moved that there would be no maximum to the salary in which case the Council will have a free hand to raise the salaries of the officers to any amount it liked. It need not go even to Rs. 1,200 as proposed by the Hon'ble Mr. Ranga Achariyar. I would go further, I will not even fix any minimum salary and leave that also to the Council. I would say 'the Council shall appoint under the Commissioner'. That is all that you have to lay down. Do not fix the salary, either the maximum or the minimum. Conditions will always vary. If a person is available for less than Rs. 600, why should he not be appointed? If a person is considered to be fit to receive more than Rs. 1,500, why should not the Council have a discretion to give it? So my proposition is that the whole proviso should be left out altogether. There is a proviso (a) re-fixes the maximum and the minimum."

The Hon'ble Dr. T. M. NAYAR:—"My Lord, I do not want to deal with the hypothetical or uncertain state of affairs suggested by the Hon'ble Mr. Yaqub Hasan where the Health Officer and the Engineer may be left in a position where they cannot get any salary at all. But I will go to the little more substantial resolution of the Hon'ble Mr. Ranga Achariyar. It is Achariyar and others. They have always accused me of desiring to pay high salaries to the corporation officials. I plead guilty to that charge. I have always believed that you cannot get good men and get them to do good work unless you pay well. If it is worth while to get out for special expert officers, Engineers and Health Officers. Especially when you are looking The Corporation has been misled by the fact that they have been fortunate in getting Engineers and Health Officers at cheap rates, because they borrowed them from the Government. They borrowed fairly junior men from the Government and they got them at a cheap rate. But when the officers grew in our service, they claimed higher pay and the Corporation objected, with the result that these men returned to the Government and the Corporation lost their services and the experience they gained. It is like the case of a London cabman whom you cannot get below 6d. per mile. My Lord, if you want an unduly low salary, you will get very inferior men whom it is not worth while having. The Hon'ble Mr. Ranga Achariyar very often draws a comparison between the salary given to the Health Officer and Engineer by the Corporation and similar officers in the Government, but he forgets that under the Government they are under superior officers. The Executive Engineer has got the Chief Engineer and the Superintending Engineer, and the District Medical and Sanitary Officer has got the Sanitary Commissioner and the Surgeon-General, whereas in the case of our Health Officer and Engineer, they are the whole supervising and other work. I maintain that they should be paid as well as any higher grade officers of the Government. If you want them, you will have to pay them handsomely. Rupees 1,500 or hundred pounds a month, the maximum proposed, I do not think should be grudged to any medical man or Engineer who comes to serve the Corporation. The Bombay example is very often brought before us. The Bombay income is one crore of rupees and there the Health Officer gets Rs. 2,000. How much should we pay? That sum in arithmetic would not answer, because the problem which the Health Officer has to face is just as complicated here as in Bombay, and unless

11TH FEBRUARY 1919.] (Doctor Nayar; Sir Gordon Fraser; the President; Mr. Ranga Achariyar; Mr. Yaqub Hasan; Mr. Krishna Rao.)

we have good men here, I do not think a man paid a salary calculated like this will be able to be of much service to us here. If you go and ask the Bombay Corporation whether they have been wise in paying handsomely to their Health Officer, the unanimous verdict will be that they never made a better investment. That is one of the best investments of the Bombay Corporation and they are reaping the reward, and I hope my Honourable Friend Mr. Ranga Achariyar—it is not too late for him to learn even now; I assure him the investment in the shape of a good Health Officer and a good Engineer will be a very remunerative one."

The Hon'ble Sir GORDON FRASER:—"I strongly approve of the remarks made by the Hon'ble Dr. Nayar. I think the limit of Rs. 1,500 is an unduly low one. I am not quite sure which point we are discussing whether it is the amendment brought forward by the Hon'ble Mr. Yaqub Hasan Sahib or that of the Hon'ble Mr. Ranga Achariyar."

His Excellency the PRESIDENT:—"Amendment No. 45 is before the Council."

The Hon'ble Sir GORDON FRASER:—"The section says: 'The Council shall appoint a Health Officer, an Engineer and a Revenue Officer, who shall be heads of departments working under the Commissioner: provided that (a) every such appointment shall be subject to confirmation by the Governor in Council; and (b) the monthly salary of the Health Officer and Engineer shall not be less than six hundred rupees and shall not exceed fifteen hundred rupees, and the monthly salary of the Revenue Officer shall not be less than six hundred rupees and shall not exceed twelve hundred rupees.' I should like to see the proviso (a) and (b) deleted. I think the fixing of a maximum of Rs. 1,500 for experts like the Health Officer and the Engineer would be a mistake."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I have only one word to say. I quite appreciate, being a professional man myself paying a good price for professional men; otherwise we will be landing ourselves in difficulties. But there is an old saying—the Hon'ble Dr. Nayar has quoted one saying, I may quote another 'you must cut your cloth to suit your body; you cannot cut your body to suit your cloth.' We have to consider the financial resources of the Corporation. Our revenue is Rs. 35,00,000 and there is no use of our aspiring to imitate Bombay and Calcutta in paying high salaries. If somebody else will find the money, I am quite prepared to sanction the pay, but unfortunately the Corporation has to find the money and its resources are limited. That is the only reason why I press this amendment."

His Excellency the PRESIDENT:—"I will now put amendment No. 45."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"Will your Excellency put mine?"

His Excellency the PRESIDENT:—"I have already informed the Honourable Gentleman that it is not possible. I do not know how many days the Honourable Member has had for putting down his amendment on paper."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"If not the whole proviso, at least proviso (b) may be deleted."

His Excellency the PRESIDENT:—"The Honourable Gentleman must take it from me that we have already dealt with clause (b) the amendment to it on the paper."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"The question whether (b) should be omitted or amended."

His Excellency the PRESIDENT:—"No, we are going to take a vote whether the clause should stand part of the Bill or not. That is after our refusing to amend the amendment."

The first portion of the amendment and not proviso was put and lost.

His Excellency the PRESIDENT:—"The honourable gentleman can only now vote against the whole clause."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"The proviso goes. I withdraw it."

Clause 85 was allowed to stand part of the Bill.

Clause 86.

Clause 86 was allowed to stand part of the Bill.

Clause 87.

Clause 87 was allowed to stand part of the Bill.

Clause 88.

The Hon'ble Mr. A. S. KRISHNA RAO:—"I do not propose to move my amendment."

The amendment which was not moved was as follows:—

Substitute 'thirty' for 'thirty-three'.

Clause 88 was allowed to stand part of the Bill.

Clause 89.

Clause 89 was allowed to stand part of the Bill.

(Mr. Yaqub Hasan ; Mr. Ranga Achariyar ;
Mr. Rajagopala Achariyar ; the President ;
Mr. Venkatapati Raju.)

[11TH FEBRUARY 1919.]

Clause 90

The Hon'ble Yaqub Hasan Sahib Bahadur :—" I move amendment No. 47—

Substitute 'two hundred and fifty' for 'five hundred'.

" Clause 90 is this 'Subject to the provisions of sections 85, 86, 87 and 89, appointments to the Corporation establishment shall be made—

(a) by the Council if the maximum monthly salary of the office exceeds five hundred rupees ;

(b) by the Commissioner in other cases.

" I propose to make it Rs. 250. The effect of my amendment will be that the Commissioner can make all appointments of officers drawing salaries up to Rs. 250 and the Council will make all appointments above that salary. This amendment does not require many words to commend it to Your Excellency's Government."

The Hon'ble Rao Bahadur T. Ranga Achariyar :—" My amendment to this clause is this :

" 48. Insert the following as sub-clause (b) :—

'by the Standing Committee, if the maximum monthly salary of the officer exceeds Rs. 250 but does not exceed Rs. 500.'

Alter the existing sub-clause (b) to (c).

" There I propose to give power to the Standing Committee to make appointments between Rs. 250 and 500. Under section 90 no power is given to the Standing Committee to make appointments at all. All appointments are to be made by the Commissioner or the Council and the Standing Committee has no voice in making any appointment. I think they are the people who do most of the work and I therefore propose that all appointments above Rs. 250 and below Rs. 500 should be made by the Standing Committee. I think it will be a workable plan. It will give power to all the authorities to appoint officers."

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar :—" I have already told the Council on a previous occasion that at present under the existing law the Council has no power of appointment in regard to the Health Officer, Revenue Officer and Engineer and that we are now giving these powers. I will now add that under the existing section 58 (1) : 'The President may appoint permanently or temporarily such subordinate officers and servants as the Corporation, subject to the control of the local Government, consider necessary for the purposes of this Act.' There is no money limit. At present the patronage runs thus : As regards the President, the Revenue Officer, the Health Officer and the Engineer, the Government appoint them and the whole of the other staff is appointed by the President. Under section 58 the President can appoint officers on salaries up to Rs. 1,000. Under the new law the Government appoint the Commissioner and the Corporation appoints the chief heads, and all other appointments are vested in the Commissioner who is the chief executive officer. I think it is a very fair distribution, and I think it is very wise on the part of the Select Committee not to have given any power of appointment to the Standing Committee and to restrict their activities to other matters and leave the minor appointments to the executive head. I therefore oppose the amendment."

His Excellency the President :—" This is a small matter, I shall put it to the Council."

The Hon'ble Mr. B. Venkatapati Raju :—" This is an important resolution, Your Excellency, and therefore I want to say a few words."

His Excellency the President :—" Yes."

The Hon'ble Mr. B. Venkatapati Raju :—" Though the question of appointment looks small, it is an important provision in the Bill. We are embarking on this Bill because the Government of India said that there should be less of outside control in the matter of local self-government. Now in the matter of contracts our powers are restricted ; in the matter of appointments also there is practically outside control with reference to three officers whose appointment must be confirmed by the Government. With regard to the rest it has to be done by the thumb of the Government. That is not what we want in local self-government. Even in this matter the Government may give up their mantle theory and accept the amendment."

The Hon'ble Rao Bahadur T. Ranga Achariyar :—" I withdraw my amendment in favour of the Hon'ble Mr. Yaqub Hasan's amendment. I do not want to introduce complications by introducing the Standing Committee."

With the permission of His Excellency the President, the Hon'ble Mr. Ranga Achariyar withdrew his amendment.

The Hon'ble Mr. Yaqub Hasan's amendment was put and lost.

Clause 90 was allowed to stand part of the Bill.

Clause 91.

The Hon'ble Rao Bahadur T. Ranga Achariyar :—" I beg to move amendment No. 49 which runs thus : In clause 91 (3), after the words 'at the instance of' insert the words 'the President.'

11TH FEBRUARY 1919.]

(Mr. Ranga Achariyar ; the Advocate-General ;
the President ; Mr. Rama Ayyangar ;
Mr. Rajagopala Achariyar.)

" Section 91 deals with the schedule of appointments. It says :

(1) The commissioner shall from time to time lay before the standing committee a schedule setting forth the designations and grades of the officers and servants who should in his opinion constitute the corporation establishment and embodying his proposals with regard to the salaries, fees and allowances payable to them.

(2) The standing committee may either approve or amend such schedule as it thinks fit and shall lay it before the council with its remarks, if any.

(3) The council shall sanction such schedule with or without modifications as it thinks fit and may from time to time amend it at the instance of the commissioner and the standing committee."

" I think it is an omission to leave the president out of account and therefore I say it should be at the instance of the president, the commissioner and the standing committee. I think it will be fitting with the responsible position that is allowed to the president under the new Act that he should also have the power to introduce variations in the schedule of appointments, because he will be in touch with it. He will be an ex officio member of the standing committees and he will come to know the details and if the council can vary the schedule at the instance of the commissioner and the standing committee, why should it not be also at the instance of the president? I therefore move this amendment."

The Hon'ble the Advocate-General :—" Your Excellency, this is a matter of establishment. The president has nothing to do with the establishment. He is on every standing committee as an ex officio member. Power is given to the standing committee to move the council to amend the schedule. The president has no control over the establishment, and it would seem unnecessary to put in this needless thing."

His Excellency the President :—" Does the Honourable Gentleman press the amendment?"

The Hon'ble Rao Bahadur T. Ranga Achariyar :—" Yes."

The amendment was put and lost.

The Hon'ble Mr. K. Rama Ayyangar :—" I beg to move amendment 50 which is this :—

'In clause 91 (3), add at the end "or on the requisition of not less than ten commissioners."

" This is a matter which I only want to be brought to the notice of the Government. My point is that if the standing committee of four persons reject a resolution there is an end of the matter. In that case unless they report, the council cannot consider the matter under the section. If the president also were allowed a voice in the matter as suggested in the Hon'ble Mr. Ranga Achariyar's amendment I could have put off my amendment. I want that the council also may move in the matter. Suppose four persons in the standing committee reject the necessity for an appointment ; the council may move it if ten members make a requisition. That will enable the council to consider the question of this additional establishment. I think it is only necessary that we should have this when we frame a scheme for the advancement of local self-government."

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar :—" I confess I have listened carefully to the Honourable Member, but I do not quite understand what it is that he wants to secure. Clause 91 (3) as it stands is as follows : 'The council shall sanction such schedule with or without modifications as it thinks fit and may from time to time amend it at the instance of the commissioner and the standing committee.' The commissioner is the executive head and the standing committee is one of the committees of the council. The Honourable Member is introducing a third element, what he calls ten councillors. I venture to think there is no case for adding to the number of authorities which we already have. This last addition I would deprecate. I therefore oppose the proposal."

The Hon'ble Mr. K. Rama Ayyangar :—" I would only explain."

His Excellency the President :—" Oh no. The Honourable Member has understood what has been said."

The Hon'ble Mr. K. Rama Ayyangar :—" He appeared as if he did not understand it. The standing committee may reject a proposal if four vote against the appointment. If four out of seven can reject it, I want liberty to be given for ten members of the council to move it. If the standing committee recommends, the council considers, and if the commissioner recommends the council considers. I want when there is a difference in the standing committee ten councillors may move the Council."

The amendment was put and lost.

Clause 91 was allowed to stand part of the Bill.

Clause 92.

Clause 92 was allowed to stand part of the Bill.

Clause 93.

Clause 93 was allowed to stand part of the Bill.

(Mr. Krishna Rao; Mr. Rajagopala Achariyar;
Mr. Ranga Achariyar; the Advocate-General.)

[11TH FEBRUARY 1919.]

Clause 94.

Clause 94 was allowed to stand part of the Bill.

Clause 95.

Clause 95 was allowed to stand part of the Bill.

Clause 96.

The Hon'ble Mr. A. S. KRISHNA RAO:—"I have the honour to move amendment No. 51:—

'In clause 96 (1) proviso substitute "fifty rupees" for "one hundred rupees," and omit the following words at the end of the proviso:—

"for a period of more than three months."

"Clause 96 (1) as amended by the Select Committee runs as follows: 'any officer or servant other than an officer appointed under section 85, section 86 or sub-section (3) of section 87 may be fined, reduced, suspended, removed or dismissed by the authority competent to appoint him; and the order of such authority shall be final; provided that any officer or servant in receipt of a salary of not less than Rs. 100 may appeal to the standing committee against any order of the commissioner removing or dismissing him or suspending him for a period of more than three months'. If the amendment suggested by me is accepted, the effect will be that in the appeal provided against suspension the restriction as to the period being over three months will be omitted and that officers on Rs. 50 and upwards will have the right of appeal. I quite realize that in the Select Committee an attempt was made to improve the provision contained in the Bill of 1918; and the original limit of Rs. 200 and some other provisions were modified. I will now read to the Council the provisions in the existing Municipal Act. Though in the Select Committee some improvement was effected in that direction, it is a matter for consideration whether it is necessary to create more limitations than you find in the old Act when we are trying the experiment of a new commissioner. Section 59 (1) of the existing Act says that 'any municipal servant in receipt of a salary of not less than Rs. 50 per mensem may appeal to the standing committee against an order of dismissal by the president, and any such servant in receipt of a salary of not less than Rs. 200 per mensem may further appeal from the order of the standing committee to the corporation.' It provides an appeal against orders of dismissal in the case of servants drawing above Rs. 50 and a second appeal in the case of officers drawing not less than Rs. 200. I am not suggesting a second appeal. I am suggesting that we may put the limit at Rs. 50, because we are trying a new experiment of the commissioner. If after working it for some time it is found that the limit should be increased, there will be time enough to increase it. But for the time being, I would suggest that the existing limit of Rs. 50 need not be increased. An appeal has been provided to the standing committee. Human nature being what it is, if only a man makes up his mind to suspend a man, he may suspend him for two months and fifteen days so as to make it impossible for him to appeal. If you once provide a right of appeal, but put any such limitation there will be that danger. I think it is better that you do not provide such limitation."

The Hon'ble Mr. B. V. Narasimha Ayyar seconded the amendment.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I have very little to say about this except that this provision as to the right of appeal has been put in after very careful consideration, and I see no reason to modify it as proposed by the Honourable Member, and therefore I oppose the amendment."

The amendment was put and lost.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I do not move amendment No. 52. It falls with the previous motion."

The amendment ran thus:—

"In clause 96 (2) after the words 'the council' insert 'or the standing committee as the case may be' and substitute the word 'either' for the word 'that' before the word 'authority'."

"And in the proviso after the word 'council' insert the words 'or the standing committee as the case may be'."

Clause 96 was allowed to stand part of the Bill.

Clause 97.

Clause 97 was allowed to stand part of the Bill.

Clause 98.

The Hon'ble the ADVOCATE-GENERAL:—"I beg to move amendment No. 52-A which is as follows:—

'In sub-clause (f) omit the words "and firewood."'

"In the Bill as introduced there was no tax on timber or firewood. Under the existing law a licence fee can be levied on timber and firewood brought into the city. The Select Committee has restored power to the corporation to levy a licence duty in the shape of a tax on timber and

11TH FEBRUARY 1919.] (The Advocate-General; Mr. Ranga Achariyar;
Sir Gordon Fraser; the President.)

firewood. Since the report of the Select Committee was made, I am instructed to state that the Government have come to the decision that while the tax on timber may stand, the tax on firewood must be omitted as it will fall very hardly on the poorer members of the community and it is necessary as far as possible to facilitate the price of firewood being controlled. The rates in the market should not be made higher by a tax on firewood. Firewood contractors may take advantage of it. It is with that view that this amendment is brought forward—for the benefit of the poorer consumers of firewood."

The Hon'ble Mr. H. G. Stokes seconded the motion.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I oppose this amendment. Under the existing law we have power to impose a licence fee on timber and firewood and we realize about Rs. 50,000 per annum from firewood. After notice was given of this amendment the corporation considered it at the last meeting and they considered this aspect of the question about this alleged benefit to the poorer classes. It is really no benefit at all. It is so trifling indeed. I do not think the price of firewood has anything whatever to do with this small licence fee which the corporation levies on firewood brought into the city. We are not going to benefit the poorer classes, but we are going to benefit the merchants. I think it is a false policy to suggest that the poorer classes are going to benefit by the abolition of the licence fee. The only person whom you are going to benefit is the profiteering man who wants to put up the price. I submit this is an ill-advised amendment. Nobody has complained about the existing law. I use the argument often repeated in this chamber that nobody has complained of the duty and said that they were groaning under the licence fee. May I use that argument in support of the position taken by the corporation? As it is, our resources are very limited. We should like to introduce other duties on goods brought into the city. In fact, the Hon'ble Mr. Rama Ayyangar—I am sorry he is not here—has given notice of amendment No. 70 which necessitates also the introduction of the words 'coal' and 'charcoal.' I do not know why my Honourable Friend has not thought fit to introduce those words here. We are only keeping up a thing which has been working without any complaint for a long time. I do not see why the Government have thought fit to omit the word 'firewood.' It is with considerable difficulty in the Select Committee that we got it restored. Now you go back on it and say it is for the benefit of the poorer classes. That is an argument put forward here. We do think the poorer classes are not going to be benefited."

The Hon'ble Sir GORDON FRASER:—"I also oppose the amendment. Under clause 129 the rate is fixed. It is provided that the rate shall not exceed six annas per ton. That cannot possibly affect the selling price to the small poorer consumer and the amount of revenue we are now enjoying from this source is quite sufficient to make the corporation loath to give up this form of taxation."

The amendment was put and agreed to.

His Excellency the PRESIDENT:—"We shall take a poll."

A poll was taken with the result that 18 voted for and 15 against the amendment.

The following was the division:—

For	Against
The Hon'ble Sir Alexander Cardew.	The Hon'ble Mr. V. K. Ramanuja Achariyar.
" Mr. L. Davidson.	" Mr. T. Richmond.
" Mr. C. G. Todhunter.	" Dr. T. M. Nayar.
" Mr. R. Ramachandra Rao.	" Mr. K. R. Suryanarayanamurti
" Mr. M. Young.	" Nayudu.
" Mr. L. E. Buckley.	" Mr. B. Venkatapati Raju.
" Mr. Aziz-ud-din Sahib.	" the Rev. G. Pittendrigh.
" Mr. M. Ramachandra Rao.	" Mr. T. Ranga Achariyar.
" Mr. P. Siva Rao.	" Yaqub Hasan Sahib.
" Mr. B. V. Narasimha Ayyar.	" Mr. K. Chidambaramatha Mudali-
" Mr. R. Littlehales.	" yar.
" Mr. J. C. Molony.	" Mr. A. Suryanarayana Rao.
" Mr. W. Hutton.	" Mr. A. S. Krishna Rao.
" Mr. W. J. J. Howley.	" Sir Francis Spring.
" Mr. A. Y. G. Campbell.	" Sir Gordon Fraser.
" Mr. P. Rajagopala Achariyar.	" Mr. J. H. Thonger.
" the Advocate-General.	" the Most Rev. Archbishop Aelen.
" Mr. H. G. Stokes.	

His Excellency the PRESIDENT:—"I may point out that the next amendment is an entire encroachment upon the revenue of the Government of India and it will require the special sanction of the Government of India. Therefore it is a question whether it is worth the while of my Honourable Friend to move it."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I hope to get the sanction."

His Excellency the PRESIDENT:—"You are a sanguine man."

(Mr. Ranga Achariyar ; Mr. Yaqub Hasan.) [11TH FEBRUARY 1919.]

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—“ My amendment is this—*Insert as sub-clause (h) after sub-clause (g) the words ‘ a duty not exceeding half a per cent on the value of all goods brought within the city by sea ’ and alter sub-clause (h) into (i).*”

“This is a very old prerogative which the Corporation had enjoyed long ago. Under Act IX of 1857 which was really the first consolidating Act so far as the Madras Corporation is concerned, sections 63 to 67 enabled the Corporation of Madras to levy a duty on goods brought into the city by sea at the rate of four annas per ton. That Act was in operation till the Act of 1871 was passed and this power was afterwards taken away. It is eminently desirable that we should have some additional sources of taxation. We are giving new responsibilities to the corporation, and, as it is, the health of the city is in a very poor condition, a deplorable condition indeed, and it will require lakhs and lakhs of rupees before we can improve the condition of Madras. By carrying the previous amendment we have deprived the corporation of an existing source of revenue. Our revenue, as I have already stated in the corporation, is not equal to the expenditure which we are likely to incur in the near future—the legitimate necessary expenditure which we are likely to incur in the near future. This duty has this advantage in that it will not be felt by any one. It is such a trifling sum ‘not exceeding half a per cent on the value of all goods brought within the city by sea.’ I believe I may be corrected, but so far as the figures show, I believe the value of goods imported by sea is about Rs. 1,400 lakhs every year. That is what I remember. If that is so, it will give us a substantial sum and it will fall upon the importing merchants and spread from the importing merchants to the retail traders and from the traders to the consumers. Nobody will feel it because it is such a small addition. On the other hand, it will give such a substantial addition to our revenue. I expect we would realize six or seven lakhs. Having regard to our resources which are crippled indeed, this will be a very welcome addition. I submit that the Corporation has been recommending it for some time and if I am not mistaken the Trades Association supported the proposal and the Chamber of Commerce also supported it; but I am not sure. The Hon’ble Sir Gordon Fraser shakes his head, but I believe the Trades Association did support it and the Corporation has been insisting on it.

“Your Excellency, in this I make a strong appeal to Your Excellency’s Government to treat the amendment which we have brought forward to this taxation section in a different spirit from the way in which you have been dealing with our other amendments. In fact, I was about to give up in despair any attempt on our part to introduce any improvements in the City Bill having regard to the way in which suggestions made by non-official Members are received by the official Member and, also on account of the official mandate, by all the other official members who vote against us. We are powerless to carry any amendments here, and unless the Government come to our rescue, matters will stand still. The Honourable Member in charge of the Bill is the Honourable Member in charge of the affairs of the corporation, and he knows perfectly well what our resources are and what our expenditure is. He knows also the insistent appeals which the corporation has been sending to him from time to time for financial aid. I hope to see a day when the corporation may stand on its own legs without looking to the Government for subventions and grants, which is not reasonable for a premier corporation like the Madras Corporation. It should be able to stand on its own legs. I can understand a poor municipality in a remote district having to depend upon subventions from the Government. I am sorry representing the premier corporation in the Presidency having to plead for financial assistance. I therefore ask for the corporation being placed on sound financial legs. Unless such assistance is given, it is not likely to stand on its own legs. Your Excellency and your successors will be pestered by the corporation in the years to come for grants. This is a growing asset; I am sure that the commerce of Madras must improve tremendously and this will be a growing item of revenue. The small tax I proposed in my amendment will be unperceived by anybody; it will not be felt by the poor or the rich. It has all the advantages. The only objection is that it trenches upon the Government of India’s resources. I ask Your Excellency’s Government to put in a strong plea with the Government of India, and I am sure an appeal from Your Excellency’s Government supported by the vote of this Council will carry weight with the Government of India and perhaps make them see their way to grant this request to have this duty imposed. I therefore strongly recommend this amendment for your acceptance, subject to that sanction, which I hope to get because the whole Bill will go before them, and if Your Excellency’s Government will accept it and appeal to the Government of India to give that necessary sanction, it will be given.”

The Hon'ble YACUB HASAN SAHIB Bahadur:—"I beg to second this proposition. One of the arguments that might be urged against it was that a large part of the goods imported into the City of Madras goes out of Madras into the interior of the country and this imposition on that part of the goods which goes away from the City of Madras will not be justified. My submission is that if such goods are imported by any merchants up-country they will only pass through the City of Madras, and will be carried away by rail and so will not be subject to this charge. Still there will be some goods which will be taken delivery of by merchants which will be stored here and sold to up-country merchants afterwards and carried away outside the city. If such goods are bought wholesale and carried away in unbroken packages, some refund may be made on such goods. Some device could very easily be made for it. Even if that device is not made, and this tax is not refunded on the goods that are received in the city and afterwards exported out

11TH FEBRUARY 1919.]

of the city, the hardship will not be felt because it is only half a per cent of the value of goods. That will be the contribution by the population of the Presidency of Madras to this municipality which is the capital town of the Presidency, and I should say that contribution will be very cheerfully paid by the population when it is felt that it is so very little that it will not affect the prices of the goods sold in the market. It will be practically borne by the merchants and not by the consumers.

12. Mr. Banea Achariyar has made a strong appeal to Your Excellency to

“The Hon'ble Mr. Ranga Achariyar has made a strong appeal to Your Excellency to support this amendment because we do want money and it must come from some source or other, and if some such source of income is denied to us, it will not improve our financial condition and we will not be able to carry out the undertaking which this Bill imposes on us. It is not an encroachment upon the Government of India's resources. The Government of India get their duty. This is an additional thing. We are not asking the Government of India to give away a portion of the amount they are collecting. This is an additional amount which we want to secure with the assistance and approval of the Government of India. If Your Excellency should allow this to be carried in this Council and then support it by a personal appeal, it will have very great weight with the Government of India. Out of 130 amendments every one is being defeated; let this at least be carried. In this instance we are not shirking our duty. On the other hand we are adding to our income and not reducing the expenditure in any way. We are trying to make the work of the corporation more efficient. We appeal to Your Excellency's Government to give us this source of income.”

The Hon'ble Sir FRANCIS SPRING :—“ Your Excellency, I see many difficulties in practically carrying out this proposal to charge half a per cent on the value of all goods brought into the city by sea. That excludes exports, no doubt, it concerns only imports. Technically, all imports are brought into the city by sea because the port is within the city area. Therefore, it will be necessary to have some machinery whereby rebates shall be given to all goods which pass into the city but pass out again, as the Honourable Member has said, in unbroken packages.”

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :— "We are now giving rebate in the case of timber."

The Hon'ble Sir FRANCIS SPRING :—“ It will be more difficult to do it in the case of many kinds of merchandise. First of all I would like to say what is the amount they are likely to get from this proposal. The value of the whole import trade is roughly Rs. 21 crores a year and half per cent of that would be Rs. 10½ lakhs. They do not propose to levy the half per cent on the whole of the imports but only on part, and that would bring about 7½ or 8 lakhs, a very substantial sum. The only machinery that can correctly collect it, without harassing the importer, is the Port Trust. We can do that quite easily, but we cannot do the rebate part of it. The tax itself may have much to recommend it; but I would like to point out one or two facts which the Honourable Member's proposal has not noticed. Later on they are proposing to tax the Port Trust. I shall have a later opportunity of speaking about that. But for the moment I will not speak about that, except to say that the Port Trust has no means of livelihood, has indeed no source of revenue, except the goods which pass through its hands. What is proposed is half a per cent on goods, and there will be separately again such dues as the Port Trust may find it necessary to levy in order to recoup itself for the taxation which it will be obliged to pay. That will be perhaps another lakh. So it is not merely half a per cent but a little more. I do not think I need say anything more than that; it is not half per cent; it would be more than half a per cent.”

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" May I point out in answer to the Hon'ble Sir Francis Spring that if this is carried this may be provided for by my amendment No. 71 ? "

No. 719

The Hon'ble Sir GORDON FRASER :—“ Your Excellency, I oppose this amendment, which I am afraid must only be classified as unbusinesslike. The Hon'ble Mr. Ranga Achariyar referred to the old tax of As. 4 per ton. As against that old tax of As. 4 per ton, he now suggests half per cent. Our largest imports are in cotton piece-goods and yarns. Four annas per ton on these goods is roughly equal to about one hundredth per cent, so you see that the Hon'ble Mr. T. Ranga Achariyar suggests one-half per cent now, as against one hundredth per cent, the latter being the old tax he refers to. So that the two cases cannot in any way be compared. Then again the Hon'ble Mr. Ranga Achariyar points out that this tax would not be felt by anybody, but I am sorry to say that it will be a very heavy tax on trade. There is a certain limit beyond which the tax on imports into Madras cannot go. The imports will come into competition with goods coming from Bombay, and taking yarn and piece-goods again, if you work out the rate of tax, it works out to a sum of Rs. 10 per ton. It means that for all practical purposes the importation of such goods through Madras would cease; it would be impossible to import goods into Madras in competition with Bombay. It might be arranged that when goods leave the city and are re-exported out of the city a refund may be paid. I have not considered that point, but so far as this proposal to levy a tax on imports is concerned, I strongly oppose the proposal.”

Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“ I would ask the indulgence

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“ I would ask the indulgence of the Council to permit me to deal with this question at some length, because the idea underlying the Honourable Member's proposal is so plausible and it looks as if he has struck some remedy which will end all our troubles ; and I fear unless it is brought home to the Council, as

(Mr. Ranga Achariyar.)

[11TH FEBRUARY 1919.]

cost to pay? He will say 'stop all municipal advance'; he will be quite content with Madras as it is or as it was thirty years ago, instead of piling up the burden on the house-owners. We will see the danger thirty years hence, we will be in a bad plight then and we will be sorry that we did not give this source of revenue. The rate-payers of that day will feel helpless. That is the ground on which I ask Your Excellency's Government to take a more sober view of the financial situation of the corporation and not merely advance arguments for arguments' sake.

"Now it is said it handicaps Madras trade. How does it handicap it? It depends upon the value of the goods brought. The Hon'ble Sir Gordon Fraser referred to cotton goods which are very valuable and he said that the duty may come up to Rs. 10 per ton, even then it will not come too much. I do not see how Madras people will prefer other ports to Madras. The duty in Bombay and other places may be higher. I do not know exactly how it is, but I understand that the charge by rail from Bombay to Madras will be greater than this duty which will be imposed if the goods came by sea to Madras. If the person taxed takes it to Bombay and thence sends it to Madras, he will have to pay more than what he could have to pay if it came to Madras by sea. Even by paying half a per cent, he will be saving Rs. 10 per ton, even in the case of cotton goods. Therefore I do not think it will be a real handicap.

"Then as regards the question of rebate, the Honourable Member in charge pictured what establishment will be required. The Corporation have not felt any difficulty in giving a rebate on timber brought into the city. They have not required a costly establishment. Nobody has complained that the Corporation has been loose or lax in granting rebate. This is a matter which may be easily provided for. Rebate will only be given in the case of goods with unbroken packages which go in bulk. Then only there will be rebate. There is no difficulty in giving rebate.

"Let us not draw a lurid picture about other places and other matters. The Honourable Member said that every other town may demand it. What is the harm if they do? Every town in the United Provinces has got it and every town in Bombay has got it. Here they have not asked for it yet and when they ask for it let us deal with it. Every other town may be flush of funds. It will depend upon local circumstances. I do not think it is right to adduce that argument. The Honourable Member has asked why any inland town should not have an octroi duty. If it is necessary to finance the local body, why should it not have it? It is prevalent everywhere. I am indebted to the Honourable Member for the information which he has given to this Council from his wide experience, his wide travel. That shows how wise those people are and how unwise we are in not imposing a duty on these goods. In this country the idea is, there is the land and the house; tax them, everything else no. It trenches upon other people's properties. This is an easy thing; and let us have it. We are unable to resist it; we are such a helpless lot. Tax the house and tax the land. That is the chief burden in this country, whereas there is an easy and indirect source of taxation which nobody will feel, and when I suggest it, the Honourable Member in charge chooses to oppose it. I therefore strongly urge this amendment on this Council."

The amendment was put and lost.

The Hon'ble Rao Bahadur T. Ranga Achariyar demanded a poll which was taken with the result that 11 voted *for* and 21 *against* the amendment.

The following was the division:—

For	Against
The Hon'ble Mr. P. Siva Rao.	The Hon'ble Sir Alexander Cardew.
" Mr. K. Rama Ayyangar.	" Mr. L. Davidson.
" Dr. T. M. Nayar.	" Mr. C. G. Todhunter.
" Mr. B. Venkatapati Raju.	" Mr. A. Y. G. Campbell.
" the Raja of Pithapuram.	" Mr. R. Ramachandra Rao.
" Mr. A. Subbarayalu Reddiyar.	" Mr. M. Young.
" Mr. T. Ranga Achariyar.	" Mr. L. E. Buckley.
" Mr. A. Suryanarayana Rao.	" Mr. Aziz-ud-din Sahib.
" Mr. A. S. Krishna Rao.	" Mr. Marjoribanks.
" Mr. B. V. Narasimha Ayyar.	" Mr. V. K. Ramanuja Achariyar.
" the Most Reverend John Aelen.	" Mr. K. R. Suryanarayanamurti
	" Nayudu.
	" Sir Francis Spring.
	" Mr. R. Littlehales.
	" Sir Fairless Barber.
	" Sir Gordon Fraser.
	" Mr. J. C. Molony.
	" Mr. W. Hutton.
	" Mr. W. J. J. Howley.
	" the Advocate-General.
	" Mr. P. Rajagopala Achariyar.
	" Mr. H. G. Stokes.

11TH FEBRUARY 1919.] (Mr. Ranga Achariyar; the President.)

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"May I ask whether the Hon'ble Mr. Molony is not entitled to vote according to his views?"

His Excellency the PRESIDENT:—"The Honourable Gentleman has no reason to raise that question."

His Excellency the PRESIDENT:—"Does the Honourable Gentleman move the next amendment?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"It will take some time."

His Excellency the PRESIDENT:—"We will take it up at 11 o'clock to-morrow, and the Insect Pests Bill will be taken on the next day. I say this just to release those members who are interested in it."

The Council then adjourned till 11 a.m. on Wednesday, the 12th February 1919.

H. G. STOKES,

Acting Secretary to Government, L. & M. (Legislative) Dept.

682

THE MADRAS CITY MUNICIPAL BILL, 1918.

(Mr. Rajagopala Achariyar; Mr. Ranga Achariyar.) [11th FEBRUARY 1919.]

I hope to do, that it is utterly impracticable, there would be an uneasy feeling that we have neglected a very profitable source of revenue which would have relieved the Government from the obligation of paying subsidies to relieve the finances of the corporation. Your Excellency has already pointed out that this would require the special sanction of the Government of India, and I would add to that that the special sanction of the Government of India will not in any case be given, because the Government of India have already told us in another connexion that, while they know that this tax which is really octroi does exist in some places, they will not allow this thing to be extended. They say they will allow no extension of the system. That is why we put in the timber duty, because it is already there and there is nothing new. But this new proposal will extend to all things coming by sea, and the Government of India will say, as they are entitled to say, that we are trespassing on their customs revenue and they would not allow a provincial legislature to interfere with that revenue by imposing a duty which is really an octroi on goods coming by sea.

"Let me now proceed to explain why we are unable to make that strong recommendation for this duty which the Hon'ble Mr. Ranga Achariyar has appealed to us to do. The Hon'ble Mr. Ranga Achariyar's proposal is a duty 'not exceeding half a per cent on the value of all the goods brought into the city by sea.' It really means it will handicap imports by sea into Madras as against imports by sea into any other town. Suppose a man brings the goods by sea to Cuddalore and it is brought into Chingleput or Villupuram, he would not have to pay the half a per cent duty. If he brings them here, he will have to pay half a per cent. How the half a per cent duty will work I am not in a position at present to say, but I would be surprised very much if it does not work hardship to the profits of the importing merchants which are often such that they will seriously consider whether with this half a per cent duty it would be worth while to import or not. Why it is proposed to impose a duty on goods coming by sea and not on those coming by land I have not been able to understand, unless it be that the Honourable Member now finds that a great deal of the goods come in by sea and therefore says 'let us deal with them'. I would also point out there will be a large volume of refunds. The idea being that only those things that are consumed in Madras City will be taxed, equity will require rebate on all those goods which simply go through the city. That will require an elaborate set of rules.

"There is one main consideration which influenced the Government in setting our face against this new departure. What does it lead to? The Honourable Member says in regard to Madras City it has reached the maximum taxation and the people are unable to pay any more. 'We have got to do a lot of work. Let us impose half a per cent.' Once you admit the principle of taxing goods coming into the city for municipal purposes—I do not say it does not exist elsewhere, but I say it does not exist here—there is really no reason why it should stop at half a per cent. The time may come when you may say, 'raise it by another half a per cent; then we can wholly abolish the house-tax.' This is really a sliding scale and I do not know where we would end. Would it stop with Madras City? The Hon'ble Mr. Ranga Achariyar proposes to relieve the rate-payers of Madras by this half a per cent duty. Similarly every other town will naturally follow. The people in Negapatam, my Honourable Friend Mr. Ahmad Tambi Marakkayar is not here, I am sure he will endorse this statement—the moment this is passed—would press for a similar impost in regard to Negapatam. The same is the case with other ports. We will have a number of ring fences in a number of ports and later on nothing could come free into any port and a time will come when it will be one per cent, and even more and the people would aspire to get themselves free from local taxation imagining very erroneously that they are not paying anything, not knowing that the whole thing will really fall upon them. Why do you say that the sea port of Madras should levy an octroi duty? Why do you stop at Madras? An inland town may say we must put barriers all round; we will see that nothing shall get into our town unless it pays half a per cent duty. Once you admit this principle in regard to one city, it will extend to all other ports and to all municipalities, and you will find that an ordinary traveller would be doing nothing but being searched for octroi, and it will be an unpleasant experience. When I passed along the Mediterranean Coast, I passed a number of places which had octroi, and in six places I was searched for a thing which I never carried, but they would not believe me when I told them I never carried tobacco."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Local areas?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Those places had adopted the suggestion of the Hon'ble Mr. Ranga Achariyar and carried it to its logical conclusion. As a matter of fact I had to come back and the same people again searched me in the six places. I told them that I never carried tobacco, but they said they must search."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR (interrupting):—"Does the Honourable Member think that all this lurid picture arises out of my proposal?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"All this lurid picture arises out of your seemingly modest proposal. This amendment, which appears so plausible and likely to end all our troubles and from which you are going to realize all sorts of benefit, please remember, will end in your getting nothing. After everything is said and done the burden of local taxation must fall on the local people. You can never work miracles."

11th FEBRUARY 1919.] (Mr. Rajagopala Achariyar; Mr. Narasimha Ayyar; Doctor Nayar; Mr. Siva Rao; the President; Mr. Ranga Achariyar.)

"I object to the Hon'ble Mr. Ranga Achariyar's proposal because it involves a reference to the Government of India which in view of the orders already issued they are not likely to sanction; secondly because it will handicap the sea-port trade of Madras; thirdly we are unable to accede to it, because it would lead to disastrous results all over the Presidency and we are unable to make a recommendation to the Government of India on this behalf."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I wish to explain in a very few words why I would vote for octroi. Those who advocate the cause of local self-government are told that they are not willing to tax themselves and that they propose 'not to tax the rich but tax the poor.' I think the present proposal is free from these defects. The desire of those city people to tax themselves is a laudable desire. If the Government should reject that, it is open to us to point out on later occasions when the Government complain that people are not willing to tax themselves that we offered on this occasion to tax ourselves and the Government would not accept it."

The Hon'ble Dr. T. M. NAYAR:—"My Lord, I do not for a moment say that octroi is an ideal tax for municipal purposes. The graphic manner in which the Hon'ble Mr. Rajagopala Achariyar depicted the inconvenience of octroi and the Government of India's horror for octroi reminded me of the fact that the Government of India were themselves maintaining an octroi duty especially in the Punjab frontier where 98 per cent of the municipal revenues were derived from octroi. If they have such horror, I fail to see why they tolerate that system there. They could have easily replaced that by a reasonable system of taxation of property. If there is no objection on principle to octroi, it is merely a question of convenience; wherever you can have recourse to octroi in order to replenish your municipal treasury you can do so. That is the manner in which I would approach this question, purely as a question of convenience. I do not say for one moment that it is an ideal method of taxation. If it is at all convenient and if you can properly carry it out if imposed, I would support."

The Hon'ble Mr. P. SIVARAO:—"I strongly support the amendment moved by the Hon'ble Mr. Ranga Achariyar. There is an impression that the Government of India have expressed themselves strongly against the imposition of octroi. I may throw some light on this matter by referring Honourable Members of this Council to the Government of India resolution dated 10th August 1915. In paragraph 13 they deal with this mode of taxation, I am not quoting the whole paragraph but only one or two passages. They say 'the octroi system in the existing circumstances of the country has certain obvious advantages. As a tax octroi is productive and grows with the prosperity of the town. . . . On the recommendation of a strong representative committee and the Local Government, the Government of India have sanctioned an experiment in the United Provinces which involves (a) the substitution of direct taxation for octroi in the smaller towns, and (b) the application to a large number of other towns in which conditions are suitable of the system of a terminal tax or light transit dues on imports or exports, subject to no refund.' They wind up by saying 'while adhering to the principle that municipal taxation should not operate, so far as can be avoided, as a transit duty on through trade, the Government of India are prepared to concede that a light terminal tax with no refunds may in practice prove less burdensome to through trade than the octroi system as hitherto administered, provided that the following conditions are observed.' Some conditions are then prescribed. They sanctioned a scheme in the United Provinces and they also observe that they are about to negotiate with the railway company. They thought that the railway-borne goods should be taxed. They were about to negotiate with the railway company; and they have also said that the Government of Bombay have assented to the temporary levy of octroi. By whatever name you may call this, light terminal tax on imports or some other name, what the Hon'ble Mr. Ranga Achariyar proposes to levy is tantamount to a transit duty on imports and he proposes refunds."

His Excellency the PRESIDENT:—"I will now put the amendment to the Council."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"The matter is too important for me to let it go without a reply. We are all accustomed to the Honourable Member's way of dealing with the subjects when he makes up his mind to oppose it; he does so adducing all the arguments good, bad and indifferent. In this case the arguments are bad and indifferent."

"As regards the objection of the Government of India let the odium of refusing it be theirs. Let us not confuse ourselves with what the Government of India would do. I am sure that the Government of India having regard to the particular conditions and practical politics will endorse the view which the Local Government may take."

"I may also point out that it has been a well recognized source of revenue of local bodies. In the United Provinces nearly sixty per cent of their revenue comes from octroi, and in Bombay nearly that percentage comes from octroi. That is why the people there are able to carry on improvements which the city so much requires. Here I may mention that we are hampered in our attempt to better the city. We have only one source of revenue, i.e., the property tax. How much burden can you inflict on property? If you look only to one source of revenue, if you go to the rate-payer and say we give you twenty per cent tax and to-morrow thirty per cent, what interest will he have in the improvement of the city if it is to be at his

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Wednesday, the 12th day of February 1919.

P R E S E N T :

His Excellency the Right Hon'ble JOHN, *Baron PENTLAND* of Lyth, P.C., G.C.S.I., G.C.I.E., Governor of Madras—*Presiding*.
The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.
The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.
The Hon'ble Mr. L. DAVIDSON, C.S.I.
The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O., O.B.E.
The Hon'ble Mr. L. E. BUCKLEY, C.S.I.
The Hon'ble Mr. A. Y. G. CAMPBELL, C.I.E.
The Hon'ble Mr. W. J. J. HOWLEY.
The Hon'ble Mr. W. HUTTON.
The Hon'ble Mr. R. LITTLEHAILES.
The Hon'ble Mr. N. E. MARJORIBANKS.
The Hon'ble Mr. J. C. MOLONY.
The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.
The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).
The Hon'ble Mr. H. G. STOKES, C.I.E.
The Hon'ble Mr. C. G. TODKUNTER.
The Hon'ble Mr. M. YOUNG.
The Hon'ble Rao Bahadur T. RANGA ACHARIYAR Avargal.
The Hon'ble the Rev. G. PITTENDERIGH.
The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.
The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO PANTULU Garu.
The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.
The Hon'ble Mr. P. SIVA RAO.
The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.
The Hon'ble Mr. B. V. NARASIMHA AYYAR.
The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.
The Hon'ble Mr. K. RAMA AYYANGAR.
The Hon'ble Sri RAJA RAO VENKATA KUMARA MAHIPATI SURYA RAO Bahadur, Raja of Pithapuram.
The Hon'ble Mr. B. VENKATAPATI RAJU.
The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.
The Hon'ble Mr. K. KUMARAN RAMAN KAVALAPPARA MUPPIL NAYAR.
The Hon'ble YAQUB HASAN SAHIB Bahadur.
The Hon'ble Sir GORDON FRASER, Kt.
The Hon'ble Mr. J. H. THONGER.
The Hon'ble Sir FAIRLESS BARBER, Kt.
The Hon'ble the Most Rev. JOHN ALEN, D.D.
The Hon'ble Mr. T. RICHMOND.
The Hon'ble Sir FRANCIS SPRING, K.C.I.E.
The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.
The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO Bahadur, of Bobbili.
The Hon'ble Dr. T. M. NAYAR.

(Mr. Rajagopala Achariyar ; Mr. Ranga Achariyar.)

[12TH FEBRUARY 1919.]

liquors, the Governor in Council may by notification withhold sanction to the levy of such tax or any portion thereof and in that case assign to the Corporation in lieu thereof a sum equal to the average sum realized during the last three years in which it was levied prior to the notification withholding such sanction to the levy of the tax or part thereof. That was the law so long ago as 1884. The legislature, while it gave power to the Corporation to levy a tax on places used for the retail sale of spirituous and intoxicating liquors, also gave power to the executive Government by notification to withhold sanction to the levy of such tax and to assign to the Corporation in lieu thereof a sum equal to the average sum realized by such tax or part thereof during the last three years in which it was levied prior to the issue of the notification withholding such sanction. Later on, three years later, when the Government introduced a change in the abkari administration of the Presidency, they used the power vested in them by the legislature, and, while taking away from the Corporation the right to levy any tax on these places, they assigned to the Corporation an annual payment of Rs. 13,607 in respect of arrack and toddy shops, that being the average of the preceding three years. The Council will thus see that this particular law against which the Honourable Member is protesting was passed in the year 1884, and this particular compensation which he now wants to revise was fixed in 1887, and it was fixed in 1887 in accordance with the principles laid down in the law of 1884. So that, practically the Corporation ceased from 1887 onwards to get any revenue from this source direct, but it has been receiving an annual payment of Rs. 13,607 in lieu thereof. Then came the Madras City Municipal Act of 1904 which amended the Act of 1884. In that Act the provision which occurred in section 98 in regard to the levy of a tax on places used for the sale of spirituous and intoxicating liquors was omitted together with the latter part of section 99 for the reason that that provision had become obsolete. That provision in the Act of 1884 had been determined—the phraseology used in law—by the action of the Government in 1887. So in 1904 the legislature said that it saw no reason for keeping on the statute book an obsolete provision; and so the legislature deleted this provision which had occurred in the previous law, which provided for the levy of a tax on places used for the sale of spirituous and intoxicating liquors. The Act of 1904 came into force on the 16th December 1904, and from that date no power existed under which the Corporation could levy such a tax. With the passing of the law of 1904 the Corporation's power, statutory power to levy a tax on the places used for the sale of spirituous liquors, which had been determined by executive order in 1887, ceased. The Government on a careful consideration of the whole case felt that while the Corporation's legal right to this levy had ended, they would not be morally justified in stopping the payment of the contribution which the Corporation had been receiving for a considerable length of time and so by executive order they said the annual grant of Rs. 13,607 which the Corporation had been getting from 1887 would be continued, and that is continuing till to-day. The Honourable Member now proposes to go back. He proposes to restore this privilege which the Corporation had at one time enjoyed to levy the tax on places used for the sale of spirituous and intoxicating liquors, and he proposes to restore it without the restriction under which it was enjoyed. Whereas in 1884 the law said that the Corporation should enjoy this privilege subject to the control of the Local Government—

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR (interrupting):—"The original Act gave it unrestricted power from 1863 to 1887. It was only by the amending Act the restriction was imposed."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The amending Act is as much law as the original Act. I fail to see the distinction between the two. I do not see how the original Act acquires greater sanctity by being the original Act than the amending Act. The amending Act means that the original Act has been amended. From 1884 the exercise by the Corporation of the right to levy a duty on the places used for the sale of spirituous and intoxicating liquors was subject to the right of the Government to stop it on paying an amount equivalent to what the Corporation had been receiving on an average during the last three years. That privilege has been exercised by the Government from the year 1887. The average of the preceding three years was struck and that amount was fixed. What the Honourable Member now proposes is: let us go back. He says, he does not say it in so many words, but when he says 'compensation for tax on places used for sale of spirituous and intoxicating liquors,' I assume he means: 'we are entitled to levy the tax on places used for the sale of these liquors, but we are prepared to forego that right, provided the Government pay us a certain amount of money.' The whole thing is this: this amount would have been much larger if the Government had not then exercised this right. If the Government had then kept quiet, had abstained from exercising that right till now, they would have taken the average of the latest three years. But I venture to point out that, at that time, when the settlement was made, presumably the Corporation was satisfied. It was very unwise on the part of the Corporation to have kept quiet all the time from 1887, for a considerable time—"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR (interrupting):—"We complained to the Government in 1887 that we were groaning under it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"If it took ten years for the Corporation to discover and complain of the injustice under which it was groaning, the injustice could not have been so very great. It appears to me that the iniquity which it takes ten years to be discovered by the particular local body cannot after all be a great thing. Are we now to go back, are we now to admit in favour of the local body of Madras the right to levy a duty on places used for the sale of spirituous and intoxicating liquors? If we admit it in Madras, we will

12TH FEBRUARY 1919.]

(Mr. Rajagopala Achariyar ; Dr. Nayar ;
Mr. Ranga Achariyar ; Mr. M. Ramachandra Rao ;
the President.)

have to admit it all over the Presidency. We cannot say that we recognize this right on the part of the Madras municipality, but refuse to recognize it in the case of Negapatam or Ellore. If we admit it in the case of municipalities, we cannot refuse to recognize it in the case of local boards. Although this amendment raises a small question, it really raises a broad question of the abkari revenue. That is a wide question which we are now hardly fit to deal with for the reason that this is a source of revenue which is divided between this Government and the Government of India. Much as we should like to put this on a satisfactory basis, we cannot do so as matters stand, and any division that we take will be of no value. For these reasons I oppose the amendment."

The Hon'ble Dr. T. M. NAYAR:—"May I be permitted to move a slight verbal amendment to the amendment of the Hon'ble Mr. Ranga Achariyar? I would move that the words 'contribution from the local Government as compensation for tax' be omitted and the words 'licence fee' be substituted. It would then read 'a licence fee on places used for the sale of spirituous and intoxicating liquors,'"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I accept it."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I beg to second it."

His Excellency the PRESIDENT:—"Does the Honourable Gentleman understand the amendment?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"It struck me that it should have been in that way."

His Excellency the PRESIDENT:—"The amendment of the Hon'ble Dr. Nayar will now be discussed."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"May I take it that this is the amendment that we have now to meet?"

His Excellency the PRESIDENT:—"Yes, that is the object with which I put it now."

The Hon'ble Dr. T. M. NAYAR:—"My object in moving this verbal amendment is to make the question a perfectly straight one as the Honourable Member in charge in replying to the observations of the Hon'ble Mr. Ranga Achariyar said that Mr. Ranga Achariyar's amendment was coming in a round about way to claim a compensation. My position is that I am going to claim the old position which the Madras municipality had in 1884 and which was taken away from that municipality by a series of acts or orders which are in my opinion absolutely unjust. I go back to the position that the Madras Corporation is entitled to levy the licence fee on premises used for the sale of intoxicating liquors and they have got a right to the whole of the licence fee. In the earlier discussion on this subject in the Corporation unfortunately the licence fee on such places was mixed up loosely with the excise duty and it naturally provoked the reply that excise duty was not a municipal right. The first thing that I want to make clear to the Council is that I dissociate this from all excise. I am not dealing with the excise revenue at all, which item is an imperial source of revenue; municipal bodies have no claim either in whole or in part to any excise revenue. But municipal bodies all over the world exercise the right to levy a licence fee; it may be for a theatre, pandal or a cowshed or a liquor shop or for anything else. Certain places within municipal limits used for certain purposes are licensed by municipalities and are charged a certain licence fee for that purpose. It is under that head that the Madras municipality enjoyed that right and it is under that condition that I claim that right back again for the Corporation. I beg the Honourable Members of this Council not to confound the excise revenue with this particular licence fee which the Madras Corporation claims to levy."

"My Lord, the fact that the Madras municipality enjoyed the right up to a certain time and it was only taken away by the executive Government after promising to pay compensation conclusively proves the right of the Madras Corporation to this. I need not go further and elaborate on that. The reasons which actuated the Government in taking over this right of collecting the licence fees and compensating the Madras municipality may have been of an administrative nature, connected with the Excise department. They might have found it more convenient to administer the excise revenue in connexion with this licence duty. It would be more convenient for the Government to collect that duty. If that was the case, I think in faithfully dealing with the Madras Corporation they ought to have arranged with them to hand over the whole duty to the municipality only deducting from it a certain amount for collection expenses which the Government officials might have incurred. The fact that they did not do so ought not to stand in the way of our now claiming it. The Government were then in a stronger position than the municipality. For that matter even now they are. They took advantage of that strong position in driving a hard bargain. There is no evidence on record that the Madras municipality was then consulted or that the Madras municipality agreed to surrender it. The Honourable Member in charge made much of it, and said, 'why did they surrender it?' You may just as well ask a man who is robbed on the highway, why he surrendered his property to highway robber. There is no question of surrender, I maintain that this has been unjustly taken away from the Madras municipality."

"The Honourable Member has again raised the question why the Madras Corporation took such a long time to protest against it. The reason why they did not protest earlier was that

(The President ; Mr. Ranga Achariyar.)

[12TH FEBRUARY 1919.

Clause 98.

The Council re-assembled at 11 a.m. when the discussion of amendments to clause 98 of the Madras City Municipal Bill, 1918, was resumed.

His Excellency the PRESIDENT:—"We resume the discussion of clause 98. I call upon the Hon'ble Mr. Ranga Achariyar to move his amendment for adding an additional sub-clause (j)."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"The amendment which I have the honour to move runs as follows:—

'Add as clause (j) the following:—

"A contribution from the Local Government as compensation for tax on places used for sale of spirituous and intoxicating liquors."

"The object of this amendment is to put on a legal footing, and on a revised footing, a source of revenue which the Corporation has been enjoying from the year 1867 onwards. By section 58 of Act IX of 1867 the Corporation was enabled to levy a duty on places used for the sale of spirituous and intoxicating liquors and that was continued. The Corporation itself was levying that amount and it was re-enacted in the consolidating Act I of 1884. Section 9, clause 10, of that Act, gave that power. In 1884-85 the revenue that was derived by the Corporation was about Rs. 16,000 from this tax levied on places used for the sale of liquors. Then Act VII of 1884 was passed, and by section 15 of that Act power was given to the Local Government to withhold sanction to the Corporation levying this duty on such places but made it incumbent upon the Government to compensate the Corporation for the loss of that revenue. Under that section the Government withheld their sanction to the levy of that duty; by G.O. No. 688 M., dated the 21st July 1886, the Government said 'we will pay you Rs. 7,452' and prevented us from levying this duty. Then again by G.O. No. 1167, Revenue, dated the 17th December 1887, the Government raised the sum to Rs. 13,607 on the basis of three years' average, that is, the three years preceding the stoppage of the levying of this duty by the Corporation. That was in December 1887. But since then this licence duty on places used for the sale of spirituous and intoxicating liquors has been growing by leaps and bounds. In 1897 the Corporation approached the Government to enhance this contribution on account of this excess collection by the Government. Whereas if the Corporation had been allowed to continue to levy this duty it would have been in receipt of more than Rs. 1 lakh. By Government Order of 11th September 1898, the Government refused that reasonable request of the Corporation. When the Act came up for revision in 1904, the power to levy this duty was not renewed in that Act. Till then it was competent to the Corporation to levy the duty; only the Government could prevent it from doing so by compensating the Corporation. Therefore when the Act of 1904 was passed, it was pointed out to the Government that it would not be proper to leave that without a legislative provision and by G.O. No. 1908 M., dated the 13th September 1905, the Government assured the Corporation that it was not their intention to take away this source of revenue and by G.O. No. 2188 M., dated the 29th October 1907, the Government passed an order to the Accountant-General, by Order No. 373, Finance, dated the 4th June 1906, passing a permanent slip to the Accountant-General to pay this sum of Rs. 13,607 for all time to come. It is under that order that the Government are now contributing to the Corporation that sum of Rs. 13,607 as compensation for this tax on places used for the sale of spirituous and intoxicating liquors. So that, this item of revenue the Corporation have been enjoying from 1867; only they have not been allowed to enjoy the full limits thereof, by means of this Government Order. They prohibited that, by this arrangement to pay to the Corporation this contribution. I notice from last year's figures from licence fees alone in the City of Madras the Government are realizing a sum of Rs. 10,30,982 out of a total abkari revenue of Rs. 30,45,418. The licence fees are levied under three heads—licence fees for the sale of distillery spirits, licence fees for sale of beer manufactured in India and licence fees for sale of foreign liquors. I notice there is another head of receipts from tax on persons using places for the sale of spirituous liquors. Even if we exclude that, these three heads for sale of spirituous and intoxicating liquors will give us nearly Rs. 8 lakhs. This levy of a licence duty on places used for the sale of spirituous and intoxicating liquors is regarded everywhere as an eminently legitimate source of revenue for local taxation purposes. It will be remembered that in 1888, when finding revenue for local taxation was undertaken by Mr. Goschen and Mr. Glaistone, instead of continuing these grants-in-aid or subventions as they were called, they proposed that the central Government should collect the revenues and assign them to the local bodies, and that was how the local bodies there came to acquire the right to the licence duties as they are called, the central Government collecting them and appropriating them for purpose of local taxation. Therefore it is eminently one suited for local taxation purposes, legitimately belonging, and recognized to belong, to the local authorities and recognized also by our legislature from 1867 onwards. I therefore submit that instead of leaving it to this arrangement, namely, that the Government should continue to pay this—I do not fear that the Government notwithstanding the absence of a statutory provision will discontinue the payment of this sum—my object in bringing this forward is not that I am afraid that the Government would discontinue it, but I want to give it a statutory footing, so that we may also enjoy a share in the growth of this revenue which the Government are having. At that time, 1887, this sum of Rs. 13,607 was fixed. It is so long ago, and it is a growing item of revenue, and, as I pointed out, our legitimate share in that revenue is—we are entitled to it—the whole of these licence fees on places used for the sale of

12TH FEBRUARY 1919.]

(Mr. Ranga Achariyar ; Mr. Yaqub Hasan ;
Mr. Rajagopala Achariyar.)

spirituous liquors and the Government are taking away that amount. It is an item of revenue which legitimately belongs to us.

"I sent in my amendment in haste and the wording is not quite happy. I should have put it merely 'a tax on places used for the sale of spirituous and intoxicating liquors' omitting the words before, namely, 'a contribution from the Local Government as compensation for tax.' My other consequential amendment No. 73 might also be amended if your Excellency will permit it as follows. 'The Local Government may make rules for determining the rate of licence fees and for the collection thereof.' That is merely a verbal change. The idea is there; even if it is not open to me to move it I dare say some other Honourable Member may take it up and I therefore move that this amendment be accepted."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"I beg to second this amendment, and in doing so I wish to say only a few words. It would have been much better if the Hon'ble Mr. Ranga Achariyar had also fixed the percentage of the contribution calculated at the rate at which the Corporation was receiving it in the year 1886. Though the Government continued to pay the sum of Rs. 13,607, the percentage is now much less than the percentage that was being paid in 1884 or 1886. The Hon'ble Mr. Ranga Achariyar has said that he has every confidence in the Government continuing to pay it; still he wants this to be incorporated in the statute book, so that there may be no departure from it. I also support this proposition, but at the same time I must say that I have not got that confidence in the Government which my Honourable Friend has. There is nothing so certain about the Government as their tendency to unsettle things. I am afraid that one day this contribution will be taken away from the Corporation by the Government on some pretext or other. With these words I second this amendment."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, in moving this amendment the Honourable Mover has referred to the desirability of giving the Corporation a definite share in the abkari revenue which is a growing revenue, and that is a line of argument which would naturally appeal to almost all non-official members. I wish in the first place to draw attention to the fact that this particular amendment does not necessarily raise that general question. The general question whether the policy of doles that we have been pursuing in regard to local bodies all over the Presidency is satisfactory and whether it would not be better in their own interests as well as our own to assign to them a definite share of some growing branch of revenue and whether excise would not be after all most suited for the purpose, that is a big question, a very wide question with which we cannot now deal. Certainly it does not arise upon this amendment, because at present, as matters stand, Honourable Members are aware that excise is a divided head of revenue and it is not open to this Government to admit any liability on that branch of revenue in favour of any local body. A time may come when the relations—financial relations between the Provincial and the Imperial Governments—would be so organized that we would have a comparatively free hand in dealing with the excise revenue, and it may be that when that time comes, if any branch of revenue is chosen for being shared with local bodies all over the Presidency, it may be excise. That is a big question, a question applicable not only to the City of Madras, but to local bodies all over the Presidency. I say all these things, because I am anxious that whatever conclusion we may come to on this particular thing should not be taken to prejudice that main question, because in regard to that main question I know there is a very strong volume of opinion in favour of giving a share to the local bodies in the excise revenue. That question will have to be dealt with on its own merits, probably at a time when the Local Government are having more independence than they now have."

"The particular amendment which the Honourable Member has proposed has reference to the past correspondence so far as the Madras Corporation is concerned upon which he bases the claim he has put forward. In other words he wants to add a clause to 98 'a contribution from the Local Government as compensation for tax on places used for sale of spirituous and intoxicating liquors.' That is to say, the Corporation may levy a number of things, a property tax, tax on companies, professional tax, tax on carts, and it may levy a contribution from the Government as compensation for the tax on places used for the sale of spirituous and intoxicating liquors. This amendment, if carried, would give the Corporation a right to levy that contribution. It is true that later on a consequential amendment has been tabled by the Honourable Member that the Government may frame rules on the subject. I should think that, when that amendment comes on, the Hon'ble Mr. Yaqub Hasan will object to that amendment, because he cannot trust the Government with this discretion. I hope when that amendment is taken up, I shall have the support of the Hon'ble Mr. Yaqub Hasan in opposing the Hon'ble Mr. Ranga Achariyar. But at present the Hon'ble Mr. Ranga Achariyar's motion has to be taken along with the consequential amendment. Here he takes power to the Corporation to levy a contribution. Later on he says the Governor in Council may frame rules in regard to the levy of the contribution. It comes to this, you may levy a contribution, but the Government will have to fix what contribution to give."

"I will now go into the previous history of this question. I do not propose to take the Council quite so far back as the Honourable Member; I think it is sufficient, so far as we are concerned, to go back 34 years, when Act I of 1884 was passed. Clause 10 of section 98 of that Act authorized the levy of a tax on places used for the retail sale of spirituous and intoxicating liquors. Section 99 of the Act, as amended by Act VII of 1884, laid down that if the commissioners determined to levy a tax on places used for the retail sale of spirituous and intoxicating

(Dr. Nayar.)

[12TH FEBRUARY 1919.]

they did not feel the financial pinch till they began to groan. Till they began to spend money for public improvements they did not feel the necessity for finding resources; and about the time the Hon'ble Mr. Ranga Achariyar mentioned that they raised a protest, the Corporation had received several reminders from the Madras Government asking them what they proposed to do to increase their resources. They had then started the water-works and the drainage works for which they could not pay and I remember that at least three or four reminders came from the Government, asking the Corporation to make proposals as to how they intended to finance the schemes in future. It was when they were trying to find out resources that they struck upon this, and hence the lateness of the protest. The Corporation do not want even now to protest against it. All that they want is they want to have ample financial resources. It came as a request that since they could not find other sources, this source should be added on to them. The Honourable Member made something of the fact that they took ten years to find out their financial deficiency. Such delays in connexion with the Madras Corporation are not inexcusable. The Madras Government took seven years to find out that the drainage works were proceeding on wrong plans, and that there were no plans or estimates. It took them seven years and by that time something like Rs. 40 lakhs had been wasted. Such delays and such waste are incidental to imperfectly developed local self-governing institutions. These are the penalties which we had to pay in the earlier days of the development of local self-government. I hope the Honourable Member in charge will not mind the Madras Corporation having taken a little time in finding out that they were being mulcted in a certain source of income to which they were legitimately entitled.

"My Lord, strictly speaking, the Madras Corporation ought not to complain, because till now the Madras Government have given help to the Madras Corporation financially whenever they were in need. Therefore it may be said, 'what does it matter if the Madras Government have taken away some source of revenue? Have they not financed you, have they not tided you over financial difficulties? That is perfectly true; if the proposal is that the old system is to continue for ever, there is no alteration necessary and I would advise the Madras Corporation not to press for any particular source of revenue, but to go on as they are doing, have their budget and go on with their expenditure and whenever they run short come to the Madras Government and say 'we cannot go any further, we have come to the end of our resources. Will you give us money, or shall we stop?' That is the sort of local self-government which we are carrying on. I understood there was a sort of desire on the part of the Government and the people to end that and to develop what we have heard a great deal of lately, 'sense of responsibility in the people and their representatives.' If this system of finance is to go on, no sense of responsibility can ever arise. I speak from experience because we know in the Madras Corporation in the past discussion of our financial resources we have often been advised, 'what does it matter, you go on, drive yourself to bankruptcy and the Madras Government will come to your rescue.' There was no sense of responsibility as we were confident that the Madras Government would come to our rescue and so we went on without a sense of responsibility; and you cannot blame us. But if you want to restore a sense of responsibility, the only way in which you can do that is to give them ample financial resources of their own and ask them to carry on the municipal administration. Decline to give them any financial help after they have been set on their own feet, except for very strong reasons and then you will have a chance of developing a sense of responsibility in them.

"I beg to point out, my Lord, that this is the only source of municipal revenue the restoration of which will set the Madras municipality on its own legs. It has several advantages; it is an elastic revenue; it is a source of revenue the increase of which will not lead to very much public agitation. Hardly any one feels it except the drunkard and with the drunkard no one has any sympathy. An increasing revenue a highly elastic source of revenue is just the one which the Madras Corporation wants, to regain a position of financial responsibility and independence. If the Government say 'we will not restore it, we would still stand by the amending Act of 1884, we have got power to withhold this from you and give you compensation calculated on the average of the three years preceding the notice, which was in pre-historic days,' you have only to consider the terms of that order to see that the Madras Corporation has been unfairly dealt with. Once you admit that the Madras Corporation is entitled to compensation, the compensation ought to bear some reasonable proportion to the loss which the Corporation has sustained and the amount derived. The Hon'ble Mr. Ranga Achariyar has stated the Madras Government is something like 8 lakhs. To take refuge under the old order and say that the then average income was Rs. 13,000 and therefore the compensation is Rs. 12,000 a year and coolly pocket Rs. 8 lakhs is not a very fair bargain. Therefore on that ground it cannot stand.

"My Lord, the whole question is one as to whether you intend to set the Madras Corporation on their own legs—whether you intend to let them have their own financial responsibility and you intend to develop in the members of the Corporation a sense of responsibility. Unless you accept this amendment you cannot gain that object. There is no other source of income; I have carefully gone into it not only now but in several committees before; there is no other individual source of income or combination of sources of income which would any way come near it. The Hon'ble Mr. Ranga Achariyar has said that the Government are now getting 8 lakhs. Give that revenue to the Corporation, and under proper administration it will go up to Rs. 15 lakhs. No one has any compunction for the liquor traffic. It would pay all the reasonable requirements of the Madras Corporation. What the Government should do is to restore it and

12TH FEBRUARY 1919.]

(Dr. Nayar; Mr. M. Ramachandra Rao;
the President.)

then say 'do not come to us for grant and loans, we will not give them to you. Here are your duties and resources, let us see how you discharge your duties with those resources'. If you take that attitude, then you are carrying out your policy of setting up the Madras Corporation and developing a sense of responsibility. If you do not and if you are going on in the old way, all this trouble about the new Bill is wasted. There are alterations here and there, but as long as the old spirit remains and a new spirit does not come in, there is no object in bringing in the new Act. I complain, my Lord, that as long as the old spirit remains there is great danger to this country. I have always maintained that it is because reforms were not allowed to develop at their natural source and in their natural way, dissatisfaction arose in the country and I also maintain that the proper place for reforms to develop is in these local bodies. Devise a general devolution beginning with the local bodies gradually proceeding upwards and there will be natural evolution of reforms but if you do not permit it at the very bottom and do not develop local bodies in any way there according to the old socialistic cry that 'reform delayed is revolution begun,' you will have trouble here, there and everywhere. Therefore I maintain that it is the obstacle placed in the way of local self-government in the country that has led to the demand of cataclysmic changes. Even now it is not too late, and I hope the Government will see their way to carry out proper reforms in this sphere and the way in which you can make a beginning is by granting revenues like this."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, the Hon'ble Mr. Rajagopala Achariyar suggested that if this request of the Madras Corporation were conceded, the other municipalities would set up a similar claim. My Lord, the Honourable Member could not have been unaware of the great volume of opinion which has been sent up to the Government from every municipality and district board in regard to increasing their resources and one of those suggestions which have been very insistently put forward during the last two or three years is either a share of the excise revenue or the power to charge a licensing fee on places used for the sale of intoxicating liquors should be granted to local bodies. I may refer him to the orders of the Government in which they gathered together all these opinions and published them recently, two or three years ago. Therefore, my Lord, in regard to this matter the request has been universal from local bodies that they must share in this growing excise revenue either as in a definite proportion or in the shape of a liquor taxation licence. Therefore, if the Honourable Member wishes to improve the financial resources of the local bodies and of the Madras Corporation, the only sound line to take is to concede this request, I wish to assure him that he need have no compunction whatever in this matter. This concession to the Madras Corporation would be hailed by every municipality and local board as probably a precursor of what may be coming to them."

His Excellency the PRESIDENT:—"I do not want to interrupt the Honourable Gentleman, but I want to draw the attention of the Council to this rule. I did not like to interrupt the Hon'ble Dr. Nayar as he was proposing an amendment. It is really worth our while to consider page 121 of the book, rule 8, sub-clause 2 under 'instructions to local Governments regarding legislation in local Councils'. If Honourable Gentlemen would look at sub-clause 2 at the bottom of page 121 in the correction pamphlet inserted on page 116, here is an amendment which exactly falls under this category. This amendment which we are discussing is purely and simply outside the principle of this Bill and it is impossible for the local Government to accept it without a reference to the Government of India. Is it really worth the while of the Council to continue to discuss it? It is really quite outside the Bill. I just put it to the Council: is it really worth while pursuing the discussion of this amendment with the knowledge that it is really outside the principle of the Bill? We cannot proceed with it one yard further without a reference to the Government of India."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"This is one of those matters in which if it is necessary I believe my Honourable colleagues and myself are perfectly willing to have a postponement of the measure if Your Excellency's Government are willing to accept the making of a reference to the Government of India. The position is this. Here we are trying to augment the resources of the Madras Corporation. The proposal of my Honourable Friend is an essential one which goes in that direction. My Lord, I have been able to go through the new proposals for taxation, taxation of property, taxation of companies and tax on professions, but nothing will go so far as this. I respectfully submit that in this matter Your Excellency's Government will be doing the right thing to accept the amendment and if necessary to make a reference to the Government of India. This is my opinion and I am certain that most of my Honourable colleagues will not grudge the postponement of this measure if it is necessary for that purpose."

His Excellency the PRESIDENT:—"May I ask the Honourable Member to consider the attitude of the local Government in the first place and in the second place the attitude of the Government of India?"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"So far as the Legislative Council is concerned, if this amendment is accepted by the Council, though it cannot be by Your Excellency's Government, Your Excellency's Government has an opportunity to back up this proposal and get the necessary legislative sanction to put this on our statute-book in the way suggested in that rule. I do not see, my Lord, why Your Excellency's Government or the Government of

(Mr. M. Ramachandra Rao ; Mr. Rajagopala Achariyar ; [12TH FEBRUARY 1919.
Sir Alexander Cardew ; Mr. Ranga Achariyar ;
Mr. Yaqub Hasan.)

India should feel any compunction in this matter. This identical proposal was in the Act of 1884, and if I may cite precedents from English enactments this is one of those recourses which are essentially fit for local taxation. I may refer Your Excellency to the local Government Act of 1888 which contains a schedule of local taxation, licences which are levied on behalf of local body—what is known as local taxation account—and distributed automatically year after year to all the local bodies in the country.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“That is collected by the Imperial Government and distributed to the local bodies.”

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—“If the Government are willing to collect it and hand it over to the Madras Corporation they will be glad to have the Government do it. It does not matter whether you collect it or the Corporation collect it. They must have the money. That is the attitude of the Corporation. Whether judged by precedents in the English corporations or the previous history of the subject, looking specially to the fact that this exact form of taxation was already in vogue up to 1904, I submit this is one of those cases in which Your Excellency's Government ought to consider the proposal sympathetically.

“There is no doubt, my Lord, that when there is a conflict between the local bodies and the local Government, the local bodies are always in a disadvantage. The Honourable Member made a good deal of the fact that the Madras Corporation was receiving only Rs. 13,000. I must say that the transaction was an improvident one considering it from the point of view of the Madras Corporation. But the fact that in the past the Madras Corporation were driven to the wall and were constrained to accept this 13,000 Rupees is no argument why, when this particular source is now suggested to augment the resources of the corporation, Your Excellency's Government should feel any hesitation in supporting the proposal of my Honourable Friend. I sincerely trust that this proposal will be considered by Your Excellency's Government and to give effective consideration to this measure we shall be willing to adopt any course which may be indicated by the Honourable Member in charge. What we are keen about is why when this tax falls on the local inhabitants, and this is essentially one of those taxes which will fall on the local inhabitants—why should there be any hesitation in accepting this proposal. I therefore very heartily support this proposal put forward by the Hon'ble Mr. Ranga Achariyar. Though I am one of those who have felt year after year in the Finance Committee that for the Madras Corporation to come forward and ask for Rs. 8 lakhs, 9 lakhs and 10 lakhs to keep the water-works and drainage works going was not fair to the large body of local bodies in the mufassal who have their own requirements, we have always been feeling delicate to object to the request of the Madras municipality because it appeared to us that they had no financial resources and it would have ended, as the Hon'ble Dr. Nayar pointed out in the stoppage of their work unless the Madras Corporation were assisted. It is certainly a case of developing irresponsibility not to give them adequate resources and to continually ask them to come to the Government for help for these large schemes which are now pending execution. Therefore, looking at it from every aspect, I think the proposal is very sound and there should be no hesitation in accepting it.”

The Hon'ble Sir ALEXANDER CARDEW :—“The Legislative Council has devoted an hour to the consideration of this proposition. I should just like to say a few words in the hope that further waste of time may be obviated. The proposal is to impose a licence fee on shops where liquor is sold. The Hon'ble Dr. Nayar who moved this amendment said that this was not intended at all to trench on excise revenue. Whatever may be the intention of the mover of the amendment, there is no doubt that the Government of India would regard this as trenching upon their excise revenue, and if they regard it in that light, to send up a proposal to them at a moment when the whole scheme of Imperial and Provincial finance is under consideration is certainly embarking upon a hopeless enterprise. The Council is aware of the Montagu-Chelmsford proposals, which entail all kinds of redistribution of the revenues between the Provincial and the Imperial Governments ; and that the matter is now under the consideration of the Government of India. If this proposal is sent up, the whole matter will be hung up until the Government of India have formulated the Reform scheme and until the Bill dealing with it passes through the House of Commons and until the reforms are brought into effect. Is it a practical proposal to suspend legislation here for this purpose? Is it not turning this Council into little more than a debating society to discuss abstract questions as to whether the Corporation should have the advantage of taxing places used for licensing liquor? There is nothing to prevent the Council from amending this Act if an amendment is necessary after the Government of India have decided the larger questions to which I have referred. The passing of this Bill will not prevent the Council from doing so. To pass the amendment now will prevent the Bill from being passed into law at a time when the Corporation is badly in need of funds. I merely suggest to the Council that it would be stultifying this House if it were to pass this amendment which, as Your Excellency has pointed out, is beyond the scope of the Bill ; and it will mean the suspension of the whole legislation.”

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—“This is only the third day of the Bill.”

The Hon'ble Yaqub Hasan Sabir Bahadur :—“I propose an adjournment of the consideration of the Bill.”

12TH FEBRUARY 1919.]

(The President ; Sir Gordon Fraser ;
Mr. Rajagopala Achariyar ; Dr. Nayar ;
Mr. Narasimha Ayyar.)

His Excellency the PRESIDENT :—“If the Honourable Gentleman will resume his seat, I will call upon him later. There are six members who have risen to speak. I call upon the Hon'ble Sir Gordon Fraser to make his observations.”

The Hon'ble Sir GORDEN FRASER :—“Your Excellency, I support the altered amendment as proposed by the Hon'ble Dr. Nayar. The Hon'ble Sir Alexander Cardew has referred to the fact that this may encroach upon the excise revenue, and the Imperial Government will not accept it. But I personally do not see the difference between the amendment as put forward and the tax in force in Bombay. If the Bombay municipality is empowered by the Imperial Government to levy what they call town duties on wines and spirits and beer, surely the Government of India have already allowed that municipality to encroach upon their revenue from excise. I objected yesterday to the imposition of a half per cent import duty on goods imported into Madras. I objected to it on the ground that it was quite impossible to confine that charge to goods consumed in Madras only. That objection does not hold good in this case because the tax would fall entirely on places in Madras. The sum of Rs. 13,607 which was fixed in 1887 may have been a reasonable figure in those days, thirty-two years ago, but I cannot for a moment think that it is a reasonable figure now. I do think that the Corporation is entitled by right to a very much larger share of the revenue from these places and I hope Your Excellency's Government will accept the amendment as it stands and impose licence fees on places used for the sale of spirituous and intoxicating liquors.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“Your Excellency and the Hon'ble Sir Alexander Cardew have already dwelt upon the fact that this would involve a reference to the Government of India, and that if this is carried it will mean practically that all the work that we have till now done would be put by. If we make a reference to the Government of India, the chances are that the reference would not be disposed of in the immediate future.

“I would like to offer a few remarks from a somewhat different aspect, namely, what exactly is the system that is contemplated as the result of this new departure. I will assume for the time being that there is no Government of India and that we are having quite a free hand in this matter. The Hon'ble Mr. Ramachandra Rao has told us that he quite accepted the logical sequence of this proposal, that it would have to be extended to the other local bodies. I assume if this thing is passed, that is the Hon'ble Dr. Nayar's amendment, the Corporation may levy a tax on places used for the sale of spirituous and intoxicating liquors.”

The Hon'ble Dr. T. M. NAYAR :—“A license fee and not a tax.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“I thought tax.”

His Excellency the PRESIDENT :—“Licence fee.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“Licence fee for places used for the sale of spirituous and intoxicating liquors. I would assume if that is done for this Corporation, other local bodies will follow the lead, and you will have every municipality and every taluk board over the Presidency levying licence fees on places used for the sale of spirituous liquors. That is what we contemplate. How does that fit in with the abkari law at present? Under the Abkari Act, section 15, no liquor or intoxicating drink shall be sold without a licence from the Collector, that is the Revenue Department. In other words the sale of intoxicating liquors would then come under two authorities independent of one another, without any co-ordination. You will have on the one hand the Revenue Department working the Madras abkari law and licensing people to sell intoxicating liquors and on the other hand you will have the local bodies all over the Presidency licensing the sale of intoxicating liquors. In other words you contemplate an administration of abkari revenue which would give power practically to two independent authorities to control it. The Collector may say ‘I give a licence to A who appears to me to be a suitable man.’ A could not start the thing, he will have to go to the local body. The local body says ‘No ; B promises to pay me a larger amount. I will give it to B.’ B will have to go to the Collector, the Collector says ‘I prefer A.’ Whatever you do, by all means transfer the whole abkari revenue to the local body or leave it with the Collector or make any system by which you can divide the revenue. This amendment, if I may venture to say so, is none of these things. What it does is, it creates another authority for the sale of intoxicating liquors in addition to the authority which the Madras Abkari Act contemplates. I simply mention this to show where we are going to. I have already said that I for one very much sympathise with the point of view put forward by the Hon'ble Mr. Ramachandra Rao that local bodies must have a share of the abkari revenue. That is a quite legitimate thing, but this is not the way of getting it. It is not the way of getting a share of the abkari revenue to devise a system to make the administration of that revenue extremely difficult, if not impossible. I am putting this fact, namely, that you cannot work it satisfactorily with two unco-ordinated authorities at the top to do the same thing and the licensees having to depend upon two authorities to ply their vocation.”

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—“May I request information how it works in Bombay?”

(Mr. Rajagopala Achariyar ; Mr. Ranga Achariyar ;
Dr. Nayar ; Sir Gordon Fraser ; [12TH FEBRUARY 1919
Mr. M. Ramachandra Rao.)

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" I do not know how it works. If the Honourable Member had told me earlier I might have found it out. As the Hon'ble Sir Gordon Fraser has referred to it, I would suggest to the Honourable Gentleman that he is the proper person whom he should ask for the information."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" In schedule H in Bombay Act III of 1888 they have certain rates on wines, spirits and beer; they have certain rates under which they collect it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" That is not a licence fee but octroi."

The Hon'ble Dr. T. M. NAYAR :—" I can explain the point to the Honourable Member. Wherever it is recognized that the municipal authority has a right to levy licence fees, the Government does not step in. What happened here was that the Government collared that right. The Government authority would go out when the municipal authority comes in."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" I fear that the Hon'ble Sir Gordon Fraser has gone upon a somewhat different track. Is that what the Honourable Member referred to?"

The Hon'ble Sir GORDON FRASER :—" Schedule H."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" That schedule is with reference to the Bombay town duty just as we have here a town duty on timber and firewood. In Bombay there are these duties on grains and flour and wines and spirits. Wines and spirits pay As. 4 per gallon."

The Hon'ble Sir GORDON FRASER :—" I referred to the principle of taxation in one way or another upon intoxicating liquor."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" At present I am referring not to the principle but to the working of the particular scheme which has been put forward, namely, having two authorities for licensing places. This would have been of great use to the Hon'ble Sir Gordon Fraser when he voted on the octroi yesterday. He should have used this and voted in favour of the half per cent duty—'Here is the Bombay Government imposing a duty of octroi on grains, flour, sugar, mulls, ghee, timber exclusively used for railway sleepers, etc.' That really refers to what we did yesterday. I venture to point out that that is perfectly workable. I do not say that octroi is unworkable, but it will make the administration of the whole country difficult. This is a duty not on places, not licences for selling articles, but a charge at a specific rate on articles which would involve the question of rebate, so that this Bombay precedent does not apply though it may be taken as showing in a general way that the local body must have some share in the revenue derived from the consumption of liquor. But it has nothing to do with the particular proposal that the Corporation shall levy a licence fee on places used for the sale of spirituous and intoxicating liquors, at the same time leaving the Collector—"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO (*interrupting*) :—" May I invite your attention to schedule M of the Bombay Act where the purposes for which places might not be used without a licence are mentioned?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" It will be very difficult for me, Sir, to undertake suddenly a strict examination of the Bombay Municipal Act. It would have been more convenient if Honourable Members had given me notice when the whole thing would have been considered. The Hon'ble Dr. Nayar's amendment could not be examined. He put it in answer to what I said in reply to the Hon'ble Mr. Ranga Achariyar. If without your knowing clearly how this thing would work or how it is working in other places, you are going at once to commit yourselves by passing a resolution."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR (*interrupting*) :—" I do not know how it worked from 1867 to 1884. This Government were working it. How did it work?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" The real abkari system with its uniformity came in only in 1884. The whole thing before that year was piecemeal administration. Every place was working in its own way. As a matter of fact my memory goes back to 1864, because I entered service soon after, and the correspondence regularising the whole thing started about that time."

"Let me also point out if I may venture to say so another implication. I assume this particular difficulty of having two authorities running the thing disappears: what is the next thing? The next thing will be every local board will be entitled to license its own abkari shops and every municipality will do the same. The first tendency will be, 'it is a source of revenue' the taluk board will feel. 'let us have a number of abkari shops which will give us a certain amount of money and we will reduce a certain amount of the road cess.' The municipalities will also do so. We will have exactly the same state of affairs that we had in regard to toll-gates. The municipalities put up toll-gates and the district boards put up toll-gates. Abkari is one of those things where you want a very strong co-ordinating authority at the top. Once you surrender that and start a system in which a large number of local bodies are coming in with independent powers to license liquor shops, you commit yourself to a state of affairs which will

12TH FEBRUARY 1919.] (Mr. Rajagopala Achariyar ; Mr. Ranga Achariyar ;
the President ; Dr. Nayar ; Mr. Yaqub Hasan.)

probably soon produce disastrous results. Even on a small scale when you go to French India the Hon'ble Mr. Todhunter will be in a position to tell you how it works. The French put a large number of abkari shops to tempt people from British India. If you allow every local body to start liquor shops and raise licence fees you will produce undesirable results."

"There is another thing. All of us, the Government and Honourable Members, are strong upon reducing the consumption of liquor and upon reducing the number of shops. The Hon'ble Mr. Narasimha Ayyar will no doubt say how the thing has been working in the municipality of Salem where they have greatly reduced, practically abolished, the shops. If that municipality was deriving a substantial revenue from these liquor shops, I would ask the Hon'ble Mr. Narasimha Ayyar to get up and say whether they would have done that. We are now deriving a great deal of help from local bodies in the way of enforcing temperance."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR (*interrupting*) :—" May I rise to a point of order? We are discussing the Madras City Municipal Bill and not the Local Boards Bill."

His Excellency the PRESIDENT :—" I do not think the Honourable Gentleman is going wider than other speakers."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" I am bound to point out that this is the proposal not of the Hon'ble Mr. Ranga Achariyar but of the Hon'ble Dr. Nayar which has been seconded by the Hon'ble Mr. Ramachandra Rao, and in regard to which the Hon'ble Mr. Ramachandra Rao has been so good as to accept my challenge that it would be introduced into other places; and that perfectly justifies me in saying that if this step is taken in any one of these places it will be taken in other places. It is my duty to point out not only what is under your nose but what is a little further ahead. I believe if this policy of allowing every local body to start licensing liquor shops is accepted by this Government, I foresee it will be a serious set back to the progress of temperance. It will by one stroke convert a number of authorities which are now engaged in diminishing the consumption of liquor and make them take an active interest in promoting it. For all these reasons I very much deprecate this motion. I can quite understand the feelings of the Corporation and the feelings of several Honourable Members that the Corporation has made a bad bargain and that therefore there is now—"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR (*interrupting*) :—" We never made a bargain."

His Excellency the PRESIDENT :—" Surely the Honourable Gentleman may allow the Honourable Member to continue."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" The Corporation accepted a bad bargain and they are now smarting under it."

The Hon'ble Dr. T. M. NAYAR :—" Forced to accept."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" I can quite understand that feeling, but let us not for the sake of rectifying, I will say, that injustice, come to the Council with a big departure the implications of which are not I believe fully realized and which will carry you very much further than you now imagine. If this sum of Rs. 13,000 is considered inadequate, there will be nothing to prevent the Corporation from definitely saying 'we consider it inadequate and we would ask you to go into the question and put it at a more reasonable figure.' That is a quite different matter. That is not what we are asked to do. What you propose is to give to the Corporation power to license shops which is a much bigger thing than is contemplated even by the Honourable Members who supported this resolution."

The Hon'ble Yaqub Hasan Sahib Bahadur :—" Under rule 4 of the business rules I propose that the business before the meeting be postponed to the meeting of the Council in the month of March. I am compelled to take this step for very good reasons. The Hon'ble Mr. Rajagopala Achariyar has confessed that he is not able to deal with the question of allowing the municipality to raise some revenue in some form or other from liquor and spirits. It was pointed out to him that in Bombay, under the same head, revenue was being collected on spirits and liquors. He said 'no, that is only in the form of octroi and that argument could not be brought forward here.' Then it was pointed out by the Hon'ble Mr. Ramachandra Rao that there is another Schedule M in which are mentioned 'licensing places for liquor.' That is exactly the thing which is the subject of this amendment, and yet instead of meeting that he has brushed it aside by saying that he is not prepared to meet it. We know that the Government are not prepared to meet us in many other things. This Bill has been hurried. It was published in the *Fort St. George Gazette* and within about 15 or 16 or 17 days of that date it was brought before this Legislative Council. So they have kept just to the letter of the law; that is, they have given 15 days which must elapse between the publication of a revised Bill and bringing it here in this Council. That period of time was given to us; the public was not given any more time than that. I ask Your Excellency, are fifteen days or twenty days enough to consider the Bill? The Corporation of Madras had to take it up at a time when there was no time to give notice of any amendments, and the public had to consider certain aspects of it, the taxation aspects, at a time when there was no time for anybody to be wiser by the discussion and to give notice of any amendment. We are told that if we want a licence fee instead of a contribution, we ought to have given notice. The Hon'ble Dr. Nayar said that if he was in

(Mr. Yaqub Hasan; the President; Mr. Narasimha Ayyar; Mr. Rama Ayyangar; Mr. Krishna Rao.) [12TH FEBRUARY 1919.]

this Council a little earlier and if he had time he would have given notice of several amendments. So it shows that this thing is being pressed unnecessarily. Nothing will be lost if the consideration of this Bill is postponed for another month. In the meantime, Your Excellency's Government may consult the Government of India according to rule 8 of the instructions to local Governments which says that whenever there is a point raised in which it is necessary that the Government of India should be consulted, they should be consulted. Now this is not a minor matter. If it was only a technical or minor matter, Your Excellency could have said that you see no reason to postpone the consideration of this Bill on that account, but this is a matter on which the very life and death of the Corporation depends, and it is a matter of its revenue."

His Excellency the PRESIDENT:—"The Honourable Gentleman is proceeding to a discussion on the merits of the Bill which is not necessary on his motion. If he wishes to press the motion that the Council do postpone this business, I will put it if he is seconded by another Honourable gentleman. It is not germane to his motion to go and discuss the merits of the particular proposal in the Bill."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"I was mentioning it to show that we have arrived at a point where the reason for postponement is very strong. Just to show that the reason is very strong I had to mention this fact about the revenue, but I need not labour that point. I think I have convinced at least such of the members of this Council as are open to conviction. I know that the Government are not open to conviction. They have made up their minds to get through this Bill, they will go through it mechanically and they will not admit any amendment that is brought forward in this Council, whether that amendment is important or not. They have stuck to the Select Committee's recommendation in every thing but they have made a departure only in one case and that case affected the Mussalman community. When the Government saw that they could not carry out the recommendation of the Select Committee, they have departed from it. In every other case they stuck to the Select Committee's report and they do not want any amendment to be brought in. That is another very good reason why the consideration of this Bill should be delayed so that the public may have more time to consider the changed circumstances so that they may be better prepared to come and discuss this question and to bring in other amendments and other sources of revenue if this source of revenue is not allowed to the Corporation. For these reasons I ask the Council to adjourn the business before this meeting to the meeting in March."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"May I know what the motion is? If it is for the postponement of this amendment I second it."

His Excellency the PRESIDENT:—"The motion is that the whole Bill might be adjourned."

The motion fell through for want of a seconder.

The Hon'ble Mr. K. RAMA AYYANGAR:—"With regard to the position that page 121, rule 8 (2) prevents this Council from considering this I want to say a word. It is not a case in which a measure dealt with under rule 5."

His Excellency the PRESIDENT (interrupting):—"I do not think the Honourable Gentleman need argue that point. He will address himself to the amendment before the Council."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Yes; I would only say in respect of the collection of this duty it need not necessarily be left to the municipal body. Rules may be framed for the collection of this licence fee and for payment of the collections to the Madras Municipality. We have power to frame by-laws to confer various powers on Government, and we may make one for the collection of this fee by the Government and for handing it over to the municipality. That will meet the case. I do not think there is any difficulty on that score. The only question is whether the licence fee can be levied. That is within the scope of the Corporation and this Bill. This is one of the financial resources; it has been one of the sources already and it has been taken away. We are now only trying to revive it. There is no reason why there should be any difficulty in reviving it."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I consider it somewhat unfortunate that there should have been a difference of opinion in this Council on this matter. The Hon'ble Mr. Rajagopala Achariyar was good enough to tell us that he considered it a legitimate demand made on behalf of local bodies to ask for a growing share of the excise revenue though that question would have to be determined after considering various other circumstances. It will be within the recollection of this Council that when a resolution was moved by me on a former occasion asking that the Government will be pleased to grant a share of the excise revenue to local bodies, it was pointed that the readjustment of the financial relations between the Government of India and the Local Government was under consideration and that it was somewhat premature to take up that question and that question might be considered some time later. May I point out that, so far as this question is concerned, there has not been any difference of opinion regarding the main principles involved therein. It was pointed out by the Hon'ble Mr. Rajagopala Achariyar that the acceptance of this principle would necessitate extending it to other local bodies—naturally and reasonably it will have to be extended—that the machinery would be somewhat duplicated and that it would be difficult to devise means whereby the local bodies would collect licence fees on the one hand and the

12TH FEBRUARY 1919.] (Mr. Krishna Rao; Mr. Chidambaramatha Mudaliyar; the President; Mr. Ranga Achariyar; Mr. M. Ramachandra Rao.)

Government would collect the duty on the other. May I point out that according to the scheme of the present Bill there are sufficient safeguards to avoid such contingencies? My Hon'ble friend Mr. Ranga Achariyar has proposed to put this after sub-clause (h) of the Bill as clause (j); and if it is inserted as clause (j) it only states that the corporation 'may with the previous sanction of the Governor in Council and the Governor-General in Council levy a licence fee on places used for the sale of spirituous and intoxicating liquors.' It is thus clear that it is to consider all these circumstances that the previous sanction of the Governor in Council and the Governor-General in Council has been prescribed for this purpose.

"Let us consider another aspect of the question. According to the scheme of this Act section 98 only lays down certain general principles. It says certain duties may be levied. From section 99 we enter into a detailed consideration of the extent to which and the circumstances under which the various taxes and duties can be levied. At this stage when we are considering the amendment to section 98, we are considering the bare question of principle as to the desirability or otherwise of enabling the corporation to levy licence fees. Following the scheme of the Act, it will be necessary to incorporate a provision at the end of the chapter as to the manner in which these licence fees are to be levied by the corporation. It is quite possible, if only the principle is accepted, to devise means by which any conflict between the work of these local bodies and that of the Government can be avoided and to safeguard the interests of the corporation without detriment to the interests of the Government in the administration of the excise revenue."

"My Lord, it has been suggested by the Hon'ble Sir Alexander Cardew that in view of the statement made in the report on Constitutional Reforms that the whole financial policy is under consideration the discussion is unnecessary. I stated in the beginning of these remarks that the division is unfortunate; but I wish to press upon this Council this consideration that we attach utmost importance to the financial provisions in the City Municipal Bill. There are certain provisions which have already been passed in regard to the constitution. Honourable Members of this Council may or may not be satisfied with those provisions as to electorates, the elective strength and the powers of the commissioner and so forth. But what is more important than the provisions relating to the constitution of the corporation is that it must have adequate financial resources to carry on its work. Can it be said that the financial provisions made in section 98 and the sections following are quite adequate to enable the corporation to discharge its duties in a satisfactory manner? Can it be said that it will be in the interests of good government so far as the corporation is concerned, that it should depend upon the pleasure of the Government to make or not to make grants and that it should not stand on its own legs to carry on its administration? That is why utmost importance is attached to the provisions in this chapter as regards taxation and finance. If these provisions are satisfactory, then any consequential amendments that may be necessary may be made in regard to the powers of the various municipal authorities; and these are of secondary importance, as compared with the provisions regarding taxation. I believe I am expressing the views not only of myself but also of other Honourable Members when I say that if the provisions regarding taxation and finance are not placed in a better position, whatever other amendments are made, it will not give satisfaction. If these provisions are not made by the Legislative Council when the corporation's resources are crippled, I do not think Honourable Members will grudge any delay involved by a further reference to the Government of India. With these remarks I support the amendment."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"I just wish to say a word in regard to this matter. Much has been made by the Honourable Member in charge about the struggle that might come in between the municipal authorities on the one hand and the Government on the other. It appears to me after all there is very little in support of that view of the question. There is the biggest tax on the land; a land tax is levied and also a local cess levied; both are collected by the Government themselves, and whereas the land tax goes to the Government, the road-cess goes to the local bodies. In that way if this licence fee is imposed by this Act upon every place in which these spirituous and intoxicating liquors are sold, that might well be collected by the abkari department and handed over to the municipal body. In that way I think the conflict between the two governing bodies can be very easily avoided. Further he thought that this might lead to other municipalities following the example of the City municipality. Every municipality is within the ultimate control of the Government; if the Government do really see the necessity for additional finance as in the case of the City of Madras such a provision may be made, and if they do not see the necessity for it, it might be disallowed. The local bodies have no free choice in the matter. So long as it is admitted that the finances of the local bodies in the whole Presidency require, and sadly require, improvement, I believe it is highly necessary that the Government should see the justice and the absolute convenience of the amendment that is proposed and do all it can to back up such a position."

His Excellency the PRESIDENT:—"I call upon the Hon'ble Mr. Ranga Achariyar to reply."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Yes. All points have been brought out in the debate."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Before my Honourable Friend replies, I should like to make a personal explanation with reference to the Hon'ble Sir Alexander Cardew's remarks about our stultifying ourselves by passing this proposal."

(The President; Mr. M. Ramachandra Rao; Mr. Rajagopala Achariyar; Mr. Ramanuja Achariyar; Mr. Ranga Achariyar.) [12TH FEBRUARY 1919.]

His Excellency the PRESIDENT:—"If it is only a personal explanation you can make it."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I proposed, when the Bill was introduced, that this question about excise duty was one of the moot points of the Bill and one of the grounds put forward for an adjournment of the consideration of this Bill was that the financial relations between the Government of India and the Provincial Governments had to be first settled: we should like to put that first, and that matter having been settled we could settle the financial position of the Madras Corporation. We have no intention whatever of going on with the Bill for a number of days and afterwards undoing all that we did. All that I say is that at the very beginning myself and my Honourable Friends were very anxious that a portion of the excise revenue should be set apart for the municipality and specifically raised this question when the Bill was introduced. That being the case, the question is whether we are not in order in bringing forward this amendment. All that I wish to say, Your Excellency, is that we are not for going on for a number of days and bringing forward proposals which will place us back again in the position where we started. I do not think we can be accused of dilatory proceedings in this Council when from the very beginning this question was one of the questions of which we gave notice."

His Excellency the PRESIDENT:—"On what date?"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"The 14th day of August 1918 when the Bill was introduced. If necessary I can read portions."

His Excellency the PRESIDENT:—"I do not want it, I merely asked the date."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"The remarks made by the Honourable Member left the impression that we have now started the consideration of this question, that we have suddenly sprung this proposal on the Government and are undoing the work which has been done in the Council all these days."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"That is not what the Hon'ble Sir Alexander Cardew said. He said, if you really do this, it will stop all work; I do not think he found fault with the Honourable Member."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I did not say with me or any member of this Council. All that he did say was this:—here we are considering this Bill, and there is this question of setting apart a portion of the excise revenue, is it open to any Honourable Member to bring forward such a proposal without the sanction of the Government of India? That was exactly the position when the Bill was introduced; on that ground I was for a postponement of the consideration of the Bill. If it is now pointed out to us that this would exactly lead us to the same position, I can only say that you were perfectly aware from the beginning that this was one of those matters on which the Council felt very keenly and if any steps had been taken to ascertain the wishes of the Government of India it would have met our wishes."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"Your Excellency, I consider the amendment proposed to be unnecessary, because this Bill does provide for the levy of a licence fee for the storage of spirits, section 287 and schedule VI."

His Excellency the PRESIDENT:—"That is only for storage."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"It cannot be sold without being stored."

His Excellency the PRESIDENT:—"The Honourable Gentleman should not understand that it is identical with this amendment."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"For the permission granted fees may be charged. This Bill does authorize the levy of licence fees on places for the storage of spirituous liquors."

His Excellency the PRESIDENT:—"Not for selling."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"You cannot sell it without storing."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I did not hear the last observation of my Hon'ble Friend Mr. Ramanuja Achariyar as he was inaudible. I was about to say, when my Hon'ble Friend Mr. Ramachandra Rao interrupted me, that this is not a new thing at all sprung upon the Government. As early as the time when this Bill was first placed before the corporation, in their proceedings in considering the City Municipal Bill of 1916, the first item they put forward was this. If you refer to page 7 of the minutes of the proceedings of the Commissioners on the Madras City Municipal Bill in 1916, you will find that I urged the corporation to press this upon the Government. It is stated there 'He—that is myself—asked the Council to consider first the general question of taxation, what should be the taxes and what were the taxes that would add to the revenue. Supposing they agreed to tap some other fresh source of income, for example, the excise revenue which he

12TH FEBRUARY 1919.]

(Mr. Ranga Achariyar; the President.)

wanted to propose, they would get a substantial sum from Government, then there would be legitimate reason for exempting Government properties. It was recognized throughout the world that excise revenue was a legitimate source of income for a corporation. So a fixed proportion of the excise revenue derived from the City should be handed over to the corporation. Mr. Natesan agreed that a fixed proportion of the excise revenue derived from the City should be handed over to the corporation. The President explained that the excise revenue derived from the City last year amounted to about Rs. 26½ lakhs, of that one-half, he believed, went to the Government of India. The Hon'ble Mr. Ranga Achariyar suggested that one-fourth of the revenue raised in the City should go to the corporation as it legitimately belonged to the corporation. It was unanimously agreed that one-fourth of the revenue derived from the City from excise should be handed over to the corporation and the Hon'ble Mr. Ranga Achariyar was asked to voice this opinion in the Legislative Council. It was in pursuance of this mandate that I have been pressing this matter. In fact when the Bill was introduced I supported the motion for adjournment mainly on that ground, that the financial position was most unsatisfactory and that we should be given further powers of taxation and this was one of the items then mentioned. The matter is not sprung upon the Government. It has been before the Government from 1916 and therefore the Honourable Member cannot take umbrage that it is now sprung upon the Government.

"As regards the other objections of the Government they have been replied to by other Honourable Members and the matter has been sufficiently discussed, but I wish to say this, Your Excellency, that unless some such elastic source of revenue is given to the corporation, we may as well drop this Bill."

His Excellency the PRESIDENT:—"Before I put this amendment may I say a word or two? I did not understand that my Honourable Friend objected to this amendment on behalf of the Government on the ground that it was sprung upon the Government. That is not the point. The point is this. Whereas this suggestion in regard to the share of the excise revenue was mentioned both by the Hon'ble Mr. Ramachandra Rao and the Hon'ble Mr. Ranga Achariyar in August, nothing has been heard of it since, as far as I can ascertain from the records. I was not a member of the select committee."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I urged it in the select committee."

His Excellency the PRESIDENT:—"The Honourable Gentleman signed the report."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"May I explain? I was in Bangalore, I was asked to give my signature to the report and I gave my consent by telegram because they wanted to issue it by the 31st."

His Excellency the PRESIDENT:—"In a matter of this sort the Council is more or less in the hands of the select committee. We have not followed any special procedure in this matter. We studied the report of the select committee and we found that no further action was taken in regard to this particular proposal. Therefore I do not see why any discrimination should be made in regard to this particular proposal any more than in the case of any other proposal."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"In the letter of the Secretary asking me to sign that report I was asked not to write any minute of dissent, because anything that we wanted could be made by amendment. Otherwise I would have written a long minute of dissent."

His Excellency the PRESIDENT:—"So far as the Council is concerned, there is nothing to show that the select committee attached more importance to this than any other question. Now we come to the last stage of the Bill and the Council is confronted with this proposal. My suggestion is—I think it will be acceptable—so far as the information placed before this Council formally goes, there is no reason why the Council should attach more importance to this amendment than any other amendment. The debate on the question is another matter."

"Let me deal with the motion of the Hon'ble Mr. Yaqub Hasan for adjournment. The Honourable Member complained that the notice given by the Government was not sufficient for the consideration of this stage of the Bill. So far as I am aware, the notice required has been complied with. Let me suggest further that if objection was to be taken properly on such a ground as that, it ought to have been taken before we commenced our proceedings. This is an objection which should have been taken properly at the beginning and not when we come to an amendment on which there is some difference of opinion. It would have had more force if it had been taken at the beginning of the consideration of this stage of the Bill."

"May I say one further word? I sympathise most heartily with the desire of the Madras Corporation to augment its sources of revenue. I have the warmest sympathy with their difficulties. I know how anxious and responsible their work is and how essential it is that there shall be for the due execution of their duties sufficient reliable income. I feel sure I am speaking for the Government when I assure them on that point."

"Having disposed of that what position do we find ourselves in? This Bill has been under consideration for years. We have had the advantage in its consideration of the help of the present Honourable Member of the Council Mr. Rajagopala Achariyar and we had a very great deal of time given to it by his predecessor, the former Indian Member, Sir P. S. Sivaswami Ayyar. I know from personal experience how devoted and ungrudging was the expenditure of time on their part to the formulation of this measure which has gone through most careful stages. The suggestion that it has been hurried cannot be supported from any point of view. It has

(The President; Sir Gordon Fraser.)

[12TH FEBRUARY 1919.]

been considered by officials and non-officials and every effort has been made to obtain full information and advice. Now until this very last stage when really I may claim that substantial progress has been made, no protest indicating to the Government the difficulties of this question really reached us, and now we are asked to take a step which will postpone the whole work. It is not postponing it for a month, because if I understand him the Honourable Gentleman wishes to postpone it until a settlement is come to on the disposal of the abkari revenue under the Montagu-Chelmsford Report. It is obvious to those who have studied the situation that no settlement of that kind can possibly be expected for a period much longer than a month; it will more likely be a year or two. You have not only the consideration of the report on the main lines but you have the carrying out of all the recommendations about the Central Government and the relations between the Government of India and between the Provincial Governments. It is only then you can begin an arrangement between the Provincial Government and the local municipal authorities. Is this matter so important that you must throw away all the labour of the past two years? Is it so important? I would ask the Council to consider how far their own reputation and responsibility is concerned in this matter. It is quite true that we have to show the utmost consideration to the Corporation's representatives who are on the Council and speak as representing the views of the Corporation. On the other hand, the Legislative Council stands for the Presidency as a whole; and if you throw away all the time and trouble that has been spent on this Bill, it will seriously affect the opportunity and time which will be available for attending to other parts of the Presidency. I would, therefore, ask the Council really to take a wider view of this question and to believe that the Government of the Presidency are interested in the welfare of the Council and will not lose any opportunity of advancing its welfare and that it is unwise on this one point to arrest the usefulness of all the work that has been done.

"I would not say much about the merits of the question, but I would put this one point. We are apt here to forget—I feel it myself, I hope I am not contributing to it unduly, but other members are apt to forget the wider bearings of a question such as this. Repeatedly in the debate the interests of the district authorities have been involved on one side or the other. You are a little apt to forget the real interests of the Corporation as compared with the wider interests and bearings of this question. There is a great deal to be said on the question on its merits, whether it is wise, whether it is in the real interests of the local authorities that they should depend upon the licence fees for their revenue. There is a good deal which can be said and which has not been said on the other question. The interest of the corporation is, I take it, confined and limited to the necessity for having sufficient and reliable income. It is not so important to the corporation from what source that income is derived so long as the income is there and can be relied upon and is sufficient for it to carry on its duties. That is the main essential. If you hook so to speak, if you attach the welfare and the fate of your revenues to other interests, you may find them prejudiced in the end. That point has been alluded to already. There are disadvantages in getting a share of any revenue. Whenever that revenue is interfered with, your interests are interfered with. Whenever the corporation gets a share of any particular revenue, whenever any attempt is made to touch that revenue, the Corporation's interests are at once affected and possibly prejudiced. On the other hand, from the point of view of the Central Government the fact that the local authorities have a share in certain earmarked heads of revenue hampers the freedom of the Central Government in dealing with these revenues. None of these considerations have really been thoroughly debated upon in this Council, because the matter is not before us. Only one incidental point was alluded to, the interests of temperance. It is not at all clear that the interests of those who wish to advance temperance will be met by giving the local authorities a direct share in the welfare of licence revenue. It is a very serious responsibility to take for this Council to decide this matter. In my judgment, on this occasion I would put it to the Corporation, if I may, while I have every sympathy with the difficulties of the Corporation, I would venture to urge "let us pass this Bill in whatever form the Council approves, and it will not be difficult to amend the financial provisions once the big question of Imperial and provincial finance in India is settled." To wait for that will, I think, mean delaying unjustifiably most useful provisions for the extension of local self-government, the genuine extension of Local Government which this Bill provides, the extension of the franchise, the wider constitution of the Corporation, in fact a step in that education in Local Government which is so much desired at the present time. I shall now put it to the Council."

The Hon'ble Sir GORDON FRASER:—"May I ask one question? If the Local Government undertake to refer this matter to the Government of India and bring in an amending Bill, it will alter the question very much. I would consent to allow the Bill to go through without the amendment, if an amending Bill will be brought up. But on the other hand, I should be prepared to support this amendment unless the Local Government gives that assurance."

His Excellency the PRESIDENT:—"I can assure him that the Local Government would be quite prepared to address the Government of India and lay before them the feeling of this Council on this matter and ask them to give their attention to it, so soon as the conditions of Imperial and Provincial finance are settled."

The Hon'ble Sir GORDON FRASER:—"May I press this particular point? I think Your Excellency put it rather too wide. May I know if this particular point is to be put, so that we may get a prompt reply and then we can bring in an amending Bill? We cannot wait."

[12TH FEBRUARY 1919.] (The President; Mr. Ranga Achariyar; Mr. Richmond; Dr. Nayar; Mr. M. Ramachandra Rao.)

His Excellency the PRESIDENT:—"I do not want to wait."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"May I supplement it by another question? Your Excellency, this Bill cannot be passed into law now: it will have to come at another meeting. By that time you may get a reply."

His Excellency the PRESIDENT:—"I do not think it would be honest on my part to say that we will get the reply or hold out any hope that on this particular matter we shall get a decision from the Government of India in time to incorporate it in the present Bill. The Government are perfectly prepared to lay before the Government of India the expression of feeling in this Council in this matter and urge them to deal with it at the earliest possible moment."

The Hon'ble Mr. T. RICHMOND:—"May I make a personal explanation as a member of the Select Committee? I fully intended to write a minute of dissent, but it was suggested by the Honourable Member in charge—and the suggestion is embodied in paragraph 5 of the Select Committee's report—that separate minutes of dissent were unnecessary and that the members might sign the report and bring up any matter on which they disagreed at the discussion in the Council. Taking this view I did not record any dissenting minute on this and several other points."

The Hon'ble Dr. T. M. NAYAR:—"May I clear up one point? Did I understand Your Excellency to say that, as soon as the financial arrangements between the Local Government and the Imperial Government are settled, the Local Government would undertake the revision?"

His Excellency the PRESIDENT:—"The Government are quite prepared to address the Government of India pointing out to them the feeling on this particular point which they have heard at this discussion and urge the Government of India to do their best to deal with it at the earliest possible moment."

The Hon'ble Dr. T. M. NAYAR:—"When the financial relations between the two Governments have been settled, it will be no longer for the Government of India, but it will be for the Local Government to settle this matter."

His Excellency the PRESIDENT:—"The Honourable Gentleman is contemplating a time when it will be within the power of the Provincial Government to decide it; then it is always possible for the Honourable Gentlemen of this Council to bring up this matter."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"May I suggest that the further consideration of this clause be put off till to-morrow morning?"

His Excellency the PRESIDENT:—"Let us take a decision on this point. The words proposed to be added are 'a licence fee on places used for sale of spirituous and intoxicating liquors.'"

The amendment was put and lost.

His Excellency the PRESIDENT:—"We will take the names if the Honourable Member wishes it."

The Hon'ble Dr. T. M. Nayar demanded a poll which was taken with the result that 17 voted for and 23 against the amendment. The following was the division:—

For	Against
The Hon'ble Diwan Bahadur M. Ramachandra Rao.	The Hon'ble the Advocate-General.
" Mr. P. Siva Rao.	" Sir Alexander Cardew.
" Mr. K. Rama Ayyangar.	" Mr. J. Davidson.
" Dr. T. M. Nayar.	" Mr. C. G. Todhunter.
" Mr. B. Venkatapati Raju.	" Mr. A. Y. G. Campbell.
" Mr. T. Richmond.	" Diwan Bahadur R. Ramachandra Rao.
" Diwan Bahadur K. R. Suryanarayana-murti Nayudu.	" Mr. M. Young.
" Mr. K. K. R. Kavalappara Muppil Nayar.	" Mr. L. E. Buckley.
" the Raja of Pithapuram.	" Mr. N. E. Marjoribanks.
" the Raja of Bobbili.	" Khan Bahadur M. Aziz-ud-din.
" Diwan Bahadur A. Subbarayulu Reddiyar.	" Rao Bahadur V. K. Ramanuja Achariyar.
" Rao Bahadur T. Ranga Achariyar.	" the Rev. G. Pittendrigh.
" Yaqub Hasan Sabib Bahadur.	" Sir Fairless Barber.
" Mr. K. Chidambaranatha Mudaliyar.	" Sir Gordon Fraser.
" Mr. A. Suryanarayana Rao.	" Sir Francis Spring.
" Mr. A. S. Krishna Rao.	" Mr. J. H. Thonger.
" Mr. B. V. Narasimha Ayyar.	" the Most Rev. J. Aelen.
	" Mr. J. C. Molony.
	" Mr. R. Littlehales.
	" Mr. W. Hutton.
	" Mr. W. J. J. Howlay.
	" Diwan Bahadur P. Rajagopala Achariyar.
	" Mr. H. G. Stokes.

(Mr. Krishna Rao.)

[12TH FEBRUARY 1919.]

The Hon'ble Mr. A. S. KRISHNA RAO :—"I have the honour to move amendment No. 54 which is as follows :—

'Add the following at the end of the clause :—

"and (i) a terminal tax on railway passengers."

"The Council has so far discussed some of the financial provisions in the present Bill and excepting the amendment of my Honourable Friend the Advocate-General suggesting that the duty on firewood be taken away involving the corporation in a loss of revenue of about Rs. 50,000 on that account, other amendments asking for an increase of the financial resources have all been rejected. Though with considerable hesitation as to the success of the attempt I now venture to move that a terminal tax be introduced. If it were possible to manage any corporation or any local body without any form of taxation, the people concerned would have immense satisfaction. But so long as we realize that it is to the interest of any body to manage its own finance and as best as possible raise its own revenues and regulate its own expenditure, it is quite necessary that means should be devised for improving those resources. Having rejected the various financial suggestions made, I would now ask the Council whether they would not consent to the imposition of this terminal tax on railway passengers, which will not cause any unnecessary hardship to any person. It should be remembered that even if these mild and modest measures are disapproved or rejected by this Council, the result will be that attention will have to be paid to the property tax as the main source of revenue apart from other small sources, even though it might unnecessarily and harshly affect the owners of houses or the occupiers of houses. And what is the scope of this terminal tax on railway passengers? At this stage when we are considering clause 98, it is unnecessary to consider the details of this provision. As for the details, according to the scheme of the Act other amendments follow which are Nos. 72 and 119. With some slight modification the Hon'ble Mr. Ramachandra Rao has given notice of a similar amendment. But at this stage we have only to consider the desirability or otherwise of imposing a terminal tax on railway passengers.

"From the mere theoretical point of view, persons might consider that it may not be necessary or proper to impose a tax on passengers coming into the city. But I would ask whether it is not desirable for those who come and stay here even temporarily and enjoy the amenities of life provided by the corporation to pay some tax whatever it be. The chief merit of this tax is that it is a very moderate one—about six pies for third-class passengers, a little more in the case of second and first class passengers; and it is ordinarily collected along with the railway tickets by the Railway authorities. They will generally charge a small commission for collecting it. The whole of the collection work is done by them and the benefit goes to the corporation. In the original Bill which was published in 1916, we find that provision was made for the imposition of a terminal tax. It will be found that in the Bill of 1916 clause 114 provides for a terminal tax on railway passengers. I have just taken the wording of my amendment from that Bill. It contains elaborate provisions as to how the tax should be levied, in clause 160 and later on in the schedules. When the tax is so light as not to unnecessarily cause any hardship to any particular individual and when it can be so easily collected as not to increase the work of the corporation to any unnecessary extent, I would ask whether there is any reasonable justification for not allowing at least this additional resource to the corporation.

"Honourable Members will also see that it is proposed to add this as an addition to clause 98 after (h), the effect of which will be that 'the corporation may levy a terminal tax with the previous sanction of the Governor in Council and the Governor-General in Council.' If it is suggested that the Government of India have to give their sanction or may raise objections and so forth, there is the necessary safeguard in the section itself which suggests that before it is actually levied the sanction of the Governor in Council and the Governor-General in Council will have to be obtained. Therefore what the Council has to do now is to give their sanction to the imposition of the tax on railway passengers subject to the provision that the sanction of the Governor in Council and the Governor-General in Council will have to be obtained. With these safeguards I cannot myself imagine how there can be any reasonable objection to the imposition of this tax.

"I may bring to the notice of this Council that when opinions were invited from the various district municipalities on a former occasion as to how they would improve their financial resources, they considered this question at considerable length; various sub-committees were appointed by the municipal councils; those opinions were submitted to the Government through the Collectors of the districts; those opinions are published in G.O. No. 2196, dated the 23rd December 1916. An analysis of these opinions will show that various municipal councils which considered the incidence of taxation in their respective municipalities suggested as an additional financial resource the imposition of a terminal tax like the one suggested by me for the City of Madras. I only mention it as an instance to show that this tax has been thought of and approved even in the case of mufassal municipalities. When that is the case, we need not hesitate, so far as the City of Madras is concerned, to give sanction to the imposition of this tax. Under the Calcutta Improvement Trust Act of 1911, they have actually been collecting this terminal tax and they have been utilizing it for the improvement of the city. We find also in various other provinces where there has been octroi—we discussed it yesterday—they are attempting to have it replaced by a terminal tax, a terminal tax on goods as well as on passengers. I have not thought it necessary on this occasion to suggest a terminal tax on goods

12TH FEBRUARY 1919.]

(Mr. Krishna Rao ; Mr. M. Ramachandra Rao ;
the President.)

because it might in a way partake of the nature of octroi. I have confined my amendment to a terminal tax on railway passengers because it is easy to collect it from passengers without any inconvenience. This principle of terminal tax is well known in some places and a pilgrim tax has been suggested in other places. So far as the City of Madras is concerned, a terminal tax is a most desirable tax, as it will add to the revenue to a substantial extent and no objection can be urged against it."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"I have a similar amendment on this subject and I would like to say a few words in support of this proposal. Having heard the Honourable Member's previous speech on a new tax, I take it that objections similar to those urged then will again be urged, that the Government of India will have to consent to this tax and difficulties would be pointed out in the working of this particular tax. I shall therefore apply myself to these two matters.

"In regard to this tax, my Lord, I may point out that the proposal is that this should be imposed with the previous sanction of the Governor in Council and the Governor-General in Council so that if the Corporation does not succeed in persuading Your Excellency's Government and the Governor-General in Council, it will not be in a position to levy this tax. Therefore even assuming for the sake of argument that the Government of India are not at present disposed to sanction the imposition of such a tax, they have a further opportunity of examining this question when it is actually placed before them by the Corporation, and then if they still have reasons for withholding their sanction they will have an opportunity of doing so under this section. Therefore assuming for the sake of argument that Your Excellency's Government propose the imposition of this tax and the Government of India are not prepared to sanction its introduction, I respectfully submit that the provision of the tax in this Bill will not in any way jeopardise the power of the Governor in Council and the Governor-General in Council to withhold their sanction. Therefore the addition of this safeguard is perfectly legitimate."

His Excellency the PRESIDENT :—"I do not follow the Honourable Member's argument."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"If this amendment is carried, this section will read 'and may, with the previous sanction of the Governor in Council and the Governor-General in Council, levy a duty on certain transfers of property in the shape of an additional stamp duty and a terminal tax on railway passengers'. So that it contains sufficient safeguards even assuming it is introduced after clause (h)."

His Excellency the PRESIDENT :—"I am only trying to follow his argument. We should introduce it because we could veto it? Is it because we need not carry it out that we should introduce it?"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"We can provide for it. It is exactly the same thing with reference to the duty on transfers of property. The Corporation cannot straightaway impose it unless it receives the sanction of the Governor in Council and the Governor-General in Council."

His Excellency the PRESIDENT :—"The Honourable Gentleman has assumed that the Government of India object to it. If that is so, what is the good of inserting it?"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"I do not say so, but even on the assumption that at present Your Excellency's Government or even the Government of India are not in a position to immediately sanction its application the mere provision of it in this Bill will not in any way take away their power to reconsider the matter of sanctioning its imposition or withholding sanction. I am suggesting that even if it is there there will be no difficulty in making proviso for it here and it will not lead to any difficulty in any manner whatsoever.

"The second point is the question whether the tax on railway passengers is one which will work in practice. I can only point out, my Lord, that in Calcutta under Act V of 1911 the Calcutta Improvement Trust is collecting this tax already. I may perhaps invite the attention of the Honourable Member to the Resolution of the Government of India on local self-government, dated the 10th August 1915, where this subject is dealt with. It says as follows :—

"In Benares there is a form of terminal tax which is imposed, with certain exceptions, on passengers coming to or leaving that station by rail. There is a radius of exemption beyond which the tax is levied and it is collected by the railway companies as a surcharge on railway fares. A similar tax is also in force in Calcutta which is levied by the Calcutta Improvement Trust and is collected from passengers entering or leaving that city by rail or steamer. In Hardwar, Ajudhia and Thaneswar, there is a tax on pilgrims and other persons who enter the limits of those municipalities. The tax at Hardwar is levied on railway passengers throughout the year, while that at the other two municipalities is imposed only on the occasion of certain special fairs. In Bombay a pilgrim tax may be levied under section 59 (b) (x) of the District Municipal Act, III of 1901."

"I wish to point out to Honourable Members that this tax is already levied in Calcutta and no one who goes to Calcutta knows that he is paying this tax; if he is a third-class passenger 6 pies on the outward journey and 6 pies on the inward journey. It is one of those taxes which are very easily collected by the railway company. In connexion with the Pilgrim Committee we made inquiries as to its practical working and its applicability to various pilgrim centres. We came to the conclusion that it is perfectly easy to work it in some places. So far

(Mr. M. Ramachandra Rao ; Mr. Rajagopala Achariyar ; [12TH FEBRUARY 1919.
Mr. Narasimha Ayyar ; Sir Francis Spring ;
Mr. Ranga Achariyar.]

as the City of Madras is concerned if it is possible in Calcutta I do not know how its imposition in Madras would be difficult. Another reason I would suggest is this form of taxation is the only one which you can call upon temporary residents of Madras to pay for the amenities of life in Madras. They have a wholesome water-supply and I expect they have other conveniences of life, and these temporary inhabitants do not contribute anything. This is the only way in which we can call upon the temporary inhabitants to pay. When we were making this investigation about pilgrim centres we called for papers from the Madras Corporation and in those papers I found they themselves proposed it and their calculation showed that they would realize about Rs. 1½ lakhs.

"Finally, my Lord, this is not a new tax. The Honourable Member will remember that this was in the draft Bill of 1916. That is a point which has to be remembered, because this is not at all a new one. I quite recognize that it is not in the Bill as introduced, but the Government seem to have contemplated the imposition of such a tax when they incorporated it in the Bill of 1916. I trust in these circumstances with the safeguards that exist there would be no difficulty in putting in such a clause as this."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the Honourable Member has said that this was one of the taxes which the Government contemplated. What we sent up to the Government of India was the particular form of clause 110 'may with the previous sanction of the Governor in Council and the Governor-General in Council levy a terminal tax on railway passengers'. The Government of India have sent their orders vetoing it. In vetoing it they say that a surcharge on railway fares must operate as a tax upon railways by reducing either the traffic or the fares they can charge; such a proposal can be justified only in towns which are pilgrim centres."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"May I ask whether Calcutta is a place of pilgrimage?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The Government of India have not said that. I am telling the Honourable Member what the Government of India have said. I am not going into the merits of the thing for the reason that my knowledge of Calcutta is very small and probably my Honourable Friend's knowledge is not much greater. What I am saying here is, here is a tax proposed, it was put before the Government of India who vetoed it. If you pass the tax and pass the law, they will have no other alternative but to veto the whole Bill and the whole Bill will have to go. By the time this order of the Government of India came, the Select Committee had begun its sittings and it was put before the Select Committee and it decided to defer to the wishes of the Government of India. I am mentioning these facts to show why it was dropped. For these reasons I cannot accept the Honourable Member's proposal. I cannot go into the merits. I cannot say it is unreasonable, because if I say it is unreasonable, you will ask why did you propose it."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"When did this order of the Government of India come?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"July 1918."

The Hon'ble Sir FRANCIS SPRING:—"When I thought of speaking on this amendment, I intended strongly to support this taxation. The Honourable Member has not spoken on the merits of the taxation. It has all the merits that a tax should have. It does not cost anything to collect, its incidence on the individual is small, and its results are quite valuable. I was not aware at that time that the Government of India had already made a pronouncement in regard to the principle of a terminal railway tax. I never heard of this pronouncement of theirs before, and have not the slightest hesitation in saying that it is an extraordinarily short-sighted and wrong pronouncement. Had I been with the Government of India, I certainly would never have consented to such a pronouncement as this. So far as I understand, they have allowed it in Calcutta. The principles which the Government of India have quoted as justifying the levy of such a tax do not apply to Calcutta. It is not a pilgrim centre any more than Madras. I am told that when we send up the Bill for acceptance by the Government of India they have no power of throwing out one clause, but have either to accept the whole Bill or throw it out. I do not therefore wish to press my views."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I wish to say a word, Your Excellency. The Government in their memorandum, dated 21st July 1913, drew the attention of the Corporation to the unsatisfactory stage of their financial position. In reply to that the Corporation recommended this terminal tax as one of the sources which may be tapped. I have just heard the Honourable Member quoting from the Government of India resolution disallowing this provision, apparently supposing that Madras was not a place of pilgrimage. But may I remind the Honourable Member in charge that Triplicane and Mylapore are centres of pilgrimage, and if they are to be satisfied on that ground we can satisfy the Government of India that these are well-known places of pilgrimage. If the seat of the Government is not itself a place of religious pilgrimage, it is a place of pilgrimage for many other purposes. If the test

12TH FEBRUARY 1919.] (Mr. Ranga Achariyar ; Mr. Richmond ; the President ;
Rev. Pittendrigh ; Mr. Krishna Rao ; Sir Gordon Fraser ;
Mr. Narasimha Ayyar ; Mr. Rajagopala Achariyar.)

is to be whether it is a place of pilgrimage, I think Madras can satisfy that test. San Thomé is a place of pilgrimage for Christians. It has been the seat of a very ancient saint and so also is Little Mount. In fact it is the worst of the places of pilgrimage. Perhaps the Government of India are not aware of it. May I not urge upon this Government if this Bill goes with the support of this Government with an explanation added, may we not hope not only hope but expect, having regard to the volume of opinion in favour of such imposition, the Government of India would give their sanction to this tax and not wreck the Bill? Will they not think of the consequences? They have also, I suppose, some sense of responsibility. Will they throw out the Bill simply on that ground of their opposition to the terminal tax? If they are likely to throw out the Bill, are we to be frightened? I rather think the Government of India will realize their responsibility if the Bill goes in this form and they may see that this is a tax which cannot be objected to at all in principle. Madras wants to show that the Government of India's opinion does not stand in the way of this Council forming its own opinion in this matter."

The Hon'ble Mr. T. RICHMOND:—"May I inquire whether there are any precedents of the local legislature passing a Bill containing measures not approved by the Government of India and the Government of India vetoing the whole Bill?"

His Excellency the PRESIDENT:—"I do not think there is any precedent."

The Hon'ble the Rev. G. PITTENDRIGH:—"I would agree with the Hon'ble Sir Francis Spring that all our efforts should be made to secure this particular provision. I was the more anxious to give my support to this motion because I was compelled to vote against the last motion as it would not be in the interests of temperance. But as my friend the Hon'ble Mr. Ranga Achariyar suggests, is there no method of bringing pressure to bear upon the Government of India in a matter like this? That is what I wish to ask. It is possible in any way to bring the views of this Council forcibly to bear on the Government of India or on the Viceroy so that this tax may be secured."

The Hon'ble Mr. A. S. KRISHNA RAO:—"May I say a word in reply? The only objection which has been urged against this proposal is that the Government of India have opposed it and that they would veto the whole Bill if the Council should pass this amendment. I make an appeal to this Council that in the passing of a Bill of this description, we should express our opinions freely and frankly as to whether we are satisfied with the measure and whether it is salutary. We may express our opinion as to the desirability or not of imposing this tax. Even the Government of India have stated that in the case of some centres of pilgrimage, it will be justified. The Hon'ble Mr. T. Ranga Achariyar has pointed out that we can even make out a case that this is a place of pilgrimage, and that we can appeal to the Government of India. I do not wish to put the case on that ground. I will place it on a higher ground. If this Council situated as it is, representing various interests and communities, should deliberately come to the conclusion that, in the best interests of the Corporation, a terminal tax should be levied with the sanction of the Governor in Council and the Governor-General in Council, may we not hope that the Government of India will reconsider their position and accept our request? Are we to suppose that the Government of India will be so unreasonable as to take the view, that simply because subject to their sanction and that of the Governor in Council, we have added a terminal tax, the whole Bill with 400 and odd sections and several schedules should be thrown away? I do not think they would take such an unreasonable view. If that misfortune should happen, I do not think we should shrink from our responsibility and from facing that misfortune."

The Hon'ble Sir GORDON FRASER:—"I want to ask one question before we vote upon this amendment. Does this amendment rank like the previous one, if this one is passed, will it be hung up for a long time?"

His Excellency the PRESIDENT:—"There is no good of our saying that the Government of India will be reasonable. We do not know if they will take this view; we have already consulted them and they have given a plain answer."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"May I know whether it is with reference to the Madras Corporation that that reply was given?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"This Bill deals only with Madras."

His Excellency the PRESIDENT:—"We have clearly consulted them on this matter and they have vetoed it. We have no doubt as to their opinion. That is a fact the Council must take into consideration. If the Bill will not be allowed to be passed into law, with that provision in it, there is no use. We have already consulted the Government of India in the matter and we are bound to accept their decision. It is a question whether it is worth while for this Council to vote in favour of such a motion."

The amendment was put and lost.

(The President ; Sir Francis Spring ;
Mr. Ranga Achariyar.)

[12TH FEBRUARY 1919.]

The Hon'ble Rao Bahadur T. Ranga Achariyar demanded a poll which was taken with the result that 13 voted for and 18 against the amendment. The following is the division :—

For	Against
The Hon'ble Mr. M. Ramachandra Rao.	The Hon'ble Sir Alexander Cardew.
" Mr. P. Siva Rao.	" Mr. L. Davidson.
" Mr. T. Richmond.	" Mr. C. G. Todhunter.
" Mr. B. Venkatapati Raju.	" Mr. A. Y. G. Campbell.
" the Rev. G. Pittendrigh.	" Mr. M. Young.
" Mr. Yaqub Hasan.	" Mr. R. Ramachandra Rao.
" Mr. T. Ranga Achariyar.	" Mr. L. E. Buckley.
" Mr. A. S. Krishna Rao.	" Mr. N. E. Marjoribanks.
" Mr. B. V. Narasimha Ayyar.	" Mr. M. Aziz-ud-din.
" Sir Francis Spring.	" Mr. V. K. Ramanuja Achariyar.
" Sir Gordon Fraser.	" Mr. A. Subbarayulu Reddiyar.
" Mr. J. H. Thonger.	" Mr. R. Littlehales.
" the Most Rev. John Aelen.	" Mr. J. C. Molony.
	" Mr. W. Hutton.
	" Mr. W. J. J. Howley.
	" the Advocate-General.
	" Mr. P. Rajagopala Achariyar.
	" Mr. H. G. Stokes.

His Excellency the PRESIDENT :—"I understand that the Hon'ble Sir Francis Spring is going to move amendment No. 56."

The Hon'ble Sir FRANCIS SPRING :—"I shall move it as an amendment to clause 102."

Clause 98 was allowed to stand part of the Bill.

Clause 99.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"The amendment which I have the honour to move runs thus :—

"In clause 99 (2), after the words 'section 102' add the following words :—'and subject to a maximum of twenty per cent in all.'

"This relates to the property tax which is to be levied by the corporation in order to carry on its work. Your Excellency, the proposal according to the Select Committee is that the corporation should have power to put any percentage of tax on house and landed property in the city. 'It is given full self-government.' That will be the answer which the Honourable Member in charge will give when he rises to reply : 'Here it is, look at the gift we are making to the corporation ; we are giving them full liberty to tax themselves as they like.' But when it comes to fixing the pay of the commissioner you say : 'No, we will put the limit.' When it comes to fixing the pay of the Revenue Officer and the Health Officer you say : 'We will put a limit.' No liberty there. As to signing contracts you say : 'We will give the power to the commissioner.' He may sign any number of contracts up to Rs. 10,000. 'He will set the tune, you, corporation pay for it.' That is really the effect of all the sections which we have passed. Any number of contracts up to Rs. 10,000 and Rs. 50,000 will be passed by the commissioner and by the Standing Committee of seven members respectively. We have been trying to enhance the sources of revenue, but unfortunately you will notice that every one of the suggestions, although accepted in principle, on account of technical objection was vetoed. Of course, we are unable to carry any suggestion to improve the financial resources of the corporation.

"It is now admitted, as I just now read,—as early as 1913—, that Your Excellency's government recognized the stringency of the financial condition. That is well recognized by everybody, and I need not dilate upon that point ; but what is the taxation which is left ? The property tax. The property tax in this town, if you trace its history, has always been subject to a maximum beyond which the corporation cannot tax itself. It has always been subject to a maximum one of the Municipal Acts that we know. It is so in Bombay and Calcutta, and also in the district municipalities. Everywhere a maximum is fixed, beyond which the local body cannot tax itself. The Government are very wise in that. They know perfectly well that the resources other than the property tax are limited. But on the other hand they are throwing an unlimited burden on the corporation which the corporation is not to control, but somebody else appointed by the Governor in Council. He is to have full control ; he must have money and therefore he has to get it. He will say when the budget comes : 'I have passed a project and I have sanctioned estimates and I have entered into these contracts ; the Standing Committee has passed it, here is the budget, sanction it.' The corporation has full control over the budget, subject to the provisions of the Act. The corporation will have therefore to find the money for financing the obligations incurred by others. You say : 'We give you unlimited powers, go on ; why are you afraid ? You may tax yourselves 10 per cent or 20 per cent or 30 or 60, 70, 99 or 100 per cent.

12TH FEBRUARY 1919.]

(Mr. Ranga Achariyar ; Mr. Yaqub Hasan.)

It will be impossible to go beyond 100 per cent. Tax yourselves to bleed yourselves. You go on raising. The Governor in Council will come down under the extraordinary powers and say, carry this out ; we give you a special engineer ; we will send for him from England, we will give you a special health officer, carry out improvements ; we will give you a special sanitary engineer, to cleanse the Cooum, so that the city may be quite free and good for all of us. The occupiers will grumble. We give you unlimited powers to tax yourselves. That is the gift which this Bill is making. I want to make it perfectly plain to the Government that the only gift of responsible government is this liberty to tax ourselves. We get a free constitution, a good constitution, namely a lower franchise which is an important education as Your Excellency said a few minutes ago. But what about the functions and powers that we will have, it will be worth while to look.

"As I pointed out, there has been a maximum limit all along. It was 5 per cent when the first charter was given to the Madras Corporation in the 18th century. We are a very ancient corporation. Then again it was 6 per cent ; then 7½ per cent ; afterwards 10 per cent, 16 per cent and now 18½ per cent. That is the limit which we have now reached. It will be interesting for the Council to know the total revenue realized by the corporation under this new Act, Lord Curzon's gift of 1904, how our revenue stood and how the property tax stood and how we have been progressing at a terrible pace in imposing this taxation on houses. I want to take the Council for a few minutes into my confidence. I shall give the figures of the total revenue, the revenue from property only and the incidence of the tax on the population—

Years.		Total revenue.			Revenue from property only.			Incidence.		
		RS.	A.	P.	RS.	A.	P.	RS.	A.	P.
1905-06	...	17,43,251	9	5	9,43,883	13	8	1	13	7
1906-07	...	19,13,246	8	8	10,97,167	13	3	2	2	5
1908-09	...	22,89,038	11	3	12,09,051	1	0	2	5	6
1910-11	...	25,05,898	12	2	13,22,126	13	11	2	8	8
1913-14	...	27,16,824	1	2	15,70,971	11	1	3	0	5
1914-15	...	28,86,387	4	10	16,53,135	15	2	3	12	11
1917-18	...	33,11,014	12	9	19,08,502	10	8	4	8	9

"So in the space of nearly 13 years from Rs. 1-13-7 per head of the population it has risen to Rs. 4-8-9. At a recent open air meeting of the rate-payers of the city, one vernacular speaker put it rather humorously that if the Government give the municipality liberty to tax themselves, there is always a tendency to go up and never come down. So he asked very pointedly the municipal commissioners among the audience whether we came to a reduction at any time. We had to confess we had never exercised our liberty in that direction. We always exercise it in the upward direction and never in the downward direction. That is the tendency of all tax gatherers and of every one who wants to collect the tax for one purpose or other and it is so in the case of everybody. The answer of the Honourable Member will be 'we give you full liberty.' As a practical man I will ask him whether it is in his experience that there ever was a reduction. The only example of reduction was in the salt tax on account of the volume of public opinion, and again it was raised. That is the only tax I remember where any tax was ever reduced. But be that as it may, I have to point out that the present percentage is a high percentage and we are not giving them any other source of revenue. On the other hand, the burden thrown upon them is very great. If you are not giving them any other financial resources, you are asking them to bleed themselves, and may I add they will have to bleed themselves to death if the burden is to be thrown merely upon the house-owners. I do not think it would be right to throw the burden on the corporation. I do not think it is right not to fix the maximum when the corporation has all along been objecting to this liberty being given. It is not safe to leave it to them. After all, we commit the rate-payers numbering three lakhs to the tender mercies of a small body with liberty to tax them as they like. The Hon'ble Mr. Thonger pointed out, when the Bill was introduced, that if you leave the property in a state of uncertainty, nobody will be able to know what the tax will be next year and you will be discouraging people from investing in property. As Mr. Govinddas and Chathurbujadas said the other day, he was himself trying to dispose of his property. Speaking for myself if this Bill is going to become law, I would dispose of all property in Madras and buy property elsewhere. I am sure people taking a business view will certainly do that. It will be absolutely mischievous to leave it without any statutory limit. I propose a reasonable limit : can you ever tax any property more than 20 per cent of its value, which is 1½ per cent more than the existing limit ? We began, I think, with 5 per cent and now I say let us give them liberty to tax themselves up to 20 per cent. We do not want this freedom. Freedom for what ? Freedom for killing ourselves ? We do not want it."

The Hon'ble YAQUB HASAN SAHIB Bahadur :—"I beg to second this amendment. Till a few days ago, I was against this maximum being imposed on the taxation. I was of opinion that confidence should be placed in the members of the corporation that they will not raise the tax on property beyond the limit up to which it can bear. If you place this maximum on this taxation, it will mean that we have no confidence in the councillors of Madras. We are afraid that some day they will raise the taxation to 50 per cent on property, especially when

(Mr. Yaqub Hasan ; Mr. Krishna Rao ;
Mr. Thonger ; Dr. Nayar.)

[12TH FEBRUARY 1919.]

there will be more of the poor classes of people in the corporation and not so many moneyed people or property people in it. The danger may be that these people who do not have property may raise it to a large extent. That will mean want of confidence. So till recently I was of the opinion that there should be no maximum fixed on the taxation limit; whether it is property tax or any other tax, freedom should be given to the Council. But now I find that our resources are not adequate and the corporation is not to be given liberty to raise revenues in any other way. The result will be that the property tax will have to be raised whether we like it or not. It has this liberty. The Government themselves will call upon us to exercise that liberty and raise the tax and then we will be compelled to do it. If this limit is placed upon the property tax, we cannot go beyond that, and we will have to find some other source for raising our income and then we will have to come before the Legislative Council to amend this Act in order to find other sources of revenue. From this point of view I support this resolution which I was reluctant to support before."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, the only possible argument that may be advanced by the Hon'ble Mr. Rajagopala Achariyar in opposing this amendment is that there ought not to lurk in the mind of anybody any sort of suspicion against the corporation, when it is given a free hand in the matter of imposing the property tax. No other argument can be reasonably suggested. But before that aspect of the question is considered, we may take a comprehensive view of the frame-work of the whole of this Act. I would ask the Hon'ble Mr. Rajagopala Achariyar to tell us if this Act has been so framed as to give the Corporation large and unrestricted powers, or whether it is in respect of this particular question only that it is proposed to give it unlimited and unrestricted powers. I for one would have been in a position to support the view taken by the Select Committee to give the corporation absolute liberty to tax, if the Act had been so framed as to make the corporation a really self-governing institution so as to enable it to regulate its own expenditure freely and collect all its taxes, not this tax alone, but other taxes also, according to its pleasure. But the Act has not been framed on that footing. The Act is not calculated to make it a really self-governing institution in this respect. As the Honourable Mover of the amendment said, it is hedged in with so many limitations and conditions and it is to be governed by a commissioner appointed not by the Corporation, but by the Governor in Council who will have independent powers; and limits have been prescribed for the salaries of various officers; the maximum and the minimum limits have been prescribed for profession tax; and scales of fees have been prescribed for tolls and for taxes on animals and vehicles. When limits have been prescribed in the case of all other taxes provided for in the Act, on what different principle can it be suggested that a limit need not be suggested so far as the property tax is concerned? If the corporation were left a little more free in the matter of taxation, if other sources of revenue were also shown to the corporation, I can understand the reasonableness of giving it a wide latitude in this matter. How does the matter stand at present? The corporation after considering this question at considerable length made a number of suggestions for the improvement of its financial resources; and the suggestions include a number of taxes, a tobacco duty and other things, but they have not been accepted. Their financial resources have not been improved. If in the case of the property tax no limit is prescribed, there is a real danger that owners of property will be seriously prejudiced and handicapped. In respect of other sources, they have not been able to succeed in inducing the Government to give them a free hand. They cannot undertake big works. A perusal of the last administration report of the Corporation shows that they have various schemes of expenditure. The Hon'ble Mr. Ranga Achariyar has often pointed out that it is in a state of bankruptcy, and that without the help of large Government grants they cannot get on with their work. In these circumstances, the Corporation will be placed in an unfortunate and miserable position. The question is whether the important works that they have undertaken, the drainage and the water-works are to be stopped to the detriment of the rate-payers or whether they are to push up the house property tax beyond all reasonable limits so as to harass the rate-payers. That position will be very unfortunate. They will have either to stop these works or increase the tax though it be oppressive. That position will be an unfortunate and miserable position. It is but desirable that they should not be placed in that position for any length of time. For this reason it is desirable to fix a limit."

The Hon'ble Mr. J. H. THONGER:—"The last time I had an opportunity of speaking on this matter was when the Bill was originally introduced in this Council. This matter received the careful consideration of the Trades Association and we were strongly averse to a maximum not being fixed. We came to that conclusion purely as a body of business men. In carrying on our business we think it reasonable to fix prices so that everybody knows what he has to pay. Similarly in this case of property, a man should know what his tax is, because it affects him and his chances of disposing of his property. We cannot find a ready market for property if overhanging it there is uncertain taxation. We cannot find a ready market strongly support the adoption of this amendment. I may say, however, that I realize that even if we fix a maximum of 25 per cent, there is nothing to prevent the Corporation making it a myth by adopting an arbitrary valuation. But that is a matter which we can control."

The Hon'ble Dr. T. M. NAYAR:—"My Lord, the proposal in this Bill seems to have taken quite a new turn, because until very recently the proposal with regard to taxation and the liberty of municipal bodies to tax themselves was contained in the recommendation of the

12TH FEBRUARY 1919.]

(Dr. Nayar ; Mr. Rajagopala Achariyar.)

Decentralisation Commission, which is thus summarised in the famous Montagu-Chelmsford report: "The Decentralisation Commission recommended that municipalities should have full liberty to impose and alter taxation within the limits laid down by law, but that where the law prescribes no maximum rate, the sanction of an outside authority should be required to any increase." That was the prevailing opinion that there should be a maximum either fixed in the Act or there should be a superior sanctioning authority for raising the tax beyond that maximum limit, beyond the then existing limit. Then they go further and say: "It is hoped that nearly all boards will contain substantial elected majorities and in their case it is proposed to accept the Commission's recommendation though indebted boards should still obtain the sanction of higher authority before altering a tax." The principle of that will be accepted by any public authority who has to deal with the question of public finance. If a municipal board is indebted, if it has borrowed largely, it must have borrowed on the credit of something, that is on account of its tax, and if it is based on property tax, the stability of that property tax, and this tax must be maintained. If the maximum of that taxation is liable to be altered, without proper scrutiny, without superior control, the stability of the value of this tax will fluctuate. Therefore the Montagu-Chelmsford report rightly points out that indebted bodies should obtain the sanction of a superior authority before altering the maximum. If that principle is accepted—and it will be a very unfortunate if the Government depart from that principle—then you will have two very unfortunate alternatives. Either you should fix a maximum in the Act or every time the Madras municipality alters the rate it should obtain the sanction of the local Government. One of these alternatives is inevitable. If we have to choose between the two, I should prefer a maximum in the Act, because the Act once settled after proper discussion in a Council like this is more secure than the fluctuating opinion of the local Government in which the individual members change and their individual views on questions might change, and from year to year their opinions might vary. In order to have a steady view of the question, I should prefer to have a maximum limit. We have heard the expression of the Hon'ble Mr. Ranga Achariyar's opinion and also the opinion of some other landlords in Madras that if the maximum taxation is left unsettled, they would rather sell their house property in Madras than subject themselves to this. I can quite understand that. A man when he purchases a house must have some idea of what maximum taxation is going to be. In every country it is more or less known what the maximum is going to be. Here it is going to be unlimited and for investing your money you must know what you will have to pay. This is an absolutely unjustifiable position for the Government to leave the corporation in. I thought this was the commencement of home-rule for the corporation, but home-rule cannot come in one corner. It only comes with regard to maximum taxation. I strongly object to the principle of this provision. The Madras Corporation has got a very big debt of about Rs. 70 or 80 lakhs and if all of a sudden you have no limit, there will be depreciation of house property, and there will be depreciation in the value of the tax. I do not think we have a right to do that. If the Government want to do it, you must first pay these debts and then raise fresh debts on the clear understanding what these taxation proposals are likely to be. Otherwise, you will not be acting quite honourably to the people who have invested in municipal debentures."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I do not quite follow that argument."

The Hon'ble Dr. T. M. NAYAR:—"The argument is if you allow this, the property value deteriorates, and if that deteriorates, the amount of revenue deteriorates, and it is on the strength of this revenue you raise debts; and therefore you are sure to depreciate the value of the property on the strength of which you have borrowed which is not justifiable. It is contained in the summary of the Montagu-Chelmsford Report that indebted boards should obtain the sanction of higher authorities before altering the tax."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"For reducing it."

The Hon'ble Dr. T. M. NAYAR:—"For altering it. Alteration implies also reduction. The control of higher official authorities is necessary for that. The Government of Madras have been quoting the opinion of the Government of India freely when we proposed something which they disapproved, saying how can we give you that; now we propose something which they approve and I hope you will not start with your insubordination in this particular instance."

The Council then adjourned for a short interval.

The Council re-assembled at 3 p.m. and the discussion on the amendment No. 58 was resumed.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"My task in opposing this amendment has been rendered very easy by the fact that the Honourable Mover has been so good as to anticipate and say what the objections are which I am likely to raise. It gives me great pleasure to say that he has anticipated me in quite a correct way. My objection really is that this is a matter which might well be left to each local body to decide for itself. Whatever we may do otherwise, the property tax will for a long time to come be the backbone of the finance of municipalities. It will be the main thing and all the other things will be merely subsidiary things. That will be the main thing whether you like it or not. That being so, I think this is a departure in the right direction. To leave it to each local body to determine up to what rate it should go, is a move in the right direction. The Hon'ble Mr. Ranga Achariyar has told us how from time to time the corporation went on increasing this tax. I think he gave us a

712

THE MADRAS CITY MUNICIPAL BILL, 1918.

(Mr. Rajagopala Achariyar ; Mr. Ranga Achariyar ; [12TH FEBRUARY 1919.
Mr. Siva Rao.)

number of figures saying that this went on increasing from so much to so much. Throughout this period, when this increase has been taking place, there has been this maximum. There has been this safeguard throughout the period when he complains that the property tax was being recklessly increased."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"It would have gone even beyond if there were no maximum."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"The existence of the maximum having given the Honourable Member so little protection, it is a matter for consideration whether he may not give the alternative of no maximum a trial. It may be that the circumstance that there is no maximum will sober the corporation in a way which the existence of the maximum has failed to do. When once the legislature puts a provision in the Act that we can tax up to a limit, the responsibility of the corporation is diluted. Suppose you put a maximum of 25 or 30 per cent, if you put a maximum, it has to be an outside maximum and not what the corporation can immediately do. It would mean what, for a period of 10, 15 or 20 years during which the Act is likely to be in operation, is likely to be the rate at which they may impose this property tax. That being so, it has to be put in at a rate which would provide for all reasonable contingencies. Suppose we now put it at 25 per cent. It means that hereafter it is open to those members of the corporation who want to raise it to say, 'there is no use of your saying that the Madras rate-payer cannot pay 25 per cent. The law says that we are able to pay up to 25 per cent.' That is our reason for having no maximum, that it will bring home to the corporation and the rate-payers a sense of responsibility which, to some extent, would be removed by the legislature taking upon itself this task of fixing a maximum as proposed. Also may I point out that under the new constitution, as it will soon be, we will have 50 councillors of whom 30 will be elected on a largely extended wide franchise, by all the various divisions, and of the remaining 20, 11 will be elected by institutions. In other words, we will have 41 out of 50 who owe their seats in some form or other to the citizens. Most of them will be property owners. It is a matter for consideration whether a council so constituted is likely to go forward in excessive zeal for putting on extra taxation. That is so far as the council is concerned. What about the Government? Suppose you put a maximum. The Hon'ble Mr. Ranga Achariyar says 'here is the Government continually asking us and pushing us to go forward.' Would you not be in a better position to resist this pressure if you had no maximum than if you had a maximum? If you had a maximum, the Government can tell the corporation, 'go to the maximum imposed by the law,' but if there is no maximum, the whole field is open to you and you can at any stage cry 'halt.' I am simply saying that the very argument urged by the Hon'ble Mr. Ranga Achariyar is an argument for having no maximum. It will sober the members of the corporation and it will enable the rate-payers to put pressure upon them and to some extent it will strengthen their hands against the Government if there is no maximum than if there is a limit. If the maximum is to be put, it will have to be fairly high. I feel bound to oppose the amendment as put by the Hon'ble Mr. Ranga Achariyar, namely, to fix a maximum and also to fix it at 20 per cent."

The Hon'ble Mr. P. SIVA RAO :—"Your Excellency, I strongly support the amendment moved by the Hon'ble Mr. Ranga Achariyar. The issue before us is whether it is desirable to fix a maximum in regard to the property tax. I was wondering, when I went through the whole scheme of the Bill, when the other provisions of the Bill were so very illiberal when restrictions were placed upon this or that, why Government should have given complete autonomy in the matter of taxation regarding house property. That is what puzzled me most, and I was trying to find out a solution for it. Now I find solution for it in the speech of the Honourable Member in charge. He said at the outset that the property tax being the sinews of municipal finance, we must apply the principle of self-determination and so each local body, each municipality should have the power to determine for itself whether it can impose any amount as it liked. Now that means: I cannot help thinking to myself that this unlimited power, unlimited latitude given to the municipal corporation will have very untoward effect especially under the present circumstances. The corporation is in sore want of money. It has been brought to our notice that the corporation is heavily indebted and under these circumstances, if this dangerous latitude of raising the property tax to any extent is to be given to members of the corporation, is it likely that they would use the power discreetly, considerately and in the interests of the rate-payers of the town? There is always a temptation to raise it especially when the law allows it; and when they cannot keep up normal standards of expenditure, there is always a temptation to fall back upon this source of revenue which has been described by the Honourable Member in charge as the backbone of municipal finance. Your Excellency, members of the municipal corporation should be placed beyond all temptation. It is already a heavy burden on the rate-payers of the town."

"In the interests of the rate-payers I protest very strongly against any unlimited power being given to the corporation. Turning to the policy laid down by the Government of India and within the limits laid down by the law, local bodies including city municipalities should have the power to levy taxation and they are strongly in favour of limits to be laid down by the statute. I do not see any reason whatever why that policy should be deviated from in this case."

12TH FEBRUARY 1919.]

(Mr. Siva Rao ; Mr. M. Ramachandra Rao ;
Mr. Richmond.)

There is also one other consideration, the risky investment and the tendency that the townspeople have been already showing, to part with their house property. I do not want to repeat what has been said, but it is highly desirable to impose a maximum limit. Otherwise, it will be giving a dangerous power to the commissioner. It will be a dangerous latitude. It is an opportunity given to them to poison themselves and to kill themselves."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"My Lord, I have only to make a few observations with reference to what has been said by the Hon'ble Mr. Rajagopala Achariyar. I believe if he is consistent he should have insisted that there should be no maximum for other taxes also. Honourable Members will see that of the taxes mentioned, in section 98, in regard to the taxation on the companies, Schedule IV mentions the maximum limit up to which the assessment is permissible. Honourable Members will see at page 76, Schedule IV, where it is said that the company shall be assessed on the following scale :—More than 20 lakhs, Rs. 1,000; more than 10 lakhs, but less than 20 lakhs, Rs. 500, and so on. There is a sliding scale. Then this is also laid down in section 110 that the maximum limits are fixed under Schedule IV. Then again in regard to profession tax, the limits within which it is open to the commissioner or the corporation to levy the tax on professions have also been fixed and the maximum has been fixed at Rs. 500 and there is a sliding scale up to Rs. 30. I ask the Honourable Member as to why it has been considered necessary to limit the powers of the corporation in regard to the taxation of companies and in regard to the taxation on professions. Why was this that this superfluous liberty has not been thought of in regard to those sources of taxation which are incorporated in the Act? Then again, in the case of taxes on carriages and animals, tax on motor-cars, the maximum has been fixed. I ask why was this limit fixed on the powers of the commissioner. Therefore it seems to me that this idea that the corporation should have the utmost liberty and that only in the case of house-tax and not in the case of a tax on professions, not in the case of a tax on companies, not with regard to taxes on animals, shows that the Honourable Member does not seem to be consistent in his advocacy of conferring this liberty on the Madras Corporation. If he wishes to be logical, it is perfectly open to him to suggest that in the case of the three taxes also, namely, tax on companies, tax on professions and tax on vehicles, it might be left to the corporation to fix it on any scale they like. Therefore, My Lord, the logical application of this principle has not been carried out with reference to the other taxes and it is a perfectly legitimate complaint that in the case of house property any increase which the corporation may aim at should be found from owners of houses. I am convinced that the result will be that whenever the corporation goes to the Government with a request for a Government grant, it is open to the Government to say 'you have not put up your tax to the limit which we consider reasonable and therefore we shall not pay you the grants you ask for.' It has happened several times. I do not say in the case of the Madras Corporation but in the case of mufassal municipalities."

"I shall also like to point out that there is on the agenda, a proposal of the Hon'ble Sir Francis Spring who wishes to limit the liberty of the corporation to tax the Port Trust. I should very much like to know what the attitude of the Hon'ble Mr. Rajagopala Achariyar will be and whether he will be a party to curtail the liberty which he wishes to confer on the corporation with reference to the Port Trust. I shall hear his argument at the proper time and I shall not be justified in asking for the Honourable Member's attitude just now. My Lord, the Hon'ble Doctor Nayar has already pointed to the report of the Decentralization Commission and I may perhaps also refer to the two subsequent resolutions of the Government of India on local self-government, one in 1915 and one in 1918, which seem to suggest that in the interests of the persons who invest money in municipal debentures, it may be necessary to provide for outside sanction in the case of house-tax. I would not weary the Council by referring at length to the observations made in this resolution, but they are substantially in agreement with what has been stated by the Hon'ble Doctor Nayar in the Reform Report. Therefore, My Lord it seems to me that this idea of having no limit is one which seems to be inconsistent as evidenced by other taxation proposals in the Act itself. I think there is considerable force in the observations of the Hon'ble Mr. Ranga Achariyar that some limit should be placed."

The Hon'ble Mr. T. RICHMOND :—"Your Excellency, I feel strongly that the amendment is a sound one. I am afraid that the Honourable Member in charge of the Bill is unduly sanguine regarding the future personnel of the corporation. He has enfranchised every tax-payer and every tax-payer is eligible to be a councillor. Theoretically he may expect an ideal council, but from a practical point of view, I am afraid, in the present conditions of Madras, his expectations are doomed to disappointment. I am afraid the move is a retrograde one. I do not know if the Honourable Member in charge of the Bill has gone through contested elections in Madras. If he has gone through any he would know the difficulties and trouble the candidates have even with constituencies containing a few hundred members. But when you are asked to deal with thousands as the future councillors of the corporation are invited to do, I fear many of the members who are now on the corporation and men like them are not likely to come forward as candidates. Either the enfranchisement will be a dead letter or you will have in the corporation some men of the class of tavern-keepers, or grocers with no stake in the city and with very little or no interest in immovable or house property. What

(Mr. Richmond; Mr. Chidambaranatha Mudaliyar; Mr. Rajagopala Achariyar; Mr. Ranga Achariyar; Mr. Molony.) [12TH FEBRUARY 1919.]

these men may do with these large powers in their hands it is difficult to foresee. It is possible that the extension of the franchise may only be a paper one, but if it is really going to take any effect, you will probably find an entirely different class of persons coming into the corporation. So I would ask my Honourable friend to pause, and ask him to consider whether the words 'not yet' which he has so often used do not apply in the particular instance. By giving the highest extension of the franchise which he could possibly give in the case of both voters and candidates, and by giving the corporation at the same time the unrestricted power of taxation, I think, the Honourable Member in charge of the Bill is going at a breakneck speed in the matter of municipal reforms and I do not know where we will be landing ourselves. It is a sound provision that there should be some maximum laid down in the matter of house property taxation. I support the amendment moved."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"May I inquire if there is any precedent for such unlimited power in any Municipal Act in India or in any civilized country? May I ask the Honourable Member in charge to tell me that?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"No maximum in Europe."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Your Excellency, I can mention a few facts to enlighten the Council as to what people we are dealing with, in whose interests we are proposing this. There are 49,911 houses in the city, of which 14,422 are under Rs. 5 assessment, 13,799 under Rs. 15 assessment and 9,796 under Rs. 30 assessment, so that we have the bulk of the houses all under Rs. 30 except about 11,000. The houses of the annual value of Rs. 30 and upwards are only 11,895. All the rest are poor houses. You must remember that nearly 40,000 houses are under Rs. 30 assessment. In dealing with this point, we have to pay income-tax on house property. That is now one anna in the rupee, 6½ per cent. Some will have to pay 2 annas and what with the super-tax, not only this 2½ per cent of municipal rate we have to pay income-tax on house property and that also should be taken into account. I ask, is there any source of income which can be reasonably taxed to the extent of 20 per cent with all these extra burdens on it? To go beyond 20 per cent will be absolutely impossible to bear. If you add the income-tax and various other burdens, which will be thrown upon the owner, you will find it will come to 30 per cent and I do think that it is very hard indeed if you leave such unlimited and high powers in the hands of the corporation. I should have reduced it to 15 per cent, but I thought that there was no chance of anybody accepting it at present and therefore for the present I am content to have it as 20 per cent. I hope a day will come when we will have other sources. I had hoped till day before yesterday that there would be other sources of taxation. Those hopes were dashed to the ground; absolutely no hope at all of finding any other source of local revenue is given, but on the other hand, what has been happening? When the Bill was introduced in 1916, Government came forward with certain additional proposals with a terminal-tax, with a surcharge on income-tax and all that is dropped and in 1918 when they introduced the Bill, they took away timber and firewood. Now the Select Committee restored timber and firewood. Government propose to take away firewood so that our existing resources are taken away and no new resources are given and then this wonderful corporation is tied hand and foot in the case of the profession tax, in the case of the company tax, in every other tax, but it is given full liberty for house-tax. I think it is a merciless campaign against house property in this town. Under these circumstances, I enter my most emphatic protest. May I appeal to Your Excellency to give liberty to the officials to vote according to their conscience at least as regards this clause?"

The Hon'ble Mr. J. C. MOLONY:—"I should like to state a few facts to dispel any fears which the Council may feel at the picture which the Hon'ble Mr. Ranga Achariyar has drawn for Honourable Members. He has given a lurid picture of the progress of this tax but I should like to state what has been done. I think all Honourable Members who know the corporation would agree that in the first place the increase in the old house property tax was the result of a revision made by Mr. Raghavayya when he was the Revenue Officer. I think most people will agree that before that revision taxation of large buildings was altogether inadequate, and that Mr. Raghavayya fixed what was no more than a fair taxation. Now the increase of which the Hon'ble Mr. Ranga Achariyar complains so much merely represents Mr. Raghavayya's valuation. Mr. Ranga Achariyar imagines that the valuation is purely hypothetical but it is not so. It is based on the actual rent derived. The assessment is by the Revenue Officer and every tax-payer has a right of appeal and many do appeal and appeals are heard by a board which consists of the president and two of the elected commissioners. I may say that as a matter of fact, as a matter of office practice, I have never taken part in any decision, but the decision has been left to the elected representatives of the people. About 99 per cent of the appeals are unsuccessful because obviously the appeals are against what is obviously correct. There is another detail in the picture of the Hon'ble Mr. Ranga Achariyar which I want to wipe out and that is the picture of the commissioner dragging the helpless corporation into extravagance. Surely we are all agreed that the commissioner is a servant of the corporation. He can only expend money sanctioned in the budget. He is given liberty to spend it but he cannot levy taxation of his own accord or enter into any projects

12TH FEBRUARY 1919.]

(Mr. Molony; Mr. Ranga Achariyar; Sir Gordon Fraser; Mr. Narasimha Ayyar; the President; Mr. Rajagopala Achariyar.)

or expenditure of his own accord and come to the corporation and say 'find me funds'; funds must be provided first. Then a great deal has been said arising from the expression that property tax is the backbone of taxation in Madras. What is the good of contesting an obvious fact? It is. What is the harm in saying that? It is said that Government will come and force the corporation to run up the property tax to an impossible maximum. They will say 'we will not give you a grant unless you have this taxation raised.' I have been for some time in the corporation and occasionally it has been my painful duty to disagree with the Government, but I think 4½ years is sufficient to convince me that Government collectively are a rational body. Why should they behave in this extraordinary fashion? As to the fact that townspeople are parting with property and that the value of property is going down, that is ridiculous. If he will come round and see the records of my office, he will see it is climbing up at an appalling rate. Nobody is frightened by this increase in taxation."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"They hoped to get it remedied to-day."

The Hon'ble Mr. J. C. MOLONY:—"They must have been very confident. The Hon'ble Mr. Richmond seems to think that the corporation will embark recklessly on expenditure. Expenditure on what? Expenditure is for the benefit of the rate-payers. If the rate-payers do not want anything let them not send representatives who want to spend. It is taking the money from the people and giving it back to them in the way of improvements. The last objection is why property tax is unlimited while every other tax is limited. I do not know the official explanation for this, but it struck me, and it is obvious from the figures given yesterday, that the property tax is paid by the majority. The majority being the electors, the majority can protect themselves but the minority require protection against the majority."

The Hon'ble Sir GORDON FRASER:—"Your Excellency, I should be glad to know whether at this stage I am in order if I move an amendment that '25' be substituted for '20' per cent. I cannot help thinking that 20 per cent is too low if a maximum is fixed. Twenty-five per cent is a fair safeguard for the interests of property owners who in future with the business men of the corporation will have things all their own way. Twenty-five per cent is a more reasonable figure than 20 per cent."

The Hon'ble Mr. E. F. Barber seconded the motion.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"It re-opens a very wide question."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Will I be in order if I move that the profession tax be fixed at 25 per cent of the income?"

His Excellency the PRESIDENT:—"That does not arise. The position of the Government has been stated. I am anxious to give effect to the wishes of the Council so far as I can. There are two questions before this Council; first of all, whether a limit shall be fixed and secondly, what that limit should be. The Hon'ble Sir Gordon Fraser has expressed his view that he does not agree with that limit. It will be convenient for the Council to consider it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"If I may say one word, at present they are paying 18½ per cent and the limit of 20 really means stoppage of all development. You take it with that percentage and there the whole matter ends. I cannot accept that. As a matter of fact, the debate went more upon the general ground whether there should be any limit or not and I feel bound to point out to the Council that the Hon'ble Mr. Ranga Achariyar not only wanted a limit but wanted to stand practically where we are. How far will 1½ per cent take you? It would really give you no increase of revenue. Apart from the main question, as to whether there should be a limit or not, there is a great deal to be said both ways, but as my Hon'ble Friend Mr. Richmond said, my estimate of what the corporation would be was possibly ideal and optimistic. Theoretically, I quite see I may be wrong, but I am equally certain that if the Council is now going to put it at 20 per cent it will be necessary to bring in an amending Bill. I want you as practical men to consider whether in proposing a maximum, we should not put it at a fairly high figure. I do not want to force my ideas upon anybody; when so many people intimately connected with the corporation, who know Madras very much better than I, all tell me that it is very unwise to have no limit and not to leave it there; I am prepared to defer to that. I do not want to force my wishes but I am bound to point out that if you accept 20 per cent you really make no provision for any development of any kind. You have largely to increase all other sources of revenue. I would appeal to the Council to take a more reasonable view of the thing and if the Council want a limit, to put it at some rate which will make it reasonably workable. What is the object of saying 20 per cent? I do not want to intervene at this stage. I am sorry I intervened at all."

His Excellency the PRESIDENT:—"I would not rule out the amendment of the Hon'ble Sir Gordon Fraser. Let me see what happens to this amendment."

The amendment No. 58 was put and lost.

(The President; Sir Gordon Fraser;
Mr. Rajagopala Achariyar; Mr. Ranga Achariyar.)

[12TH FEBRUARY 1919.]

The Hon'ble Rao Bahadur T. Ranga Achariyar demanded a poll which was taken with the following result:—

For	Against
The Hon'ble Mr. M. Ramachandra Rao.	The Hon'ble Sir Alexander Cardew.
" Mr. P. Siva Rao.	" Mr. L. Davidson.
" Mr. K. Rama Ayyangar.	" Mr. C. G. Todhunter.
" Dr. T. M. Nayar.	" Mr. A. Y. G. Campbell.
" Mr. T. Ranga Achariyar.	" Mr. K. Ramachandra Rao.
" Mr. P. Venkatarati Raju.	" Mr. M. Young.
" the Rev. Pittendrih.	" Mr. L. E. Buckley.
" Mr. T. Richmond.	" Mr. N. E. Marjoribanks.
" Mr. K. Suryanarayanamurti Na-	" Khan Bahadur Aziz-ud-din.
yudu.	" Mr. V. K. Ramanuja Achariyar.
" the Raja of Pittapur.	" Sir Fairless Barber.
" Mr. A. Subbarayalu Reddiyar.	" Sir Francis Spring.
" Yaqub Hasan Sahib Bahadur.	" Sir Gordon Fraser.
" Mr. K. Chidambaranatha Mada-	" Mr. Littlehales.
liyar.	" Mr. J. C. Molony.
" Mr. A. Suryanarayana Rao.	" Mr. W. Hutton.
" Mr. A. S. Krishna Rao.	" Mr. W. J. J. Howley.
" Mr. B. V. Narasimha Ayyar.	" Diwan Bahadur P. Rajagopala
" Mr. J. H. Thonger.	Achariayar.
" the Rt. Rev. Aelen.	" the Advocate-General.
	" Mr. H. G. Stokes.

His Excellency the PRESIDENT:—"The amendment is rejected, 20 voting against and 18 for it. I do not know if the Hon'ble Sir Gordon Fraser wishes to move his amendment."

The Hon'ble Sir GORDON FRASER:—"I wish to move the amendment 'Provided that the consolidated rate shall not exceed 25 per cent of the annual value'."

The Hon'ble Mr. K. Chidambaranatha Mudaliyar seconded the amendment.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, let me at once say that so far as I could see this amendment is very much more in what I would call the region of practical politics than the one proposed by the Hon'ble Mr. Ranga Achariyar. I have no doubt that some, at least of those who voted against his amendment felt that if you tie the hands of the corporation by fixing it at 20 per cent it will seriously prejudice the work of the corporation. All the general objections that I have raised to 20 per cent should apply to 25 per cent also. I do not want to say that I have changed my mind about it, but I would leave it to the Council to decide as they think best. Whatever may be the rate, the idea underlying the limit seems to me theoretically unsound. I therefore feel bound to mention that for consideration; but so far as I am concerned, I am entirely in the hands of the Council. If they prefer to have a limit and provide 25 per cent to meet all practical needs, I shall raise no objection."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"May I take a formal objection to this amendment. This was originally proposed in the original Bill of 1916 and it was sent up to the corporation and the corporation rejected it. And then it came forward in this Bill without any limit. The question before the Council was whether you should put that limit or not and they have decided that question. I submit there has been no notice of this amendment of the Hon'ble Sir Gordon Fraser and it is not an amendment which arises out of my amendment. If it was, he should have moved it before vote was taken on my amendment. I submit therefore this amendment is out of order. He should have given notice of his amendment."

His Excellency the PRESIDENT:—"Strictly speaking, notice would have been preferable, but as we have just been considering the limit of 20 per cent, the only difference between the Honourable gentleman's amendment and the amendment of the Hon'ble Sir Gordon Fraser is a question of figures. I hardly think it would be right to deprive the Council of the opportunity of considering it. I do not rule it out of order."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I object to this amendment. In fact, as the Honourable Member in charge of the Bill stated already and the Hon'ble Mr. Molony as president of the corporation, also told us, it is driving the corporation to-morrow to raise it to 25 per cent. That is what will happen, whereas now, if liberty is given to the corporation, they will resist any attempt to raise the tax. They can go up to Government and say: 'you have deprived us of all sources of revenue, you want us to put on our house-tax,' and they may say 'we will not do it'. Their hands will be strengthened in making the appeal to the Government of India about which the Hon'ble Sir Gordon Fraser was so anxious in connexion with the licence duty. We will be depriving that by the Hon'ble Sir Gordon Fraser's amendment. Government's hands will not be strengthened about the licence duty, if you put it on the statute book that you can raise it to 25 per cent. With what face can the local Government go to the Government of India and ask them for a portion of the excise revenue? When we hope to get the terminal tax and that promise was elicited by the Hon'ble Sir Gordon Fraser,

12TH FEBRUARY 1919.]

(Mr. Ranga Achariyar; Mr. Venkatapati Raju;
the President.)

if you go and put on this additional burden, the Government of India will say 'let them exhaust their resources which the law has given them and then we shall consider whether the amendment is necessary.' I am afraid the Hon'ble Sir Gordon Fraser has not given that thought to this very important question which it deserves. He must remember that the matter was fully discussed on two or three occasions by the corporation and the corporation felt that it would be an unjust burden thrown upon the house owners to make it go up to 25. You will find it impossible to get the corporation to consent to raise it to 25 per cent. They consented to go up to 20 per cent simply because the present financial resources are not sufficient. By accepting the amendment, you will be placing the corporation in a most awkward situation. You will simply ask the corporation to put it at 25 per cent. I dread it; in the name of the corporation I appeal to you not to consent to this amendment."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, I oppose the amendment of the Hon'ble Sir Gordon Fraser. It is a surprise that the Government could accept such a proposal, because we consider that the taxation of 25 per cent is preposterous in any event. When we refer to the other schedules, a person drawing in Madras Rs. 5,000 per mensem or Rs. 6,000 has to pay only Rs. 1,000. That is one-sixtieth whereas you want the landholder to pay one-fourth of his income. Is it a fair share? When you go to the other schedules you can easily see why the Hon'ble Sir Gordon Fraser is interested in the suggestion. He wants ample income, so that other persons may not be taxed. Persons who own houses are different from those who carry on other professions and therefore perhaps it is easy for others to suggest 'do not impose a tax upon those who get monthly salary or upon companies who make lakhs and lakhs, but do what you can with the house property and impose this high limit.' Government have once rejected the amendment and let us leave it to the good sense of the corporation. 'Once we impose a limit, they will be driven to raise the taxation. Our complaint is, the profession tax is very low. It is not even half a per cent whereas in the mufassal property tax is 16½ per cent. We should raise it to 25 per cent. We are paying a land tax of 40 or 50 per cent. I earnestly appeal to the Government to leave the matter as it is without helping one party or the other."

His Excellency the PRESIDENT:—"If I may say one word, there is no reason why we should not give a friendly decision in regard to it. The Council has rejected the former amendment for the good reason that it rejected the former limit. The question is whether the Council wishes that the Government should depart from their attitude of not fixing a limit and adopt the limit of 25 per cent proposed by the Hon'ble Sir Gordon Fraser. I can understand, while there is a desire to impose some limit, I can understand perfectly well the attitude of property owners. There seems to be an apprehension on the part of those who have spoken for property owners in Madras that unreasonable and unfair prejudicial taxation might be imposed upon property under this clause of the Bill. Now what the last speaker said is very true. There are general objections which guided the Government in coming to that attitude, there are general objections against fixing a maximum. It is not the case that in all cases of local taxation, a maximum is fixed. Reasons are these: in the first place, if there is a maximum of 25 per cent, that is to say for this Council to fix a maximum of 25 per cent whatever the Council may say, would be taken as an indication that in the view of the Council and in the view of the Government, 25 per cent is not an unreasonable maximum, and that it is a just maximum to be fixed for the present. That is the implication of our fixing the maximum, whatever we may say to the contrary. The fact that the Council has passed this Bill with a maximum limit of 25 per cent would be taken as an indication to the public outside and to any party outside or inside the corporation as meaning that 25 per cent is in their view a reasonable limit at the present time. That is the one strong objection to fixing a limit and it has prevailed in arguing this question in other places that it is undesirable without full knowledge of the circumstances and without having examined the circumstances and knowing the elements of doubt and uncertainty that may affect the question, that is the decision in other places as well as here, there has been a hesitation to fix the maximum. The second objection to fixing the maximum, the Honourable gentleman has already suggested, the Hon'ble Mr. Venkatapati Raju has suggested that there is a tendency to follow up the implication. We have mentioned the limit and the tendency is to work up to the maximum, so that it is really a question whether or not we would be wise in fixing a maximum. My Honourable friend has indicated that we merely want to do the wisest thing under the circumstances and I suggest that in arriving at a decision, let us remember that on the whole, people will act reasonably. Government, whoever are in the Government, will take a reasonable view of the situation. Suppose there is no limit of taxation, if they see that the corporation is acting unwisely in taking some steps, it is open to the Government to check the development of such unreasonable action. If, on the other hand, the corporation themselves find that the house property is going down, that their own assessments which they levy, are being affected by the weight of the taxation, that itself will be a self-acting check upon any such tendency, as feared by the Hon'ble Mr. Ranga Achariyar. I quite allow that his fears are reasonable. It is proper that they should be given expression to here and it is quite proper that the Council should give due weight. What we should try to do is to arrive on a balance of opinions and judgments at the right decision. I must say that we may expect public authorities to act reasonably in the future as they have done in the past. I am strongly in favour of the Government adhering to the present position and not imposing any limit in the Bill. I think on the whole, it would be the safest and the wisest course. There is a great deal to be said for the other position."

(Mr. Ranga Achariyar; Sir Gordon Fraser;
Mr. Rama Ayyangar; the Advocate-General;
Rev. Pittendrigh.)

[12TH FEBRUARY 1919.]

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"At page 121 of the Council rules, it is said that where the local Government have to accept a change of principle, they will have to obtain the sanction of the Governor-General. The principle accepted by the local Government is not to put any limit. The change of principle will have to be submitted to the Governor-General."

The Hon'ble Sir GORDON FRASER:—"Under the conditions I withdraw my amendment."

With the permission of His Excellency the President the amendment was withdrawn.

The following amendment standing in the name of the Hon'ble Mr. A. S. Krishna Rao was not moved:—

59. At the end of clause 99 (2) add the following proviso—

'Provided that the consolidated rate shall not exceed 20 per centum of the said annual value and shall not be less than 10 per centum of such value, except in virtue of local exemptions granted under proviso (a) to section 102.'

The Hon'ble Mr. K. RAMA AYYANGAR:—"I do not propose to move amendment No. 60."

With the permission of His Excellency the President, the following amendment was withdrawn:—

60. In clause 99 (3) add at the end 'subject to an appeal to the Standing Committee whose decision shall be final.'

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I would not press amendment No. 61."

With the permission of His Excellency the President, the following amendment was withdrawn:—

61. To clause 99 (3) add as proviso—

'Provided that in cases where the property is wholly occupied by the owner the valuation so determined shall not be subject to revision within seven years of such determination.'

Clause 99 was allowed to stand part of the Bill.

Clause 100.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I have an amendment No. 62, but I propose to adopt the Hon'ble the Advocate-General's amendment No. 62 A."

The Hon'ble the ADVOCATE-GENERAL:—"If the Hon'ble Mr. Ranga Achariyar will move that amendment of which I gave notice, I will accept it."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Instead of my amendment, I move the Hon'ble the Advocate-General's amendment No. 62 A:—

62A. After the words 'from year to year' add the following:—

'less a deduction of 10 per cent of such annual rent and the said deduction shall be in lieu of all allowance for repairs or on any other account whatever.'

The Hon'ble the Advocate-General accepted the amendment.

The amendment was put and agreed to.

Clause 100 was allowed to stand part of the Bill.

Clause 101.

The Hon'ble the Rev. G. PITTEDRIGH:—"Your Excellency, I propose amendment No. 63:—

'3. In sub-clause (b), after the word 'hospitals' add the words 'dispensaries and buildings used for educational purposes.'

"Clause 101 gives certain exemptions from the property tax. I propose to add to them 'dispensaries and buildings used for educational purposes.' With regard to dispensaries, a few years ago, it seems to me, that under the old Act, the Act at present in operation, dispensaries were not taxed, but some time ago a Revenue Officer seems to have discovered that they were not included under the word 'hospitals' and I am aware of a certain dispensary that has paid the tax recently. It appears to me that dispensaries are exactly in the same position as hospitals. If hospitals are charitable institutions, so are dispensaries. I therefore move that the exemption be granted to dispensaries.

"The second part of my amendment is: 'buildings used for educational purposes.'

"You will remember, those of you who took any notice of the draft Bill, that in the draft Bill educational buildings were exempted and then after consideration by Government, the exemption was withdrawn. Here again it seems to me that we are in exactly the same position as hospitals. The vast majority of educational buildings are, viewed in one sense, charitable institutions. That is to say, the management has put in a very large amount of money in order to run this for the benefit of the city and the presidency as well. I have heard no real objection put forward to the exemption. They are exempt in the district municipalities. They are exempted in Bombay and I see no reason why they should not be exempted in Madras. The only reason that has been urged is that the city must have money; I grant that. But it must get money in a legitimate way. I do not think that this particular method of getting money from a charitable institution is a legitimate way. I also have heard it said that there would be difficulty in ascertaining exactly what buildings are used for educational purposes particularly in the case of elementary schools. I do not think that the Revenue Officer will have any

12TH FEBRUARY 1919.]

(Rev. Pittendrigh; Most Rev. Aelen;
Mr. Ranga Achariyar; Mr. Venkatapati Raju;
the President; Mr. Molony.)

difficulty in fixing what portion of a building is used for an elementary school. I know in one place a hall is used for religious purposes and that is exempt, but the dispensary which is another part of the building has to pay a tax. I do not think that the Revenue Officer will find any difficulty in ascertaining which portion of the building should be exempt from taxation. The question is so familiar to us all that I do not think it is necessary for me to speak at length on the subject. I beg to move the insertion of these words."

The Hon'ble the Most Rev. AELEN:—"With Your Excellency's permission, I should like to move an amendment. We might say 'dispensaries and buildings solely used for the purposes of primary education'."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I second the Hon'ble the Archbishop's amendment."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I second the amendment of the Hon'ble Mr. Pittendrigh. So far as the first portion is concerned, I do not think there would be any difficulty because by a mistake the word 'hospitals' has been copied from the old Act. Under the District Municipalities Act, both hospitals and dispensaries are exempted. Section 63 of the District Municipalities Act uses the words 'hospitals and dispensaries.' Therefore, when exemption is made for hospitals where in-patients are treated, there is no reason why exemption should not be made with reference to dispensaries where out-patients are treated. The other question is how far educational institutions have to be exempted. As a matter of fact, all educational institutions are exempted in the districts even where a portion is used for residential purposes. I do not know under what particular section they are exempted. What is stated in section 63 of the District Municipalities Act is: 'and other buildings or lands to the extent to which they are used for public, charitable or religious, but not residential purposes.' That is the reason why they are exempted. Somehow or other I do not know whether these words convey that meaning, but Government have issued a Government order to the effect that all educational buildings should be exempted. It may be said without fear of contradiction that whether primary or secondary or, much more, collegiate education, they are being run at some expense. No body is making any profit, whether it is the Pachaiyappa's College or the Christian College, apart from any Government college on which the general tax-payers' money is spent. Therefore, it is purely a charitable or a public purpose in that sense. When we are exempting it throughout the Presidency I do not see why we should include it in the metropolis. The Hon'ble Mr. Ranga Achariyar is anxious for money, but at the same time we have to provide proper means of securing it and not by taxing educational institutions which are providing education for our children which is so very necessary for our progress."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"In seconding the Hon'ble the Archbishop's amendment, I wish to say a few words."

His Excellency the PRESIDENT:—"The Hon'ble Mr. Molony wishes to say a few words on the amendment."

The Hon'ble Mr. J. C. MOLONY:—"As regards the Hon'ble Mr. Pittendrigh's amendment I would oppose the amendment as regards dispensaries. Dispensary in Madras does not bear the interpretation that it does bear elsewhere, a small out-hospital maintained for gratuitous relief, but a great many buildings are returned as dispensaries which are run for private profit. As regards buildings used for educational purposes, the strong argument against that is that the municipality cannot afford to exempt them. It means a loss of over Rs. 1,13,000 to the municipality and the municipality cannot afford it. I would also point out that it is not proposed to tax these buildings for the first time. They have been taxed under the existing Act. I have not noticed any great complaint that education suffered thereby. These are succinctly my arguments against the amendment of the Hon'ble Mr. Pittendrigh."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I quite appreciate the difficulty about the word 'dispensaries.' I think if this amendment is carried, we will have to define what a dispensary is so as to include things which are in the nature of hospitals. As regards institutions for primary education, they stand on a different footing. In fact, it has been an accepted principle. But so far as local rates are concerned, the Sunday schools and the voluntary schools should be exempted. It is also recommended by the Royal Commission on local taxation that they should be exempted. They say that while they are generally against any exemption of particular institutions, they allow the exemption in the case of Sunday schools and other voluntary schools; because primary education is one of the primary duties thrown upon the corporation. So, when other bodies are carrying on that duty, they should be exempted from taxation. As regards other educational buildings, I quite agree that they should not be exempted. In fact, the Royal Commission said: 'As a general principle, we are of opinion that absolute exemption of particular properties from liability to rates is inadvisable.'

We think that no further extension of the principle of exemption should be permitted. Sir N. B. Poland also said: 'I am against all exemptions, etc.' That is what they said. The whole thing as regards the general proposition of the Hon'ble Mr. Pittendrigh is this:—The difficulty will be that we are supplying water which is used by these educational institutions, we are raising a tax for water, for drainage, for lighting, and all these are payments in exchange for commodities supplied. How can you claim exemption? There is no reason for exemption. I cannot see on what principle you can exempt educational institutions. There

(Mr. Ranga Achariyar ; the President ; Mr. Molony ; [12TH FEBRUARY 1919.
Mr. Narasimha Ayyar ; the Advocate-General ;
Mr. M. Ramachandra Rao ; Dr. Nayar.)

are institutions which exist for the public good ; for instance, the mills which are encouraging industries. On the same ground, they may have to be exempted because they encourage indigenous industries. While I object very strongly to any exemptions of buildings used for educational purposes, I am in favour of exempting the primary schools. After all, if they are going to be free schools, it would not be right to tax them."

His Excellency the PRESIDENT :—"I will put the Hon'ble the Archbishop's amendment."

The Hon'ble Mr. J. C. MOLONY :—"I should not object to the exemption of primary schools were it not so difficult in many cases to recognize such places as schools. Frequently we try to take over the management of so called elementary schools ; we find them in all sorts of places, in buildings part or parts of which are used as dwelling houses. If this exemption be put on the statute book I foresee endless claims and endless difficulties. A well established primary school managed by Government or by a religious foundation is of course easily recognized ; but such schools are usually in sanitary places where they enjoy municipal amenities. I do not think that they can complain of paying their share of taxation towards such amenities."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"May I have a word of explanation to modify the effect of what the Hon'ble Mr. Molony has said ? He points out that there would be difficulty in working this exemption. I wish to point out that the same difficulty may arise in regard to temples, one part of which may be a temple and the other a living abode. I hope the advantage of having these exemptions will not be overlooked by the Council by reason of this difficulty."

The amendment of the Hon'ble the Archbishop was put and lost.

The amendment of the Hon'ble the Rev. Pittendrih was put and lost.

Clause 101.

The Hon'ble the ADVOCATE-GENERAL :—"I beg to move amendment No. 63A on the supplemental agenda.

63A. Omit 'and' at the end of sub-clause (c) and insert 'and' at the end of sub-clause (d) ; and add a new sub-clause (e) as follows :—

"(e) Any building or land the annual value whereof is less than eighteen rupees and the owner whereof has no other building or land assessed to the property tax."

The Hon'ble Rao Bahadur T. Ranga Achariyar seconded the amendment.

His Excellency the PRESIDENT :—"I understand it is acceptable to the Council."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"I should like to know with reference to this clause why the Island is included in this clause. I merely wish to know the existing state of things why this exemption has been extended to the Island, whether this is the first time that the Island is exempted from taxation or whether it is already exempted."

His Excellency the PRESIDENT :—"We have really passed that stage. My Honourable Friend will be able to explain it."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"Has Your Excellency put the clause ?"

His Excellency the PRESIDENT :—"No."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"This raises a question of principle under the District Municipalities Act."

His Excellency the PRESIDENT :—"Before you rise, we will settle the amendment."

The amendment No. 63A was put and agreed to.

The Hon'ble Dr. T. M. NAYAR :—"Will the Honourable Member kindly explain what clause (d) means ?"

His Excellency the PRESIDENT :—"It is too late."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"I thought that the Hon'ble Mr. Ramachandra Rao was addressing himself on clause (d)."

His Excellency the PRESIDENT :—"Will the Advocate-General be good enough to explain the clause ?"

The Hon'ble the ADVOCATE-GENERAL :—"In England, the property of the Crown is generally exempted. So far as this exemption is concerned, this exempts lands which are really the Government. Lands which do not produce any income are exempted. So far as buildings are concerned, they are not exempted. There was a doubt as to the old law whether the exemption should apply to waste lands in the occupation of Government. In order to settle that doubt, and in order to make it clear, in a large city like Madras, areas like the Island, the bed of the Cooum, the bed of the Buckingham Canal and the bed of the Adyar and sea-shore, all this unproductive property which are really useful to the public and which do not directly produce any revenue to Government should be exempted. So far as further exemptions are concerned, Honourable Members will notice that the exemptions are of other properties of

12TH FEBRUARY 1919.] (The Advocate-General ; Dr. Nayar ; the President ;
Mr. M. Ramachandra Rao ; Mr. Ranga Achariyar.)

Government, 'not being buildings as may, from time to time, be notified by the Governor in Council with the consent of the corporation.' So far as any other property is concerned, Government will not be able to exempt them unless the corporation consents to that. It was considered that in these cases it would be simply fictitious value to the corporation if you say that these are lands in the occupation of Government, are in the rateable occupation of Government and they should be therefore assessed on the principle of a hypothetical tenant. Whatever contribution Government will have to make, they will make on the administrative side. They do not stand on the same footing as buildings or other property used by Government, which are within the beneficial occupation of Government. These are lands which are as much used for the benefit of the public generally and which do not yield any income directly to the Government."

The Hon'ble Dr. T. M. NAYAR :—"My Lord, this is the first time I hear that the Island is a useless waste land. It is a very clever classification to put the Island along with the bed of the Cooum and the river Adyar. If you are following ordinary principles which govern the situation of lands within municipal limits, all lands ought to be taxed. If it is of absolutely no good, permit people to build on it and then it will be of considerable good to the city. Here is the very best land in the whole of the City of Madras and Government prohibit any building on it and at the same time do not pay any tax on the land. It is one of the most unfair arrangements and therefore I beg to move to omit the word 'Island' in clause (d)."

His Excellency the PRESIDENT :—"I cannot accept the motion. I allowed the question to be asked. There is no amendment on paper on the subject and I do not think it will be in order."

The Hon'ble Dr. T. M. NAYAR :—"Then I will have to vote against the whole clause."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"I wish to say a few words."

His Excellency the PRESIDENT :—"You cannot speak."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"I wish to oppose the whole clause."

His Excellency the PRESIDENT :—"The Honourable Gentleman asked for an explanation for sub-clause (e)."

The Hon'ble Dr. T. M. NAYAR :—"I asked for an explanation for sub-clause (d)."

The Hon'ble the ADVOCATE-GENERAL :—"I am sorry I misunderstood it."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"There is not one statement of the Hon'ble the Advocate-General."

His Excellency the PRESIDENT :—"I cannot allow discussion on the statement of the Hon'ble the Advocate-General."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"I wish to oppose the whole clause."

His Excellency the PRESIDENT :—"I have not put the whole clause. I cannot allow discussion on it, because we had no notice of it. I did not know till we passed it what the Hon'ble Dr. Nayar wanted. I now put that clause 101 stand part of the Bill."

The Hon'ble Dr. T. M. NAYAR :—"On that, could we not talk ?"

His Excellency the PRESIDENT :—"Yes. You have already spoken."

The Hon'ble Dr. T. M. NAYAR :—"About the whole clause ? Could not Your Excellency allow us to speak on the whole clause ?"

His Excellency the PRESIDENT :—"Certainly."

The Hon'ble Dr. T. M. NAYAR :—"I object to the whole clause as I have no alternative but to do so. My chief objection to clause (d) is : I think Government are perfectly unfair in getting one of their most valuable lands exempt from taxation. We had a pretty long discussion in the Council both yesterday and to-day all through which Government stood in the way of additional sources of revenue for the corporation and the only one instance in which they had come and acted, so far as the revenues of the corporation are concerned, is in knocking off the duty on firewood. The net result of Government action up to this time has been to deprive the corporation of its duty on firewood and add nothing to the resources ; and here is a case of an attempt to get a most valuable piece of land exempt from taxation. It is an absolutely unfair act. It is almost as unfair as the manner in which licence fees on premises have been taken away from the corporation. I am quite sure that if I do not now raise a protest, the Hon'ble Mr. Rajagopala Achariyar may come forward and say that gentlemen connected with the corporation did not raise a protest against it. I wish to raise my most emphatic protest against this attempt to get the Island free of tax and I am quite sure my other non-official colleagues will join with me."

The Hon'ble the ADVOCATE-GENERAL :—"The buildings on the Island will pay taxes."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"As has been stated by the Hon'ble Dr. Nayar my objection is entirely to clause (d). It raises a very important principle. So far as I know, under the District Municipalities Act, every inch of land within the municipal limits, whether it belongs to the Government or to any railway company or whether it is occupied

(Mr. M. Ramachandra Rao; the President; Mr. Rajagopala [12TH FEBRUARY 1919.
Achariyar; Mr. Ranga Achariyar;
Mr. Chidambaranatha Mudaliyar.]

by the permanent way is liable to local taxation. My Lord, I may say that in the municipality of Rajahmundry, the railway company refused to pay the law tax on the permanent way. I had to fight it out and take it up to the Government of India and ultimately it was decided that every inch of land, to whomsoever it may belong, vacant or occupied by houses, is liable to local taxation unless it is expressly exempted. In that view, we have been taxing Government poramboke lands in municipal limits. We have a big parade ground in Ellore which we are taxing. If this means any deviation from this principle at all, it means that all vacant land belonging to the Government from which they do not derive any immediate profit and which is potentially valuable, would not be subject to local taxation. It is in that way I look at this question and when I saw the Island being exempted from taxation along with the bed of the Buckingham Canal and the Cooum, I was surprised. I did not derive any light from the report of the Select Committee on this matter as I expected I would. As regards the sea-shore, I would like to know whether buildings like the Marine Aquarium should be exempted."

His Excellency the PRESIDENT:—"The clause says, 'not being buildings.'"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I would oppose this, unless we have some clear explanation as to the reasons which induced the Government to place these properties under the exemption clause. It is certainly not fair to local authorities that the Government should take protection from local rates for their own property. That is the point. I therefore strongly object to this clause."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The point brought about by the Hon'ble Mr. Molony was that this whole thing was within the military boundary of Fort St. George, but it is not very clear whether the whole military portion is exempt from taxation."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Not all."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"May I know whether these lands are taxed?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"So, we are exactly where we stand."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"May I know."

His Excellency the PRESIDENT:—"If the Honourable Member will allow my Honourable Friend to make his explanation and if he finds anything inadequate, I am sure my Honourable Friend will be glad to add to it at the end of his observation."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I think it will require full explanation. I think I could give a pretty long explanation of it. The Council may remember that the Bill as it was introduced here and as it went into the Select Committee contained these exemptions in what was then clause 113. That clause stated: 'the following buildings and lands shall be exempt from the property tax:—(a) property vested in the Trustees of the Port of Madras under Madras Act II of 1905; (b) places set apart for public worship and either actually so used or used for no other purpose; (c) hospitals; (d) burial and burning grounds included in the list published by the Commissioner under section 338 (3) of this Act; and (e) public land.' That was in the Bill as it went to the Select Committee. We considered this question at great length and we found that the definition of public land would be unworkable. I shall read the definition of public land. Public land means: 'all such properties as the Government may, from time to time, notify as public land for the purposes of this Act and includes the Island, the People's Park, the bed of the Cooum, the Buckingham Canal, and the sea-shore.' In the Select Committee it was pointed out that in one section to say that public land shall be exempted from all taxation and to define public land to be such land as may be notified by the Governor in Council as public land from time to time would, in effect, give the Government power to exempt themselves from municipal taxation by an executive order. It was to restrict that and to bring the claim of the Government within reasonable limits that this clause was put in. We felt that a general claim of Government to exemption of what was called public land was untenable. We also felt that to define public land accurately and to distinguish things which, as my Honourable Friend has pointed out, are really not remunerative and to exempt them from taxation, would not be possible. We also felt that it would not be fair to the corporation to reserve any power to the Government by an executive order to bring in any land under the term 'public land' and thereby to exempt it. I simply give this to enable the Council to understand how this thing came in. What we were faced with was the fact that we have certain areas which really are giving no revenue of any kind. Should the Government pay any tax upon them? The bed of the Cooum was one of such things. The bed of the Cooum is public land according to the original definition; that is, the property in the bed of the Cooum vests in the Government. The point was whether the corporation could assess the bed of the Cooum, say for land tax; similarly the bed of the Adyar, the bed of the Buckingham Canal and the sea-shore; and along with that we considered that the Island was an area in which though the property may theoretically vest in the Government, it is really open to everybody. It is not exactly an area on which it would be fair to impose any assessment. Having said that, we took great care to add 'such other property not being buildings as may from time to time be notified by the Governor in Council with the consent of the corporation.' That is to say, if anything else is to be exempted, it will not be exempted as in the original

12TH FEBRUARY 1919.] (Mr. Rajagopala Achariyar; Mr. Narasimha Ayyar;
Mr. Chidambaranatha Mudaliyar; the President;
Mr. Ranga Achariyar; Mr. Siva Rao.)

Bill by an executive notification of Government but the exemption will come in only if the corporation agrees to it. So that, this whole clause 101 came into being in that way. The Hon'ble Mr. Nayar and others wanted to know how it came into being. If you want to know the genesis of this clause you will have to see the clause in the previous Bill which went to the Select Committee which was very much wider, and upon this clause as it stands, I take my stand. I have no hesitation in taking my stand. There is no meaning in asking that the Island, the bed of the Cooum, the Adyar and the Buckingham canal shall be taxed. It is true that theoretically the property in these areas vests in the Government, but is it the correct thing to tax them for it? Who gets the beneficial enjoyment of these things? The whole of the sea-shore vests in the Government. Do you want to impose a property tax on the sea-shore? A great deal has been said about the Government escaping taxation. I am pretty certain that, so far as exemptions are concerned, they are very much less in this Bill than what they were in any previous stage. I have given all the explanation that I could in this matter and let me remind the Council that at present, we are dealing with the question whether clause 101 shall or shall not stand part of the Bill. Honourable Members say: 'we feel such an amount of reprobation over this question of the Island that we are prepared to drop the whole clause.' If you do so, buildings used for public worship will be taxed, hospitals and burial-grounds shall be taxed. It is a matter for consideration whether assuming that there is a certain amount of divergence of opinion in regard to the Island, whether the divergence is so great and your feeling against giving exemption to the Island is so strong, that you are prepared to throw out the whole clause and omit the exemption of other things also. That is a matter for consideration by the Council."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, I wish to oppose this being passed into law. In the first place, referring to the principle of the matter, I really think that the matter of principle is of sufficiently great importance to throw this section overboard to-day. When the third reading comes up another section might be put in and no irreparable injury will be done. I do not want to take up the time of the Council by going into the reasons, but I shall proceed to point out a matter of law. I think the Hon'ble the Advocate-General correctly interprets the intention of the Government that they do not want the buildings on the Island to escape taxation. If that is the intention of the Government what we have enacted is just the reverse of it. If we go to a Court of Law, they would not take the Hon'ble the Advocate-General's opinion but they would only look at the clause as it is. The clause states 'the Island, the bed of the Cooum, the river Adyar, the Buckingham canal, etc.'—all these are specific things. All these are exempt and then it is said 'such other property of Government not being buildings, as may from time to time be notified by the Governor in Council with the consent of the corporation.' Now the phrase 'not being buildings' comes in to modify the phrase, 'such other property' and it does not qualify the previous five items of property pointed out. You cannot say 'the Island not being buildings, the bed of the Cooum not being buildings, etc.' In the case of the bed of the Cooum and the river Adyar and the Buckingham canal, they are not buildings. But with regard to the term 'Island' we shall have to take the dictionary meaning of the term and 'Island' will include ordinarily whatever buildings there are on the Island. If this goes before a Court of Law, a Court of Law would exempt all the buildings on the Island. The Hon'ble the Advocate-General said that this was not what was contemplated. On that principle, we have to vote against it, because the wording of it runs against our intentions. I therefore vote against it."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"In spite of the lengthy speech of the Honourable the Member in charge in regard to this section, it has not been made clear why any land which is being taxed at present is being exempted from taxation under this new clause."

His Excellency the PRESIDENT:—"I can answer that question. No land is exempted, none whatever; I can give the assurance on behalf of Government. There need not be any violent antagonism on this matter, because really we are all agreed in the principle of the Bill. The Hon'ble the Advocate-General will surely take note of the criticism as to the phraseology and will not be slow in making any correction necessary."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I shall have the question of exemption in mind."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"It will be necessary to define the term 'Island'."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I shall have the question of exemption in mind."

His Excellency the PRESIDENT:—"These points will be considered in the light of the remarks offered by the Honourable Gentlemen."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I have one doubt in the matter. Clause (e) of the draft Bill as was pointed out, included public land. I do not think that public land means Government land, but here I see 'all such other property of Government not being buildings, as may from time to time be notified by the Governor in Council with the consent of the corporation.' Power is reserved to the Government to notify hereafter that certain lands

(Mr. Siva Rao ; the President ; Sir Francis Spring.) [12TH FEBRUARY 1919.]

situated within the limits of the corporation shall be exempted and there is a safeguard ; I do not see any necessity for a provision like this, because under the scheme of this Bill, the municipal corporation has the power to tax all buildings and lands. There is no exemption either in the District Municipalities Act, or in the City Municipal Act as it now stands which makes any exemption in favour of lands owned by Government ; for instance in the mufassal we have been taxing dharkast lands of the Government, waste lands within municipal limits I do not think ; there should be no doubt about it. I have no personal experience and I do not know if the Island is productive, apart from buildings thereon. If they are of productive value, they should be taxed, but even the waste lands should be taxed because though they may not fetch anything now, they may have a saleable value and they may fetch a high price. There is no reason why Government lands, lands at the disposal of the Government situated within the municipal limits should be exempted."

Clause 101 was allowed to stand part of the Bill.

Clause 102.

His Excellency the PRESIDENT :—" Will the Hon'ble Sir Francis Spring move amendment No. 56. I believe an agreement has been come to."

The Hon'ble Sir FRANCIS SPRING :—" Your Excellency, I wish to move the following amendment :—

56. To the proviso to clause 102 add the following :—

(d) In the case of lands and buildings vested in the Trustees of the Port of Madras the property tax leviable in any year shall not exceed four per centum of the gross earnings made by the Port Trust in that year."

" In rising to propose the amendment that stands in my name I would like to make it clear that the Port Trust does not take up the position of objecting to any taxation which may be imposed on it. For in bringing the Trust nominally under taxation the legislature is in reality taxing not the Trust but, ultimately, the public goods which pass through its hands. For the Port Trust has no income except what it derives from the said goods and, under the Act to which it owes its existence, it is bound to levy such dues on the goods which it handles as will suffice to cover all the expenses incurred in the handling, whether for interest and repayment of debt, or for working expenses, or, as is now proposed, for municipal taxation.

" It is a function rather of the Chambers and Associations representing mercantile interests than for the Port Trust to guard local trade from undue taxation. It became desirable therefore to ascertain whether these public bodies are satisfied that the dues which the Port Trust will be compelled to impose on their merchandise, in consequence of the new municipal taxation of its property, shall not be such as will injure trade or drive it away. Doubtless Sir Gordon Fraser and Mr. Thonger will speak to this point later. I may mention, however, at this stage that I have the assurance not only of my own Board, on which there are members of the Southern India Chamber, but also of the Madras Chamber of Commerce and of the Trades Association that, in principle, the taxing of the Port Trust, and of course, through it, the goods that it handles, is not objected to.

" I accept it whole heartedly that the municipal corporation of a city built on a port has a perfect right to levy such taxation as shall enable it adequately to perform its municipal duties ; and as already explained, it is a matter of little consequence, so far as goods are concerned, whether such taxes are levied directly by the city or indirectly by a property tax on such a body as the Port Trust. But if I am asked to suggest an agency whereby such taxation may be levied most conveniently, most cheaply, and without undue harassment, I cannot conceive a better agency for such levy than the Port Trust. For already we have all the machinery perfected for levying our own dues on the tonnage of goods passing through our hands, and all we have to do in order to recoup ourselves for the taxes which the Corporation has need of and desires to impose on us is slightly to alter our schedule of rates. Thus the additional dues are collected with the very minimum of interference and harassment. In other words the harbour premises form a sort of bottle-neck through which every ton of the goods passes in and out under permit of certain documents, now familiar to all merchants, which ensure the payment of the Trust's own dues, and it will be no trouble at all to the Trust to enhance these last slightly so as to recoup itself for its new municipal taxation. Moreover there will be no additional cost for collection.

" As I have tried to explain, the Port Trust has no logical reason to offer against its acting as collector. But, in the interests of local sea-borne trade in general, it cannot entirely divest itself of concern lest the sum total of its charges for handling the trade of the Port, including the new municipal charges, should reach such a figure as to embarrass that trade unduly. It is not easy to say what proportion of its value would be likely to embarrass the trade unduly. At present it costs a ton of goods about as much to pass through the port as it would cost it to get carried over 60 miles of railway. In view of its good name in all shipping and mercantile centres throughout the world, the Trust does not want this 60-mile figure to become, say, 70 miles or 80. It therefore has been inquiring what proportion, roughly, the municipal taxes, paid by other ports, bear to these ports' total collections, and has ascertained that in Rangoon and Calcutta they come to about 4 per cent and in Bombay and Karachi to a smaller percentage. But if the Legislature does not see fit to impose an upper limit on the taxation of the Madras Port Trust property which has cost over three crores of rupees, the incidence on trade may conceivably become so heavy as to be injurious.

12TH FEBRUARY 1919.]

(Sir Francis Spring ; Sir Gordon Fraser ; Mr. Thonger ; Mr. Rajagopala Achariyar.)

" It therefore has suggested itself that it will not be unfair to the trade of the Port if legislation is made to provide that the property tax, levied by the municipality under clause 102 of its new Act, shall not in any case exceed 4 per cent of the Trust's whole collections. Hence my amendment. Then if the total annual collections are, as just now at the end of the war, 14 lakhs, the property tax payable must not exceed Rs. 56,000 per annum. Later, when 20 lakhs a year are collected by the Trust it will have to pay Rs. 80,000 per annum. These figures ought not, I think, to embarrass trade unduly.

" I ought to mention here that the Trades Association have suggested a higher figure, 5 per cent."

The Hon'ble Sir GORDON FRASER :—" I would like to second the amendment proposed by the Hon'ble Sir Francis Spring. The tax will of course fall on the trade of Madras, but that cannot be helped. We ought to consider it a fair tax to impose. The question was fully considered by the members of the Chamber of Commerce and provision is embodied in the Bill limiting the taxation to be imposed and then the Chamber as a body and individually are quite unanimous that taxation should be levied on the Port Trust premises. The prosperity of Madras is largely dependent upon its trade in competition with Bombay. From the debate we had yesterday afternoon, on the half per cent import tax, I thought Honourable Members did not fully realize how very severe the competition of Bombay was with Madras. I am sorry I cannot give the exact figures. But Honourable Members would be surprised to learn how very close to Madras, Bombay goods can come and under-sell Madras, due simply to cheaper sea-freight from foreign countries to Bombay as compared with Madras. It would be a great pity to tax the Port Trust premises so as to interfere in any serious way with trade. On the other hand, the principle that we are admitting is quite correct. There are warehouses within the Port Trust premises and if they were not there, goods would have to be stored on the premises outside and in many ways taxation is all right. One point on which I do not agree with the Hon'ble Sir Francis Spring although I am supporting his amendment as it stands is in the rates of tax to be imposed and in this respect I differ very considerably from the Hon'ble Mr. Thonger. The Hon'ble Sir Francis Spring has mentioned that the Madras Trades Association suggested a higher figure than 4 per cent. The Hon'ble Sir Francis Spring has given the Calcutta rate and the Bombay rate. Bombay works to 2·3 per cent. The Port that we are competing with is Bombay. We do not compete with Calcutta. If we are going to put a rate higher than Bombay, we are going to impose a much greater hardship than Bombay. I cannot very well now press for the reduction of the rates, for 4 per cent being reduced to 2½ per cent but I would deprecate very strongly any attempt to increase the rate above 4 per cent."

The Hon'ble Mr. J. H. THONGER :—" Your Excellency, the duty imposed upon me by my Association is to make a small amendment and that is that the Hon'ble Sir Francis Spring's proposal of 4 per cent should be increased to 5 per cent. If that is done it will receive the support of the Trades Association. As a matter of fact, in the opinion of the Association, a port like Madras ought to be able to bear its reasonable portion of the taxes of the city and there is absolutely no reason whatever as far as we can see to exempt it or that the Port Trust of Madras should not bear its own share of the taxes as any other business concern. We have had an assurance from the Hon'ble Sir Francis Spring and the Hon'ble Sir Gordon Fraser that to do so would unduly handicap the Port Trust in their work and the prosperity of Madras would suffer. That being so, we must hold the scales even between the corporation which wants money and the Port Trust which cannot pay more than a certain maximum without adversely affecting the prosperity of the Port. The other point that the Trades Association has asked me to mention is that the question of assessment should receive careful consideration. They are of opinion that the Port Trust must be assessed in the same way as it is treated in Bombay. Bombay taxes buildings of every description which are in the Trust. What I wish to point out is that the higher the assessment the more we shall receive, as the revenue of the Port Trust increases."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" Your Excellency, the Council is aware that under the law as it now stands the Port Trust is exempt from all taxation and that was in the Bill which went to the Select Committee. This is one of those instances in which the Select Committee went in favour of the corporation. We said that we would not permit this exemption to continue and so we struck it out. But since then, inquiries made have shown that in other places where Port Trusts are liable to taxation, there has been considerable friction between the municipal authority on the one hand and the port authority on the other in regard to the taxation leviable on the latter. This is a matter of some anxiety to Your Excellency's Government because we have taken upon ourselves the responsibility of the liability for removing the exemption which now exists. In doing away with the exemption we do not want to open wide a contest between two important bodies like the corporation on the one hand and the Port Trust on the other. At that time the Hon'ble Sir Francis Spring brought forward a proposal that he was willing to accept the taxation of the Port Trust and that he would prefer that there should be no loop-hole for any contingency of wrangling between the two bodies and this particular device which he has proposed is intended to prevent it. I say nothing as regards the particular detail whether it should be 4 per cent or 5 per cent, but I would only point out that so far as I could see, this proposal is practically the best means that I can think of to prevent a possible conflict hereafter ; otherwise in assessing the harbour, what is the basis upon which you can go. If you apply the ordinary basis for other assessments, you can only assess the buildings ; you cannot do more ; but if you assess buildings only, you will probably

(Mr. Ranga Achariyar ; Mr. Nayar ;
Sir Francis Spring ; the President.)

[12TH FEBRUARY 1919.]

aspect of the question that it would be inflicting serious loss on the corporation; while it would be a serious loss upon the corporation, it would not be a serious loss on the Port Trust. What they imagine is that Madras trade will be affected by this small modicum of Port Trust dues being enhanced. What will happen? The Port Trust is not going to pay out of its pocket. It puts on its dues and spreads it on the goods brought into Madras and eventually the consumer, the Madras citizen pays for it. We are willing to take that burden. It will affect the profits of the merchants. It may or it may not; but I only anticipate the possibility. Even that we are not to take into consideration; on the other hand, it is not likely to affect the Port Trust. On the other hand, in civilized countries they are going upon the principle of not exempting local public property. There was a time when local public property was sought to be exempted on various grounds, but the prevailing view now is, as recommended by the Royal Commission on local taxation, that they should be taxed. This is what they say: 'That special properties such as railways, canals, mines, tramways, docks, telephones and gas, water, and electric light works should be valued in the first instance by a valuer appointed by the valuation authority.' When that is the view which has found acceptance in civilized countries, here with a bankrupt corporation without additional resources we are asked to be deprived of one of the chief items of revenue. It was there till 1905. There was no complaint. It is not a case of putting on. The Honourable Member is wrong in supposing that it is new. It was there till 1905. There was no complaint. Let it be restored. It is not a case of putting newly. I know the Honourable Member can find arguments whichever view he chooses to accept. If he took the other view, he would have carried greater weight in the Council, but unfortunately I do not occupy his position; and therefore my words go in vain. However, I enter my most emphatic protest against this method on the part of the Government of accepting recommendations made by influential persons and neglecting the representations made by rate-payers and their representatives."

The Hon'ble Dr. T. M. NAYAR:—"My Lord, the question that we are discussing now reminds me of what took place in the earlier days of the introduction of municipal institutions into India. It was then suggested that the proper method of municipal taxation would be a taxation on house property levied at a certain percentage of the annual rental value. It was then pointed out that in Northern India, there were a number of Rajas and Nawabs, come down in worldly possessions, but still living in magnificent palaces which their ancestors had built and therefore if they were assessed at the annual rental value, they would be absolutely unable to pay the municipal assessment and the Government of India accepted that view. That, I understand, is one reason why in many parts of Northern India they prefer octroi duties to taxation on house property. The Government of India, however, decided that so far as Southern India is concerned, there was to be no octroi duty but there should be plenty of duty on house property. Here comes the Nawab come down in life with his magnificent palace who wants an exemption from the duty on house property. He is willing to pay the octroi duty and therefore we are asked not to assess the actual annual rental value of their buildings but to have a certain percentage of their income."

The Hon'ble Sir FRANCIS SPRING:—"The tax will be based on the annual rental value, but only limited to 4 per cent of the Trust's gross collections."

The Hon'ble Dr. T. M. NAYAR:—"If the tax is to be a certain percentage of the annual rental value of the buildings owned by the Port Trust, it would be alright. What we have to do is with the percentage of the income of the Port Trust."

His Excellency the PRESIDENT:—"The amendment makes it quite clear. It says it should not exceed 4 per cent. My Honourable Friend explained that there was constant irritation between the municipality and the Port Trust otherwise, and therefore they came to some agreement."

The Hon'ble Dr. T. M. NAYAR:—"There must be an assessment on lands and buildings and the moment you assess it, you must forget it and you must concentrate your attention on the 4 per cent of the earnings. I cannot reconcile that with the principle that is in the Act. If the Port Trust are to be assessed according to the property tax laid down, they ought to pay a percentage of tax which the corporation will have to fix hereafter, whether it would be 25 per cent or 35 or 45 per cent on the annual rental value of their buildings. As to what percentage of their income it will be, it is a matter for private consideration by the Port Trust and this Council or the corporation ought to have nothing whatever to do with it. My Lord, it has been stated that in other ports such a principle has been accepted. I do not say anything of their enactments, but what is now attempted here is to introduce a consideration like that in an enactment and I strongly object to it. If you have a clause like this introduced into an enactment, it vitiates the whole principle of the property taxation, but if it is to be a private understanding between the Port Trust and the corporation they are at perfect liberty to come to that understanding and this Council at this stage of the consideration of the Bill need not consider that point at all—whether certain remissions are to be given for warehouses which are not utilized or which warehouses are to be assessed or not. Those are considerations of details with which this Council at this stage cannot have any concern whatever. I am surprised, absolutely surprised that the Government have agreed to accept this amendment. It is not as if the corporation is wanting to assess the Port Trust which is newly started before it has made its way and before it is in a position to know what its income is. From the very commencement of the Harbour Trust up till now, it has not been assessed, not because property was exempt from taxation but

12TH FEBRUARY 1919.]

(Dr. Nayar ; the President ;
Mr. Yaqub Hasan ; Mr. Krishna Rao.)

because the Madras Port was defined to be outside the limits of the municipality. The boundaries of the municipality were defined in that way and in that clever way it has evaded taxation till now. It cannot say that the corporation wants to put the tax on an infant institution which it could not reasonably bear. They have had a very long start indeed and at this time, it is exceedingly unreasonable to say that they cannot stand their fair share of taxation. Every one of the arguments advanced by the Hon'ble Sir Francis Spring can be advanced in favour of the occupants and owners of houses which are assessed. You showed no consideration whatever to their interests. In the case of a large number of people who might be living in good houses, but yet whose income would not correspond to their living in the big house you make no inquiry whatever; and there is no provision anywhere for making an inquiry to find out what proportion of the income of the occupant of a house will his municipal tax be. It will be interesting if that inquiry is followed up. There is no such suggestion. It is reserved to this apparently well-to-do public body to come and claim such remission. I can only strongly object to it. The principle is so very bad and this action of the Government coming on the top of the evening of a day which has got a very bad history so far as the attitude of the Government towards the financial resources of the corporation is concerned, this is one of the worst days we have had and coming at the top of the evening of such a day, the acceptance of a principle like this is exceedingly bad and it can only drive to one conclusion that Honourable non-official members who were all along to-day trying to get more financial justice done to the Madras Corporation, will after this evening have to reject this Bill absolutely and take the very first opportunity they have of upsetting the whole of this Bill. If the Montagu-Chelmsford Report is to be trusted, they will have such an opportunity very early because they say that the proper time for legislating for the constitution of local bodies is when provincial autonomy has been granted and when the provinces have been reconstituted. You will have provincial autonomy here and when this Provincial Government is to be reconstituted, I hope Honourable non-official members will take the very first opportunity of introducing a City Municipal Bill and then dealing with all these conditions in the way in which they deserve. With this protest, I oppose the amendment proposed."

His Excellency the PRESIDENT:—"I should like to give the last speaker some information. I think he said if I followed his words correctly that we have no evidence that the arrangements quoted in the case of Bombay and Calcutta and Rangoon and other ports are embodied in the enactments. So far as I am informed that statement is not correct. The conditions prevailing in the port of Bombay are contained in the Bombay Port Trust Act. In Calcutta those conditions are contained in sections 59 and 68 of the Calcutta Port Trust Act. Again in Rangoon, section 46 of the Burma Act of 1910 deals with the conditions of Rangoon. So far as I am informed, these are all embodied. I have not had much time to examine the subject."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"May I ask whether it is in the Municipal Acts?"

The Hon'ble Dr. T. M. NAYAR:—"No, nothing in the Municipal Act. I meant Municipal Acts."

His Excellency the PRESIDENT:—"The Honourable Member mentioned enactments, by which I thought that he meant that these were private arrangements of which there was no record. I may say these arrangements are contained in the enactments in the Port Trust Acts of different ports. I only wish to give information to the Council. Because it is wrong that they should go under the impression that as has been rather suggested in the debate, the matter was unauthorized and illegitimate private arrangement. It is only an accident that this calamity which the Honourable Gentleman fears should fall upon this Council at the end of a day of tragedy as he would describe it. But he would allow me to say: I think the position of Government has not really been fairly considered. Experience shows that elsewhere—I am not alluding to Madras—it has been necessary to adjust the relations of the corporation and the Port authorities and surely it is not an unreasonable precedent to follow in the case of Madras. That is the sum total of the whole proposal and that is what is apparently done under the arrangement when compared with the arrangement prevailing in Bombay and Karachi. A generous arrangement has been made in the interests of the corporation by placing a limit to be placed on the earnings of the Port Trust. It is only the first step and we all hope that the relations between the corporation and the Port Trust will continue as they have been to be entirely friendly and co-operative and it will be surely quite possible as years go on to adjust these relations if any further adjustment is required. I am afraid I cannot get up with the strong feelings with which some Honourable Gentlemen expressed to this Council on these matters. We are really here dealing with business matters; we are all desiring to do justice to all the interests concerned. I hope I have not gone too far in allowing liberty of debate, but I am only anxious that the field of the subject matter of each proposal shall be put before the Council. I would not stand longer between them and the division. I will put the amendment on the paper to the Council."

The Hon'ble Mr. A. S. KRISHNA RAO:—"There is the Hon'ble Mr. Thongar's amendment that 5 per cent be substituted for 4."

His Excellency the PRESIDENT:—"The Hon'ble Sir Francis Spring proposed 4 per cent and the Government gave their consent to it. The Hon'ble Mr. Thongar suggested 5 per cent."

(Mr. Rajagopala Achariyar; Mr. Krishna Rao;
Mr. Yaqub Hasan.)

[12TH FEBRUARY 1919.]

find that it would be very much less than the amount of 4 or 5 per cent. There are only two alternatives; either you must say that the only things you would assess would be buildings, or if you want a return equivalent to the total outlay you must put it on the ground of percentage of the gross earnings. I quite see that in regard to the property tax this is a novel principle; but I would ask you to consider that the position is also novel and the remedy has to be novel. Here the Port Trust has been in existence for a long time paying no tax and the Legislature is bringing it within the purview of municipal taxation. While we are anxious that it should contribute a reasonable share to the revenues of the corporation, we are equally anxious that there should be no temptation on the part of the corporation to pile up the assessment so as to injure Madras trade and give the trade of other ports a sort of advantage over local trade. Figures were obtained as to the percentage of gross earnings which prevail, and as pointed out by the Hon'ble Sir Gordon Fraser, it varied from 2 to 4 per cent. The Hon'ble Francis Spring said he would put it at 4 per cent and, unless some other device of a more satisfactory nature is shown to us, the Government feel bound to accept the suggestion. I say all this without prejudice to the question as to what the exact rate should be at which the taxation should be imposed."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, though the Government have been able to accept the new departure implied in this amendment, I regret I cannot support this amendment. I find it difficult to support it, because it introduces a principle contrary to the principles which have been so far accepted by this Council. We have been discussing amendments calculated to fix the limit for the levy of the property tax. It was under consideration as to whether there was to be a maximum limit of 20 or 25 per cent; it was pointed out that it might be left to the good sense of the corporation to prescribe what limits would be proper without any attempt to fix a limit. I am not in favour of fixing a limit on the lines suggested—4 per cent of the gross earnings. That is one reason. Another reason is that all attempts made to increase the financial resources of the corporation have failed and that the Select Committee with full information have come to the conclusion that the Port Trust might be taxed. I cannot see the reason for reducing the resources of the corporation to any extent. It was pointed out by the Hon'ble Mr. Rajagopala Achariyar that if buildings are taxed, it will be much below 4 per cent. It may be so or it may not be so; but whatever it might be, we might leave it to the corporation authorities to take a broad and liberal and reasonable view and assess it properly. They are also interested in the proper working of the Port Trust upon which the welfare of the Presidency depends to a large extent. Let us hope that they would discharge their duty properly and that they would not be unreasonable in assessing those buildings."

"Another reason is while dealing with another clause, we found it unnecessary to exempt educational buildings which are being exempted in the mufassal municipalities. When the Hon'ble Mr. Molony pointed out that it would fetch one lakh to the corporation, notwithstanding our sympathy for education we voted for educational buildings not being exempted. Then an amendment was moved at least to exempt buildings used for primary education. We have all of us the interests of primary education at heart; and we are all anxious that at the earliest opportunity there should be free primary education and as far as possible, compulsory education. Notwithstanding our anxiety in that respect the council was not able to vote for the exemption of even primary school buildings. When we have now done so, we will create a very unwholesome departure if we introduce a new principle in the case of the Port Trust. For these reasons, I oppose the amendment."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"I am as anxious to safeguard the interests of trade and commerce as my Honourable friends, the Hon'ble Sir Gordon Fraser and the Hon'ble Mr. Thonger. But still I do not see that in allowing this provision to remain in this Bill as it is, the interests of trade will in any way suffer. If the Hon'ble Sir Gordon Fraser had shown by reference to facts and figures that the value of building properties in the possession of the Port Trust is so much and that if we assess it, at that rate, it will give so much, and that the value of the imports and exports is so much and the tax divided on the value will work out so much per ton, he would have been able to convince us whether that imposition per ton on the import or export will really drive away trade to Bombay. He has not done that. If he had taken the trouble at least to convince himself and find the rates per ton, he will have found that the rate per ton will be so little that it will never affect trade or commerce. Steamer freight is much cheaper than railway freight. Compared with the railway freight from Bombay to Madras this addition will make very small imposition on steamer freight. From that point of view, we may rest assured that we are not doing any harm to the trade or commerce of this town by this imposition. Another reason for my opposing it is that the Hon'ble Mr. Rajagopala Achariyar said that we are introducing a novel principle. It means this: you may tax other buildings at a certain percentage, but you should not tax the Port Trust buildings at the same percentage. That means it is giving them partial exemption instead of the total exemption that they have been enjoying so long, or in other words, instead of taxing them on the buildings, we simply share their earnings, and take 4 per cent out of them. I do not understand under what head of taxation it can be brought. It must be either the property tax, in which case it must be subject to the same conditions as other property taxes, or you bring in some new sort of taxation and say that whatever the earnings of the Harbour Trust are, let them pay 4 or 5 per cent of it to the Corporation. That will introduce a new principle. Is it equitable

12TH FEBRUARY 1919.]

(Mr. Yaqub Hasan; Mr. Ranga Achariyar;
the Advocate-General.)

that the corporation should have a share in the earnings of the Harbour Trust? If it is equitable, in the case of the Harbour Trust, why should it not share the earnings of railways and other companies also? It is a very dangerous principle. Let the Harbour Trust be taxed as any other property is taxed. Let the corporation officers and the Port Trust come to some sort of understanding. Let them say 'such and such buildings may be taxed, as actually used for storage, etc.' The walls, piers, etc., that are not used for storage need not be taxed. We can come to some arrangement by which the Port Trust is not made to bear more than it can bear."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I want the Council to realize the extent of abandonment which the Government are prepared to make as to the resources of the corporation by accepting this amendment. I must express my surprise that the Honourable Member in charge of the Bill should have accepted this amendment. He showed no indication in the Select Committee of any such inclination and I cannot resist the suspicion that powerful influential support has been gained for this amendment which has secured this support at this late stage of the Bill. The property of the Port Trust is valued at 224 lakhs and at the present rate of 18½ per cent it will give 2½ lakhs of revenue to the corporation. What is it that is sought to be done by this amendment?—to deprive it of 2 lakhs of revenue which it would legitimately have; by accepting this amendment of the Hon'ble Sir Francis Spring, he told us that it would have to pay about Rs. 60,000. As I have said already, the attitude of the Government in this matter has been that while it has been solicitous to earn the good will and the friendship of powerful interests, the poor house-owners are left in the lurch because they have no powerful or influential support. I must say that most emphatically in this place that if the house-holder had such influential support, probably the provisions which have been introduced to throw the burden upon him would have received much greater consideration at the hands of the Government than they have received. If the Government had seen their way to accept that innocent amendment of the ½ per cent duty, if the Hon'ble Sir Gordon Fraser had seen his way to accept that amendment, I would have gladly supported this amendment but they stood firm and they would not listen to the reasonable request; but now they say everything pinches trade or traders. He rightly fights for it; why should he not join hands with other people whose toes are trodden upon by this Bill? I ask for impartial treatment of all people. Those that represent trade have been successful in reducing the burden upon themselves, but they have not joined hands with others in reducing the burden on house property. On the other hand, the Hon'ble Sir Gordon Fraser thought that 25 per cent would be reasonable. How does it lie in his mouth to say that 4 per cent is reasonable in this case? Are you going to calculate the income of the house-holders? Will you calculate his income from property? Take the investment he has made on the property and give him the return; but you do not take the trouble to do that. You say that you would have an automatic rule, say 20 per cent or 25 per cent. Take railway companies; are they not serving the trade of Madras? Why should provision not be made also in the case of railway companies which are a company as well as the Port Trust; that the tax on their buildings and lands should not exceed 4 per cent? Surely, what is good for the Port Trust is good for the railway company also. Take again the Buckingham Mills and the Carnatic Mills and various such other industrial concerns. Why should you not say 'we shall not impose a taxation by way of property tax which would exceed 4 per cent of the income'? Where should we be if we introduce this novel principle, this novel objectionable procedure, while the Honourable Member in charge showed no inclination to consider this amendment? Why should we accept it now when amendments after amendments made in the interests of rate-payers have been rejected with scorn? I enter my most emphatic protest against this way of dealing with the interests of the vast rate-payers. I cannot suppress my indignation at this attitude of the Government in favour of this amendment and against the amendments brought forward on behalf of the rate-payers of the city."

"My Lord, up to the Act of 1904 and even when the Act of 1904 was enacted, there was no exemption of the Port Trust property, but by a side way as it were, in enacting the Port Trust Act, they go and exempt them without any notice to the corporation."

The Hon'ble the ADVOCATE-GENERAL:—"The Honourable Member is incorrect. Section 129 of the Madras City Municipal Act exempts wharves and jetties connected with the harbour of Madras."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"That is a quite different thing from buildings with which we are concerned. I have it before me and the Hon'ble the Advocate-General might have waited with patience. I was just going to refer to that very section. The whole of the property vested in the Port Trust was exempted from taxation by one stroke of the pen, in an altogether different Act unconnected with the Municipal Act. I am quite aware that in section 129 to which the Hon'ble the Advocate-General referred, there is an exemption for public piers, wharves and jetties connected with the harbour of Madras. That does not affect us. Would you have it now like that? On the other hand, property is put to most bone-affecting use, and we are giving facilities to the harbour. If you see the Bill, the house-holder is sick and we are giving facilities to the harbour. He is to get water at the discretion of the Commissioner whereas to not to get drinking water. It is made mandatory that he should supply water. It gets a priority on the Port Trust, it is made mandatory that he should supply water. It gets a priority on the water-supply. We do not grudge it, but then to claim compensation is absolutely fallacious and objectionable in principle and I would also ask the Honourable Member to consider this

(The President.)

[12TH FEBRUARY 1919.]

The amendment of the Hon'ble Mr. Thonger was put and lost.

The amendment No. 56 was put and agreed to.

The Hon'ble Doctor Nayar claimed a poll which was taken with the following result:—

For	Against
The Hon'ble Sir Alexander Cardew.	The Hon'ble Mr. V. K. Ramanuja Achari-
" Mr. L. Davidson.	yar.
" Mr. C. G. Todhunter.	" Mr. M. Ramachandra Rao.
" Mr. A. Y. G. Campbell.	" Mr. P. Siva Rao.
" Mr. M. Young.	" Mr. K. Rama Ayyangar.
" Mr. L. E. Buckley.	" Dr. T. M. Nayar.
" Mr. N. E. Marjoribanks.	" Mr. B. Venkatapati Raju.
" Khan Bahadur Aziz-ud-din	" Mr. K. R. Suryanarayanamurti
" Sahib.	" Nayudu.
" Sir Francis Spring.	" the Raja of Pithapuram.
" Mr. Littlehailes.	" Mr. S. Subbarayalu Reddiyar.
" Sir Gordon Fraser.	" Mr. T. Ranga Achariyar.
" Sir Fairless Barber.	" Yaqub Hasan Sahib Bahadur.
" Mr. J. H. Thonger.	" Mr. K. Chidambaranatha Muda-
" Mr. J. C. Molony.	liyar.
" Mr. W. Hutton.	" Mr. A. S. Krishna Rao.
" Mr. W. J. J. Howley.	" Mr. A. Suryanarayana Rao.
" the Advocate-General.	" the Most Rev. John Aelen.
" Mr. P. Rajagopala Achariyar.	
" Mr. H. G. Stokes.	
" Mr. R. Ramachandra Rao.	

The amendment was declared carried 20 voting for and 15 against.

Clause 102 as amended was allowed to stand part of the Bill.

Clause 103.

Clause 103 was allowed to stand part of the Bill.

His Excellency the PRESIDENT:—"As arranged day before yesterday, we propose to begin at 11 o'clock to-morrow with the Insect Pests and Diseases Bill. That will take only a short time to finish. We will now adjourn."

The Council then adjourned to 11 a.m. on Thursday the 13th day of February 1919.

H. G. STOKES,
Acting Secretary to Government, L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Thursday, the 13th day of February 1919.

PRESENT:

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.S.I. G.C.I.E. Governor of Madras—*Presiding*.

The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O., O.B.E.

The Hon'ble Mr. L. E. BUCKLEY, C.S.I.

The Hon'ble Mr. A. Y. G. CAMPBELL, C.I.E.

The Hon'ble Major-General G. G. GIFFARD, C.S.I., I.M.S.

The Hon'ble Mr. W. J. J. HOWLEY.

The Hon'ble Mr. W. HUTTON.

The Hon'ble Mr. R. LITTLEHAILES.

The Hon'ble Mr. N. E. MARJORIBANKS.

The Hon'ble Mr. J. C. MOLONY.

The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.

The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).

The Hon'ble Mr. H. G. STOKES, C.I.E.

The Hon'ble Mr. C. G. TODHUNTER.

The Hon'ble Mr. M. YOUNG.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR Avargal.

The Hon'ble the Rev. G. PITTENDRIGH.

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO PANTULU Garu.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.

The Hon'ble Mr. P. SIVA RAO.

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.

The Hon'ble Mr. B. V. NARASIMHA AYYAR.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.

The Hon'ble Mr. K. RAMA AYYANGAR.

The Hon'ble Sri RAJA RAO VENKATA KUMARA MAHIPATI SURYA RAO Bahadur, Raja of Pithapuram.

The Hon'ble Mr. B. VENKATAPATI RAJU.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.

The Hon'ble Mr. K. KUMARAN RAMAN KAVALAPPARA MUPPIL NAYAR.

The Hon'ble Yaqub HASAN SAHIB Bahadur.

The Hon'ble Sir GORDON FRASER, Kt.

The Hon'ble Mr. J. H. THONGER.

The Hon'ble Sir FAIRLESS BARBER, Kt.

The Hon'ble the Most Rev. JOHN AELEN, D.D.

The Hon'ble Sir FRANCIS SPRING, K.C.I.E.

The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.

The Hon'ble Dr. T. M. NAYAR.

(The President; Mr. Rajagopala Achariyar;
the Advocate-General; Mr. Ramanuja Achariyar;
Mr. Siva Rao; Mr. M. Ramachandra Rao.) [13TH FEBRUARY 1919.]

The Council re-assembled at 11 a.m.

His Excellency the President:—"The Council will now proceed to consider the remaining clauses of the Madras Agricultural Pests and Diseases Bill. I think we came to clause 10 last time. Is that not so?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"We have done clause 9."

Clause 10.

The Hon'ble the ADVOCATE-GENERAL:—"I beg to move amendment No. 18 on the agenda. It is a consequential amendment, in order to make it clear that the 30 days time is allowed from the date of service of the notice and not from the date of the notice. I move that in clause 10 for the words and figure 'sub-section (2)' the words and figure 'sub-section (1)' be substituted."

The Hon'ble Mr. A. Y. G. Campbell seconded the amendment.
The amendment was then put and agreed to.

The Hon'ble the ADVOCATE-GENERAL:—"I now proceed to move amendment No. 18-A on the agenda, viz., for 'the date of', read 'the service of'."

The Hon'ble Mr. A. Y. G. Campbell seconded the amendment.
The amendment was put and agreed to.

Clause 10 as amended was allowed to stand part of the Bill.

Clause 11.

The Hon'ble the ADVOCATE-GENERAL:—"I beg to move that for the words 'according to' in clause 11, sub-clause (1), the words 'not exceeding' be substituted. This is in order to bring out the meaning of the section quite clearly. In sub-clause (2) of section 9 which the Council has already passed and added to the Bill the Council laid down that for trees destroyed, the compensation should be not exceeding one half the value thereof, for plants destroyed, not exceeding two-thirds of the value. In sub-clause (1) of clause 11, the words 'according to' would lead to a certain amount of ambiguity and it is proposed to remove it by adopting a similar phraseology: 'At rates not exceeding the rates in section 9'—that will be the one-half rate and the two-thirds rate will make the meaning clear. That is a purely verbal amendment and it does not affect the sense of the section."

The Hon'ble Mr. A. Y. G. Campbell seconded the amendment.
The amendment was put and agreed to.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I do not move amendment No. 20 on the agenda standing in my name. It is now unnecessary."

With the permission of His Excellency the President, the following amendment was then withdrawn, viz., that for the word 'rates' be substituted 'limits' in the fifth line.

Clause 11, as amended, was allowed to stand part of the Bill.

Clauses 12 and 13.

Clauses 12 and 13 were allowed to stand part of the Bill.

Clause 14.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I do not propose to move amendment No. 21 standing in my name."

With the permission of His Excellency the President, the amendment was then withdrawn, which was:—"Omit the clause."

The Hon'ble Mr. P. SIVA RAO:—"I do not propose to move amendment No. 21-A on the agenda standing in my name; because the matter has been concluded under clause 7."

With the permission of His Excellency the President, the amendment was then withdrawn, which was:—"Omit the clause."

Clause 14 was then allowed to stand part of the Bill.

Clause 15.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I do not propose to move amendment No. 22 on the agenda."

With the permission of His Excellency the President the following amendment was withdrawn:—"Omit the clause."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, there is an amendment standing in the name of the Honourable the Raja of Ramnad which I shall move. As amended, the clause will read:—"If any person, without lawful authority or excuse (proof whereof shall lie on him) contravenes a notification under section 3 (b) of this Act prohibiting or restricting the removal of any plant from one place to another, he shall be deemed to have committed an offence under this Act." The object of this amendment is to exclude cases where lawful excuse is available for the contravention of the notification under section 3 (b) which prohibits the removal of plants from one place to another. It is quite possible, Your Excellency, that the notification may not be known to the person and there may be other lawful excuses which may be available to him the proof of which must be on him. The Honourable the Advocate-General referred the other day to the interpretation of a section in the Indian Penal

13TH FEBRUARY 1919.]

(Mr. M. Ramachandra Rao; Mr. Siva Rao;
the Advocate-General; Mr. Venkalapati Raju;
Mr. Krishna Rao.)

Code and stated that lawful excuse was always available to a person in criminal courts under the exceptional circumstances mentioned therein. At the same time, it seems to me, my Lord, that this would be an indication to the Magistrates trying the offence that unintentional contravention of the notification under section 3 (b) should not be punishable. That is the reason for this amendment. I may also point out that the fact that there is lawful excuse ought to be proved by the accused under this amendment. I trust, therefore, that this small amendment will be accepted—viz., to add the words "without lawful authority or excuse (proof whereof shall lie on him)".

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I beg to second this amendment. This is one of the necessary safeguards that we insist on to mitigate the rigour and the drastic nature of the provisions of this Bill. As regards what the Hon'ble the Advocate-General has said that these will be covered under the general exceptions of the Indian Penal Code, I am certainly of opinion that it will not come under that. The 'general exceptions' only excuse a man for doing a thing which he is justified by law in doing or which he is bound by law to do. I do not think lawful excuse would ever come under the general exceptions of the Indian Penal Code. There is this provision that the onus of proving lawful excuse would lie heavily on him who sets it up. I therefore strongly appeal to the Council to accept this amendment."

The Hon'ble the ADVOCATE-GENERAL:—"Your Excellency, the amendment proposed by the Hon'ble Mr. Ramachandra Rao is certainly a most unworkable amendment. First of all, there is no definition of what is meant by lawful authority or lawful excuse. Where are we to go for a definition? Are we going to define the circumstances under which this 'lawful excuse' is to be allowed? Is ignorance of law an excuse? The notification may be issued and may have been assented to and the Act may have come into force, but is ignorance of law to be held an excuse? What is 'lawful authority'?—these words are of the vaguest character, and it simply throws on the Magistrate the responsibility of deciding what is lawful excuse or authority, without any kind of help given to him to decide one way or the other. It really gives the accused no protection. He does not know what is lawful excuse. Is poverty to be pleaded? Are the orders of the master to be pleaded? Are the orders of the managing member of the family to be pleaded? Most of the Honourable Members are lawyers and I would appeal to them that to introduce such words when you want to enforce an obligation and to penalise the breach of it, will simply stultify the whole law. No attempt has been made by either of the Honourable Members to state what are the cases for which this provision is needed. I do not suggest that the word 'excuse' is covered by the general exceptions in the Indian Penal Code. If any excuse is open to him, which is covered by the general exceptions of the Indian Penal Code, that will enable him to exculpate himself, but otherwise he will be liable for a breach. Honourable Members will remember that in the City Municipal Act there is section 420 which says: 'Whoever contravenes any provisions of the law; it does not make any saving in favour of lawful authority or lawful excuse. There is a similar section in the Act of the Indian Legislature dealing with the importation of infected plants into India. There are no such words there as suggested now. It will be opening a very wide door, without enabling the Magistrate to guide himself as to the cases in which he is required to apply these words, 'lawful authority' or 'lawful excuse' and I therefore oppose this amendment."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, the Hon'ble the Advocate-General pointed out some difficulties; but I do not see any force in any one of them because ignorance of law is never pleaded anywhere as an excuse. But the Honourable the Advocate-General has pertinently asked the question, 'What are the cases to be covered by this?' The Hon'ble Mr. Sadasiva Bhat has mentioned that there are religious scruples for a particular community in obeying the Act in every particular. Does the Hon'ble the Advocate-General want a man to be prosecuted if he cannot do a thing on account of his religious scruples, if he cannot carry out the order? Unless some such provision is made, I think there is a defect in the Bill. I appeal to the Government and the Hon'ble the Advocate-General to suggest some method of excusing such persons as have religious scruples to carry out the orders of Government."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, the amendment moved by the Hon'ble Mr. Ramachandra Rao having been opposed by the Government, I do not see that there is any chance of its being accepted by this Council. I would suggest a milder amendment which, I believe, will meet with the acceptance of the Honourable mover of the resolution and also of the Government. I would suggest that in the place of 'without lawful authority or excuse' the word 'wilfully' may be introduced before the word 'contravenes'. The Hon'ble the Advocate-General drew attention to parallel legislation. I find that in the Ceylon Pests Bill—section 9, they introduced the word 'wilfully'. That word gives some indication as to some intention being necessary before a man is prosecuted and dealt with. We are considering parallel legislation in dealing with this matter, and the only appropriate legislation that I could refer to is section 9 of the Ceylon Pests Ordinance of 1907. They use the word 'wilfully' in that section. Though it does not go to the length to which my Honourable friend's amendment would go, that would at least provide the necessary safeguards; and it is only in very proper cases of wilful contravention, that a man can be convicted. With these words, I suggest the amendment: and the clause as amended would read 'If any person wilfully contravenes a notification under section 3 (b), etc.'"

(Mr. Narasimha Ayyar; Mr. Ranga Achariyar; Mr. Rama Ayyangar; the Advocate-General; Mr. M. Ramachandra Rao.) [13TH FEBRUARY 1919.]

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, I beg to second this amendment and in seconding it, I wish to say one word. It is possible that a man might carry a lot of things, might carry a lot of articles for manure and in that lot he might carry unawares a thing which is prohibited. For instance, let me take the illustration of the villagers who carry a lot of plants for manuring purposes. They take all sorts of bushes for manuring purposes. Suppose in the huge cart that carries these things, there is a bit of water-hyacinth and suppose the transport of water-hyacinth is interdicted. What becomes of this poor fellow who takes all sorts of plants for the purpose of manure and in the midst of it a water-hyacinth also? Is the man to be convicted and fined Rs. 50 because he did not take care to find out that some part of the plants was interdicted plants? It will be an act of inhumanity to condemn such a man to punishment. I do not think it is the object of the Government to punish a man for what he carries unawares. It is only to prevent such a sort of thing that the word 'wilfully' is introduced. If the Government and the Honourable the Advocate-General see eye to eye with us, they will see the reasonableness of introducing the word 'wilfully.' Are we really creating a technical offence? It may be said in regard to technical matters much detail is not necessary. But in this case, the technical matter is to be an offence. Are we going to penalise a bit of oversight? I support this amendment."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Your Excellency, I think it is a case of real difficulty that is pointed out by this amendment. I would say that under section 19 the rule-making section, the Governor in Council may frame rules providing what shall be deemed to be sufficient lawful excuse for the purposes of the section. That I think can be done. We cannot foresee what the difficulties are that may arise. It is a new Act, it is an experimental measure and even the department cannot foresee what difficulties might occur. They suggested difficulties and one real difficulty has been pointed out, namely, the religious scruples of a certain community, which must command some weight. That is not provided by this Act. There may be other cases in which there may be similar excuses for which the Governor in Council may have to provide. I therefore submit that by retaining the words 'without lawful excuse' we may define lawful excuse from time to time by rules to be framed by the Governor in Council, thus leaving it to the Government to decide what is lawful excuse and to provide for hard cases. I therefore make this suggestion to the Government."

The Hon'ble Mr. K. RAMA AYYANGAR:—"My Lord, this creates a technical offence—"If any person contravenes the notification, etc." The intention to contravene must be in a case of this kind an element of the offence. It is not a case in which intention may be presumed in almost all cases; in fact, most of the offences relating to offences against the State or against public convenience, in most of these cases the intention will have to be shown. We are creating a new law and we are making the breach of it penal. In such cases, it is only very proper that we do not depend merely on the technicality of the offence. Unless the spirit of the notification is contravened, I think the action ought not to be punished. One instance or other may be now thought of and pointed out. I quite see that the Hon'ble Mr. Narasimha Ayyar has pointed out one, but I do not know if it is possible to think of all the possible excuses unless we sit together and discuss each of these excuses. Ordinarily the object of the section ought to be to penalise the intention to contravene, especially when we have to deal with a lot of illiterate people who have to be controlled by such notifications. This is a technical offence and it must be that the spirit of the offender must be against the notification. If it be merely by forgetfulness or ignorance or any other cause, it must be open to the magistrate to decide the intention and not merely to punish the man for a technical offence, especially in a case of this sort in a country like this. I have been pleading for the omission of this provision altogether, but since the offence has been allowed to stand, it must be made as innocuous as possible. I submit that the intention to contravene alone must be brought under the section and not mere non-compliance with the notification."

The Hon'ble the ADVOCATE-GENERAL:—"Your Excellency, I submit there is really no necessity for amending the section in either of the ways suggested. This is merely a technical offence and just as in the case of the Madras Adulteration Act and the Madras City Municipal Act, the contravention of a by-law is punishable with a fine. There is no need for criminal intention. It is the disobedience of the notification that is made punishable. I do not see what other kind of criminal intent is necessary. There is no other ingredient in the offence. We would have to define the offence in some other way in order to make *mens rea* essential. Honourable Members will notice that I have given notice of an amendment or rather that the Hon'ble Mr. Ranga Achariyar has given notice of an amendment and it is likely to be accepted that prosecutions under this Act are not to take place without the sanction of the District Collector. That will certainly provide an ample safeguard to prevent the Act from being abused. This is merely for the protection of the whole community at large. Honourable Members, I presume, do not want that offenders should really escape. What they want is that the working of the Act should be as wisely controlled as possible. For that the provision will be made that the sanction of the District Collector is a pre-requisite to the launching of a prosecution. The magistrate will go into the merits of the case and if he finds that it is simply a technical dereliction he may simply warn him and he is not bound to punish him."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, I have nothing further to say than that the Honourable the Advocate-General has persuaded himself, I believe, that this Act will at once become unworkable if the word 'wilfully' as suggested by my Honourable

13TH FEBRUARY 1919.] (Mr. M. Ramachandra Rao; Sir Fairless Barber; the President; Mr. Rama Ayyangar; Mr. Narasimha Ayyar; Mr. Krishna Rao.)

friend Mr. Krishna Rao, or any other words suggested by Hon'ble Mr. Ranga Achariyar are accepted and introduced here. The whole point is whether for the purposes of punishing a man for contravening a notification under section 3 (b) *mens rea* is necessary. I believe that a notification will be published in the district gazettes and many ignorant ryots may be transporting plants without knowing anything of these notifications. In some cases, this will really work hardship and this rule of punishing people who unintentionally transgress the notifications should not be embodied in the Bill. If the Honourable Member says that it will be unworkable I am certain that no amendment is likely to be accepted in this Council. We are as anxious as the Honourable Advocate-General is, to make the Act workable and to see that it is worked for the purpose for which it is intended. I want that we should provide for cases where unintentional transgressions should not be punished. Looking at the illiteracy of the villagers, it may be that the notification may not reach every villager, and I consider that it would be proper to give discretion to the trying magistrate to decide whether it is intentional or unintentional transgression. This is all that I wish to do. My Honourable friend says that the whole Act will become unworkable."

The Hon'ble Sir FAIRLESS BARBER:—"May I ask for an explanation. In what way would religious scruples have to be observed in the removal of plants from one place to another?"

His Excellency the PRESIDENT:—"I have followed this discussion very closely. I am not able to judge of the legal aspect of the question, but I think the practical aspect is this: It is not really with the ignorant villager that we are dealing, but it is the man who makes some profit by selling the diseased plants and thereby nullifying or vitiating the whole Bill. That is the man we are afraid of. It is not the occupier."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Under section 3 (b) any person who removes the plant, not necessarily for the purpose of profit or trade, from one place to another is contemplated."

His Excellency the PRESIDENT:—"I know that. It is the man who is going to make a profit that we have to think of. The innocent man will be protected in the District Collectors' action being necessary. No one is going to administer this Act by making a crusade against innocent people. I am inclined to accept the judgment of the Honourable the Advocate-General and I can say no more about it."

The Hon'ble Mr. K. RAMA AYYANGAR:—"You practically prohibit the magistrate from considering the intention of the cultivator."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Before it is put to the vote, may I request your Excellency whether we could give effect to the Honourable the Advocate-General's statement, i.e., whether we could make a provision enabling the magistrate to warn the accused."

His Excellency the PRESIDENT:—"We must deal with the amendment as it is on paper before the Council."

The Hon'ble Mr. A. S. KRISHNA RAO:—"May I ask Your Lordship to take votes on my amendment suggesting the addition of the word 'wilfully'?"

His Excellency the PRESIDENT:—"Yes."

The amendment was put and lost.

The Hon'ble Mr. K. RAMA AYYANGAR:—"I claim a poll."

His Excellency the PRESIDENT:—"I assure you that the records will become confusing. I just took the vote to indicate the opinion of the Council. I do not think we really need a poll."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I have the honour to move that in clause 15 the following words be omitted:—"In addition to confiscation and destruction of the plant in respect of which the offence was committed." The section as it stands reads as follows:—"If any person contravenes a notification under section 3 (b) of this Act prohibiting or restricting the removal of any plant from one place to another he shall be deemed to have committed an offence under this Act. Any one convicted by a magistrate of such an offence shall, in addition to confiscation and destruction of the plant in respect of which the offence was committed, be liable to fine not exceeding Rs. 50, or in default to simple imprisonment for a period not exceeding ten days."

"If the amendment I move is accepted, the result of it will be that a man convicted by a magistrate of an offence under this section will only be liable to be fined, but he will not be further subjected to confiscation or destruction of the plant. The reasons for moving this amendment are these. We have rejected in the first place, amendments calculated to make intention an ingredient of the offence. We have not allowed its being made an offence, the offender being punished only when he contravenes the notification without lawful excuse or authority nor have we qualified the same by the insertion of the word 'wilfully' which will signify some intention. As matters stand at present, any one who knowingly or unknowingly, not knowing that any notification has been issued, contravenes the notification, he is liable to be punished under this section. Therefore, there is no justification for his being subjected to the further penalty of confiscation and destruction of the plant in respect of which the offence was committed."

(Mr. Krishna Rao ; Sir Alexander Cardew ;
Mr. Ranga Achariyar ; Mr. Venkatapati Raju ;
Mr. Rajagopala Achariyar.)

[13TH FEBRUARY 1919.]

"The second reason which I wish to urge is this. I request Honourable Members of this Council to examine the previous sections of this Act. Nowhere is destruction of the plant or confiscation of the plant provided. One reading the section would assume from the use of the words 'confiscation and destruction of the plant' in the section providing for the punishment, that it has been already provided for in the previous portion of the Bill; but it is not so. It might be suggested, that there is a provision under clause 5 and the following provisions for such steps being taken. Section 5 as amended by this Council reads as follows:—'Any officer duly empowered under section 17 in this behalf may enter on any land or water within the notified area in order to ascertain (a) whether any insect pest, plant disease or noxious weed is there present, and (b) whether the prescribed remedial or preventive measures or both as the case may require have been taken.

"The inspecting officer may enter upon any land and take whatever steps are required in order to ascertain whether any preventive or remedial measures have been taken and if he finds that no such measures are taken, it is open to him to pursue the other remedies provided for in the Act. Therefore I would suggest that, if under the section it is contemplated that he should destroy the plants or take other steps, the provisions of sections 5 and 6 are sufficiently comprehensive and that there is no necessity for any new provision for destruction or confiscation in section 15 of the Act. If it is argued by the Hon'ble the Advocate-General that there is no provision for confiscation or destruction of the plant, if it is argued that section 15 is the only section which would give power for confiscation or destruction of the plant, I would request the Council to consider whether there is any use in having that provision in section 15. It states that the penalty of confiscation and destruction of plants is only to come into operation in cases of conviction and not in other cases."

The Hon'ble Sir ALEXANDER CARDEW :—"What about section 9?"

The Hon'ble Mr. A. S. KRISHNA RAO :—"My Lord, I submit that section 9 has no application to this case. If I am only informed in reply that section 9 applies, I have no grievance, because the man will get compensation; but because I anticipate that the Hon'ble the Advocate General will suggest that the provision as to destruction and confiscation in other sections would not apply, I move this amendment. If he says that this will come under section 9, I will not press it. My fear is—"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR (interrupting) :—"What is the good of the Hon'ble the Advocate-General saying it? The Act will have to be construed by Judges."

The Hon'ble Mr. A. S. KRISHNA RAO :—"If section 9 provides for it, there is no necessity for providing for this in section 15. It is useless to introduce this provision. It is only in case he contravenes the notification, the Collector sanctions the prosecution of this particular person, and the magistrate finds the man guilty and convicts him, that this destruction and confiscation will come into operation. If provision is not made earlier, what is the use of thinking of the destruction or confiscation of the plant after an elaborate trial and conviction of the person? Even under the special law, the sentence of a magistrate is appealable to a higher Court. It may take a year or six months before the case is finally settled. Is it suggested that we should wait for this period before the destruction or confiscation could take place? I have no doubt whatever that these words should not find a place in this section, from whatever standpoint it may be viewed. I therefore move for the omission of these words. This penalty is unnecessary. If it is provided for otherwise, it is superfluous. If it is not provided for otherwise, it is useless. I therefore suggest that Your Excellency's Government would accept this amendment."

The Hon'ble Mr. B. VENKATAPATI RAJU :—"Your Excellency, I have great pleasure in seconding this amendment. I may respectfully submit that this clause which is asked to be omitted is either superfluous or mischievous. It is superfluous because under section 7 as soon as a person fails to carry out the orders of the inspecting officer, the officer appointed can carry out remedial measures, and the Hon'ble Sir Alexander Cardew has suggested that compensation is provided under section 9. If you are satisfied with these provisions, why do you want to add to them? It only means as if an additional power is contemplated. There is no such thing as being convicted of an offence if his property is confiscated. He will be convicted of an offence because it is declared to be an offence. We cannot have the postponement of the destruction of the article till some months after; it must be done immediately. The person cannot plead that his property is confiscated and therefore he should not be convicted. Therefore my submission is that these words can be advantageously omitted without any detriment to the provisions already existing."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"May I say a word before the Honourable Member in charge speaks? I am afraid my Honourable friends are labouring under a mistake in regard to clause 15. What it aims at is an order by a magistrate for confiscation and destruction. It is very usual in the case of noxious foods and drugs, when you take a man before a magistrate, to order the destruction of a drug; because it is noxious. It is more for the protection of the public that the magistrate has to pass the order. Although that is not made clear by the language of the section, yet that is what I believe is intended. In that view, I do not think my Honourable friend should raise any objection."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Does the Honourable gentleman withdraw?"

[13TH FEBRUARY 1919.]

(Mr. Krishna Rao ; Mr. Rajagopala Achariyar ;
Sir Fairless Barber ; Mr. Siva Rao ; the President ;
Mr. Narasimha Ayyar.)

The Hon'ble Mr. A. S. KRISHNA RAO :—"I should like to know if it is the intention of the Government that the magistrate should pass the order under the Criminal Procedure Code."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Your Excellency, as pointed out by the Hon'ble Mr. Ranga Achariyar, there is some amount of confusion. Reference to section 3 (b) will show that there are two kinds of things contemplated, namely, prohibiting or restricting the removal of a plant from one place to another—that is one—and then, prescribing such other preventive or remedial measures as may be necessary. We get a number of sections afterwards dealing with this question of prescribing other preventive or remedial measures. Section 15 goes back to the first portion of section 3 (b), namely, prohibiting or restricting the removal of a plant from one place to another. If a man is caught in doing so, he will be taken before a magistrate, he will be hauled up before the court and he will be convicted and, as pointed out by the Hon'ble Mr. Ranga Achariyar, we cannot allow the infection to spread. We must destroy the stuff. Otherwise, the poison will spread. I do not quite see what the Hon'ble Mr. A. S. Krishna Rao's difficulty is. The section simply says: 'Any one convicted by a magistrate' is subject to confiscation and destruction of the property. It seems to me very clear. It is only after conviction that this liability arises. I wholly endorse the explanation put forward by the Hon'ble Mr. Ranga Achariyar and I think there is no need to amend the section at all."

The Hon'ble Sir FAIRLESS BARBER :—"I should like to ask the Honourable Member if this does not take into consideration the question of the plant being summarily destroyed by an agricultural officer."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"No, because that will give the agricultural officer the right of judgment. It is the magistrate who has to decide it."

The Hon'ble Sir FAIRLESS BARBER :—"While the disease is spreading?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"No; the diseased plant is taken and secured."

The Hon'ble Mr. P. SIVA RAO :—"Your Excellency, I wish to assure the Hon'ble Mr. Ranga Achariyar that we are not under any misapprehension as to the scope and aim of section 15. There are two matters provided in section 3; first, the Governor in Council may declare that in a certain area in which certain conditions may arise, they may prohibit by notification the removal of any plant from one place to another on the ground that it may spread some plant disease. If in contravention of such a prohibition, any one carries the plant from one place to another, he is liable to be punished under section 15 in addition to being fined Rs. 50, or in default, he is liable to imprisonment for ten days; there is the additional penalty of confiscation and destruction of the plant. The issue before us is: is this additional penalty also to be allowed, whether the plant which is sought to be removed in contravention of the prohibition is liable to be confiscated and destroyed? I would ask: whether the owner is entitled to compensation in such cases. When the plant is diseased or affected by insect disease and plant disease, under section 9 compensation is given according to a certain rate. Why should not compensation be given in such a case as this? Clause 4 says: 'Any plants not being trees, some or all of which are affected by the insect pests or the plant disease, but which are grown so closely together that it is not ordinarily practicable to treat each plant individually,'—even in that case, the clause provides for compensation not exceeding one-half the value."

His Excellency the PRESIDENT :—"We are not discussing compensation and I think it would be wrong to introduce it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"It is totally irrelevant."

The Hon'ble Mr. P. SIVA RAO :—"It is not irrelevant for this reason because no compensation is provided for in a case like this. I think this provision is too hard and too stringent."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Because there is no compensation, the Honourable Member proposes to rectify that by allowing this infected plant to be retained without being destroyed and allowing it to go round the country. That is the Honourable Member's proposal."

The Hon'ble Mr. P. SIVA RAO :—"The Honourable Member in charge is not trying to meet my contention. I was urging that because no compensation is provided for in a case like this, this additional punishment of confiscation and destruction of the plant should not be provided. That is my submission."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"I wish to add one word. I do not think it is right to say that the question of compensation should not be considered in this connexion, because it is of the utmost importance that if equity requires it some compensation should be awarded. We must remember that section 15 deals with transport; section 14 dealt with the other case of preventive measures. In respect of mere transport which may be even unintentional, we find not only a penalty put in, but also a provision for confiscation and destruction without making adequate provision for compensation. In previous clauses, compensation has been extended to cases of plants which are likely to be infected and which are not completely infected. Even in such cases, under section 9, we have provided for compensation; but we wish to omit compensation in a case of this sort. If the present section is passed as it is, it will mean

(Mr. Narasimha Ayyar ; Mr. Rajagopala Achariyar ;
Sir Fairless Barber ; Sir Francis Spring ;
Mr. Krishna Rao ; Mr. Thonger ; the President.) [13TH FEBRUARY 1919.]

that we distinctly wish to omit compensation in a case coming under section 15. Section 15, I repeat, is stated to be technical. A mere absent-minded man may be carrying an article, the transport of which is prohibited and he may contravene the rules and then he is liable to this punishment and his property which may be very valuable indeed will be destroyed."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Infected plant?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"For the so-called infected plant we are providing for compensation in other cases. Are we not to provide for compensation here also?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"The plant in respect of which the offence was committed"—that is what the section says."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"In section 9 even such plants as Government choose to destroy,—even for them compensation is provided. If in addition to the circumstances which bring the case under section 9, we find that a man is transporting some plants, what is there in the additional circumstance of transportation which should deprive a man of the right to get the value, if any, of his property?"

The Hon'ble Sir FAIRLESS BARBER :—"Your Excellency, in the interests of sanity, I should like to oppose this amendment. If a man transports about the country some infected plant, he is allowed to do so without being punished. The fine is limited to Rs 50 and he may receive compensation. It is tantamount to giving him compensation if these words are left out. I therefore oppose the amendment."

The Hon'ble Sir FRANCIS SPRING :—"Whom are we going to compensate under section 15? Is it the cartman? He has no property in the plants which he is carrying about. He has no right to compensation for them."

The Hon'ble Mr. A. S. KRISHNA RAO :—"May I say a word in reply? I may assure the Hon'ble Diwan Bahadur P. Rajagopala Achariyar that no one has suggested or is willing to suggest that a plant which is infected ought not to be destroyed. I am prepared to go further. My complaint is that as suggested by the Hon'ble Sir Fairless Barber, provision has not been made for the destruction of the plant immediately after it is found to be infected. That is why I suggested in the course of my remarks that the destruction of the plant after a protracted inquiry and conviction and probably after the decision of the appellate court, will not be useful. If provisions are inserted for the destruction of the plant immediately after infection, it will be quite another thing. I object to the provision so far as this section is concerned. If as pointed out by the Hon'ble Mr. Rajagopala Achariyar, the idea is that the magistrate may pass the order confiscating the property, why should we depart from the provisions of section 517 of the Criminal Procedure Code so far as that question is concerned. I believe we have to be governed by that section. I would ask the Hon'ble the Advocate-General to inform this Council if the powers conferred on a magistrate under section 517 of the Criminal Procedure Code, as to the trial of the offence and the disposal of the property can be taken away without the special sanction of the Government of India. Section 517 says :—"When an inquiry or a trial in any criminal court is concluded, the court may make such order as it thinks fit for the disposal of any property or document produced before it or in its custody or regarding which any offence appears to have been committed, or which has been used for the commission of any offence."

"I accept the statement made by the Hon'ble Mr. P. Rajagopala Achariyar that the section refers to an order by a magistrate. The magistrate has been given the discretion to pass such order as he thinks fit; if he thinks it necessary to destroy it, it is open to him to do so. Why should we take away that discretion vested in him under section 517 of the Code and why should there be this injunction that the plant is liable to destruction and confiscation?"

The Hon'ble Mr. J. H. THONGER :—"May I be allowed to take part in the discussion at this stage?"

His Excellency the PRESIDENT :—"If you please."

The Hon'ble Mr. J. H. THONGER :—"I wish to draw the attention of the Council that in the case of tobacco special regulations ought to be created for the transport of tobacco from one place to another. The experience that we have had is that tobacco pests cannot be efficiently dealt with in the fields. I do not know whether there is anything peculiar about tobacco, but it is a practical impossibility to deal with it in field when it is growing. I would, therefore, like to suggest, if it is possible, that some amendment may be added to this clause that, in the case of tobacco leaf, when there is a pest-killing apparatus in the place to which the tobacco leaf is being transported, transport restrictions shall not apply. There are two cures for the evil in the case of tobacco; I think I need not go into details. There is one particular gas mixture which will kill the weevil if the tobacco is treated in a hermetically sealed room, but it will not kill the egg which is the root of the trouble. But there is a more powerful gas which kills the egg as well. We have installed this apparatus at Dindigul, but we cannot instal it in the fields. We have got to get the tobacco into our godowns. Thousands and tens of thousands of weevils get into the factory, but it is of comparatively rare occurrence for one to get out."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Prohibition or restriction of removal is there."

13TH FEBRUARY 1919.] (Mr. Thonger ; Mr. Rajagopala Achariyar ;
the Advocate-General ; the President ; Mr. Ranga Achariyar.)

The Hon'ble Mr. J. H. THONGER :—"Many district officers may not know that there is the pest-killing apparatus. It is not every cigar manufacturing firm that has got this apparatus."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"All this will be taken into consideration when Government issue the notification."

The amendment was then put and lost.

Clause 15 was then allowed to stand part of the Bill.

Clause 16.

The Hon'ble the ADVOCATE-GENERAL :—"Your Excellency, I move amendment No. 24-A in the second supplementary agenda. I move that in part III these two following clauses be inserted as clauses 16 and 17."

His Excellency the PRESIDENT :—"Is it not better to move one clause first?"

The Hon'ble the ADVOCATE-GENERAL :—"Yes. I move that the following clause be inserted as clause 16 :—

"16. Where an occupier destroys any trees or plants in obedience to a notice issued under section 6, he may be granted compensation in accordance with such rules as may be made under this Act."

"Honourable Members will have noticed that compensation is provided for in clause 9 of the Bill where, after notice has been issued by the inspecting officer to the occupier to carry out the destruction of the plants where that is the prescribed measure, the occupier fails to carry out that measure, within the time prescribed, the inspecting officer enters on the holding and destroys the plants; and then the occupier is declared by clause 9 of the Bill which has been passed to be entitled to compensation not exceeding certain rates and a machinery is provided for valuing. This clause which I now move empowers the Government to pay compensation to occupiers where, in obedience to the notice issued by the inspecting officer under clause 6, the occupier destroys the plants or trees. It is not necessary that he should disobey the order and allow the inspecting officer to enter on the land and destroy the plant. He may himself be willing to destroy it and in such cases, whenever circumstances render it desirable, there must be provision to pay compensation to occupiers for the destruction of plants. At the same time, it will be impossible to do so by settling the details in the statute, as provision will have to be made for safeguarding public revenue; otherwise, the occupier will claim that he has destroyed a greater number of trees than he has actually destroyed, and the particulars will not be available to the person who has to value them after these trees are destroyed. Therefore, some machinery will have to be devised for the purpose of preventing extravagant claims of compensation being made on the part of the tenant and for the purpose of recording evidence prior to destruction as to the condition of plants before destruction. For this purpose, general power has been taken to make rules for settling all the details. Power is taken, therefore, by this clause to pay compensation to such occupiers as obey the notice of the inspecting officer, but as regards all details, the matter is left to be settled by rules. It is for this purpose that this clause is incorporated and I beg to move that this clause be added to the Bill."

The Hon'ble Mr. A. Y. G. Campbell seconded the amendment.

The amendment was put and agreed to.

The Hon'ble the ADVOCATE-GENERAL :—"I beg to move that the following be added as clause 17 to the Bill. 'Notwithstanding anything in this Act, no compensation shall be payable for any noxious weed destroyed.' For instance, lantana may be regarded as a plant and the wording of this Act may perhaps enable a shrewd occupier to claim compensation for the destruction of such noxious weeds as lantana which have really no value. Section 9 provides for compensation for plants only where the plants have value at the time of destruction. It is possible that this is unnecessary; but it is better to make it clear that noxious weeds are not made the subject of compensation. It is for that purpose I move that this clause be made part of the Bill."

The Hon'ble Mr. A. Y. G. Campbell seconded the amendment.

His Excellency the PRESIDENT :—"I will put this clause which is merely consequential."

The amendment was then put and agreed to.

New clauses 16 and 17 were allowed to stand part of the Bill.

His Excellency the PRESIDENT :—"Clause 16 of the printed Bill now becomes clause 18. Clauses 16 and 17 have been added to the Bill as proposed."

Clause 18.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"Your Excellency, I beg to move amendment No. 25 on the agenda. It will be to clause 18 as now amended. The amendment will be to clauses 18 (1) and 18 (2). Your Excellency will permit me to move them one by one. I move that the following be inserted as clause 18 (2) : 'No prosecution under this Act shall be commenced without the previous sanction of the District Collector, which sanction may be given by him after inquiry.' The previous discussion on the various sections as to whether it was desirable to make it an offence and if so, whether it should be wilful default that must

13TH FEBRUARY 1919.] (Mr. Ranga Achariyar; the Advocate-General;
the President; Mr. Venkatapati Raju; Mr. Krishna Rao.)

be an offence, must have brought to the notice of Honourable Members that we are providing for a technical offence, and as it is, the Act will have to be worked with great care. In order to provide safeguards, it is suggested that before any prosecution is undertaken, the sanction of the District Collector will have to be obtained. So far as the latter portion is concerned—'which sanction may be given by him after inquiry'—I am willing to substitute the word 'notice' for the word 'inquiry' in the last portion. No doubt judicial officers do not give sanction without notice, but executive officers do not give notice. We are dealing with an executive officer. A list of agricultural offences will be sent up by the Agricultural department in a village or a taluk or a firka and the District Collector sitting in his chamber would merely pass orders sanctioning them. That sort of thing should not take place. Therefore, instead of the word 'inquiry' I will substitute the word 'notice'. I do not think I need say much. I propose this amendment."

The Hon'ble Mr. A. S. Krishna Rao seconded the amendment.

The Hon'ble the ADVOCATE-GENERAL:—"I am instructed by the Government to say that it may be accepted if it stops with the word 'District Collector'."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Why do they want to stop there?"

The Hon'ble the ADVOCATE-GENERAL:—"Your Excellency, I wish to suggest that the words referring to notice, or referring to an inquiry, are wholly unnecessary. If the sanctioning authority is the District Collector, he can take such steps as he likes. My Honourable friend knows that in ordinary cases no notice is necessary for sanction. We are enacting a provision as a safeguard. We are not laying down any limitations and we are not saying that evidence should be taken. Nothing is said in section 195 of the Criminal Procedure Code for instance about the necessity for a notice. I would suggest to the Council that the Honourable Member's intentions will be fully given effect to if he stops with the words 'District Collector.' It is wholly unnecessary for him to put in the other words. We do not say that the Collector should give notice or that he need not give notice. It all depends upon the urgency of the prosecutions. Supposing the prosecution must be immediately commenced, notice may not be necessary. There may be other cases in which further materials may be necessary and in which notice may be given. It is not necessary to put on any unnecessary words. It is entirely a matter for his discretion to give or not to give notice."

His Excellency the PRESIDENT:—"Does the Honourable gentleman accept what the Hon'ble the Advocate-General has said?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"The explanation given by the Hon'ble the Advocate-General forces me to stick to my amendment."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"The Hon'ble the Advocate-General stated that he was going to accept the Hon'ble Mr. Ranga Achariyar's amendment, because where there was a justifiable excuse, the District Collector would not give sanction. The agricultural officer will say that the man has disobeyed his instructions. There are District Collectors who will issue notice before sanction is given, but there are others who will avoid the trouble and will only put their signatures under the office-note. How is this at all a safeguard unless the Hon'ble the Advocate-General is prepared to accept that that must be after notice. If there is notice, the party will come and explain what justifiable necessity there was by way of defence, either a religious scruple or anything of that sort. Otherwise, this safeguard would be of no avail."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"My Lord, the very object of sanction will be frustrated if the man is not to be given notice. I cannot contemplate that any case would be so urgent that the District Collector would not find it necessary to give notice. The Hon'ble the Advocate-General has stretched the point too far. The thing is done and the man has to be prosecuted. Afterwards everything will take place. If it is a case of the judicial officers being entrusted with this, I would not insist on this; but executive officers are not accustomed to give notice beforehand and they would not do it ordinarily. Unless the statute makes it compulsory they would not do it. Although section 195 does not make it obligatory to give notice, the High Court expects judicial officers to give notice and it is done. How is the officer to know what excuse the man had? How is he to know that he was a Jain or a Buddhist or that he was laid up with influenza? I do not know why the Government should insist upon the omission of this proviso. It is a necessary proviso. As far as other protections are concerned, Government would not accept them. This is quite a harmless addition and I do not think that there is any reason against accepting it unless the object of the Government is that the Collector should pass orders of prosecution sitting in his chambers on a list of cases suggested by the Agricultural department. If that is going to be the order, we had better get rid of the whole proviso altogether. I know a case where a proposal was made before an executive officer suggesting two alternative proposals with reference to a subject and the officer said 'ordered accordingly'; and the officer below him had to ask him again which proposal was ordered. That sort of thing should not take place in a matter like this."

The Hon'ble Mr. A. S. KRISHNA RAO:—"May I request this amendment to be split up?"

His Excellency the PRESIDENT:—"The Honourable gentleman has not accepted the Hon'ble the Advocate-General's offer. Therefore I am bound to put the whole thing."

18TH FEBRUARY 1919.] (The President; the Advocate-General; Mr. Ranga Achariyar; Mr. Narasimha Ayyar; Mr. M. Ramachandra Rao.)

The amendment was then put and lost.

His Excellency the PRESIDENT:—"Will the Honourable gentleman move sub-clause (3) which now becomes sub-clause (2)?"

The Honourable the ADVOCATE-GENERAL:—"I beg to propose the following words be added as sub-clause (2) in section 18 of the Bill:—"No prosecution under this Act shall be commenced without the previous sanction of the District Collector'."

The amendment that these words be added was put and agreed to.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I am glad they see the justice of it at least now. Your Excellency, I now move that the following be inserted as sub-clause (3) of section 18:—"No prosecution under this section shall be commenced after three months from the date of the alleged offence.' This is a familiar and a usual provision under such Acts. In various Acts, this provision will be found. Last year, we passed the Prevention of Adulteration Act, Act I of 1918, and in that Act, section 19, we provided that 'no prosecution shall be commenced after three months from the commencement of the Act.' In the Indian Merchandise Marks Act, section 61, there is such a provision; in section 9 of Act I of 1873, the Wild Elephants' Preservation Act, six months' time is allowed; in the District Police Act, 'three months after the Act complained of'; in the Steam Boilers Act, six months after the date; in Act III of 1888, the City Police Act, it is provided that no prosecution until after three months should be launched; in the Salt Act, it is six months, and in an early Regulation, V of 1816, three months from the date of complaint. In the Madras City Municipal Bill which we are now considering, there is a provision made providing for three months or six months as the case may be for starting a prosecution. It is a very necessary safeguard. The department should not take hold of stale offences. It is a very usual provision and I commend this amendment for the acceptance of the Council."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I second this amendment. I believe a verbal alteration might be made—substitute 'no prosecution under this Act' instead of 'no prosecution under this section.' But I believe both are practically the same. Under this section really means 'under this Act'."

The Hon'ble the ADVOCATE-GENERAL:—"I oppose the amendment. This is unnecessary. Now that the Council have passed the amendment requiring the sanction of the District Collector for prosecution, it is necessary to reject this amendment. It will take some time to obtain the sanction of the Collector. He will have to make an inquiry and it is not possible for the inquiry to be over within three months before the sanction is obtained. Another reason why it cannot be accepted is that under clause 6 of the Bill, the inspecting officer gives notice to the occupier asking him to carry out certain measures within a specified time. The offence is committed after the period lapses. The Bill gives a right of appeal to the appellate authority against the order of the inspecting officer. Now that appellate authority may simply confirm the decision and may not allow the appeal. The commission of the offence may date from the expiry of the last day given by the inspecting officer in cases in which the appellate authority merely rejects the appeal. The appeal may take sometimes two or three months, and therefore this period of three months fixed by the Honourable Member would be certainly unworkable. There might be other reasons, why the Collector or the department concerned, should have some time to make inquiries. By putting in a time limit, I do not know if the Honourable Member is really benefiting the occupier. He will be compelling, by putting this shorter time limit, the department to resort to prosecutions; whereas the time will expire in three months they will have to be on the alert and apply in every case for sanction for prosecution without allowing the occupier any time. Suppose the occupier carries out a measure after the time specified in the inspecting officer's notice still a technical offence is committed. But yet the department may not bring forward a prosecution; the Collector may think that it is a fit case in which though a technical offence has been committed, as the prescribed measure has been carried out, there is no necessity for a prosecution. The occupier may carry out such measures after three months. The time must therefore be much longer than three months. This is really against the interests of the occupier and it will compel the department to resort to prosecutions. I do not know if the Honourable Member presses this amendment."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I am sorry I cannot understand that view of the matter. The difficulty pointed out by the Hon'ble the Advocate-General was in a case of appeal in which the appeal was dismissed. It is only an imaginary difficulty, because section 7 permits the appellate authority to prescribe further time. Where an appeal has been preferred, it will have to be done within the time which is allowed by the appellate authority. I do not see any difficulty. I want to avoid even the chance of a stale prosecution. I dare say the District Collectors will consider this when giving sanction; but I want a statutory limit within which such offences may come up before a court. There may be other difficulties which will arise in case the prosecution is launched before courts. In legal Acts, it is usual to provide such a time limit. It is always a statutory principle. The same reason might have been urged against all those Acts. But I do not see why the Advocate-General did not advance the same argument when passing the Madras Adulteration Act in July last. I do not see why the Hon'ble the Advocate-General objects to it. I therefore press it on principle."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Might I suggest the substitution of the word 'six' for the word 'three' before the word 'months'?"

(Mr. Ranga Achariyar; Mr. Rajagopala Achariyar; [13TH FEBRUARY 1919.
the Advocate-General; the President;
Mr. Ramanuja Achariyar; Mr. Siva Rao.)

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I accept it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I would accept it as there is ample time."

The Hon'ble Mr. Ramachandra Rao's amendment was put and agreed to.

The Hon'ble the ADVOCATE-GENERAL:—"The wording is 'under this Act'. Is it not?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Yes."

This was put and agreed to.

Clause 18, as amended, was allowed to be added to the Bill.

His Excellency the PRESIDENT:—"Original clause 17 becomes clause 19."

Clause 19 was allowed to stand part of the Bill.

His Excellency the PRESIDENT:—"The original clause 18 becomes clause 20."

Clause 20.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I do not propose to move amendment No. 26 on the agenda standing in my name."

With the permission of His Excellency the President, the amendment was then withdrawn which was:—"Omit the clause."

The Hon'ble the ADVOCATE-GENERAL:—"I beg to move amendment No. 27-A on the supplemental agenda that after the words 'under this Act' the words 'except those conferred by sections 3 and 19' be inserted. 'Section 19' in the amendment should be 'section 21' now. The section as amended will run as follows: 'The Governor in Council may by notification in the Fort St. George Gazette delegate all or any of his powers under this Act, except those conferred by sections 3 and 21, to the Director of Agriculture or, any other officer or to any local authority or the President or chairman of any local authority. The Select Committee recommended that this power of delegation should be retained, but after the report of the Select Committee the Government of India have ruled and recommended to the local Government to omit the power under section 3 from the scope of delegation which is empowered by clause 20 of the Bill, the reason being that for the sake of uniformity it is necessary that the power should be with the central Government; the power of prescribing the various diseases and the remedies and the power of notifying the areas—these should be in the central Government; and as no one local authority is competent to trespass upon the areas of other local authorities, it seems right in principle that the power should not be delegated to any local authority. That is the reason why this power under section 3 should not be delegated. So far as the reference to section 21 is concerned, which is now printed as clause 19 of the Bill, it is the clause by which the rule-making power is taken by the Governor in Council. It is only appropriate that the rule-making power should be retained in the hands of the central Government and should not be delegated to other authorities. For these reasons, I move this amendment in clause 20'."

The Hon'ble Mr. A. Y. G. Campbell seconded the amendment.

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, if clause 3 is out of the purview of clause 18, it would be meaningless to retain this provision."

His Excellency the PRESIDENT:—"Which provision? Is it the whole clause?"

The Hon'ble Mr. P. SIVA RAO:—"Yes, the whole clause. It was contemplated by the Select Committee that there was a possibility of the Governor in Council delegating the whole of their functions under clause 3 and this clause was proposed. I would ask in all humility the Hon'ble the Advocate-General what other powers the Governor in Council may delegate to the local authority."

The Hon'ble the ADVOCATE-GENERAL:—"Appointing inspecting officers and valuing officers and Government may delegate this power. That can be delegated to the local authority."

The Hon'ble Mr. P. SIVA RAO:—"Then it is possible that the appointment of inspecting officers may be delegated to the local authority. That is a very small concession and I do not think the provision was inserted for that purpose. The inspecting officer was one appointed and I do not think that anything is gained by delegation of the power to the local authority and by the local authority being permitted to appoint inspecting officer or valuing officer. As regards the merits of the amendment, I am strongly of opinion that the working of this Act as in other countries may be left for some time at least according to the discretion of the Governor in Council to the local authority. I request my Hon'ble friend Mr. Ramachandra Rao to say whether it is not so in other countries, as he is well-versed in comparative legislation—whether it is not so in the legislation of other countries that local authorities are entrusted with the working of such measures. If that is so, where is the harm in retaining such a provision? If local authorities gain more experience, the Governor in Council may think of delegating those powers. After all the Governor in Council may not decide to entrust them to local authorities. It is left to their sweet will and pleasure. Therefore I oppose the amendment. Clause 18, as I originally said, loses all its force. It only means that the local authority would have power only to appoint inspecting officers. It will lose all its primary meaning and it is better to drop this clause if clause 3 is to be taken out of its purview."

13TH FEBRUARY 1919.] (Mr. Narasimha Aiyar; Mr. M. Ramachandra Rao;
Mr. Krishna Rao; the President.)

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I noticed the same defect as the Hon'ble the Advocate-General. I wanted the insertion in the original section of the rule-making power about notification. I do not know if it may not be desirable to give the District Board President of Salem, for instance, power to issue urgent orders re transport to Hosur and Nanakkal taluka. Suppose in one place some pest is spreading—say the coconut pest—the question is whether it is not desirable to have power in the local authority to prohibit transport. You may gain experience and put it in later on."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, this clause is the usual delegation clause which empowers the local Governments to entrust their functions to other local authorities. As to how far this power should be carried out is a question which has to be considered. I am entirely at one with the Hon'ble the Advocate-General in proposing to create an exception in favour of clause 3 and also in regard to clause 21. Both are well-known exceptions. The power of sub-legislation is entirely with the Local Government and it is not usual to entrust it to any other authority. No doubt, local authorities have power to make by-laws, but the power of sub-legislation must be with the local Government. As regards section 3, my honourable friends should realize that section 3 is the section which puts the Act in motion. As to whether that power should be delegated to any other authority, or whether it should remain with the central authority is a matter to be considered. This power can only be exercised after the advice of the Government Agricultural department and their officers who will declare the pest, is an insect pest or a plant disease, and I submit that no local authority in this country whether district boards or the municipalities have the necessary facilities, independent of the question of principle involved, to put the Act into motion. They have no expert advice in regard to matters relating to the notification of the diseases which should be dealt with in section 3. The question was considered in the Select Committee as to whether the local boards should be entrusted with the working of the Act or whether the Act should go further. The other sections, namely, sections 7 and 17 relate entirely to the administration of the Act after the Act is put into force by the local Government in a particular area. Therefore, I submit this proposal to reserve power to the local Government to put the Act in motion is in accordance with the course of legislation elsewhere. Even in England, the Board of Agriculture first of all makes a notification as is contemplated in section 3 and it is only then that the local authorities are asked to carry out provisions of the Act. I think there can be no question whatever that the proposal of the Hon'ble the Advocate-General to amend this section is entirely sound."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, though it is quite true that so far as the powers under section 21 are concerned, they cannot be delegated I cannot myself see why the provision already made by the Select Committee so far as section 3 is concerned should be taken away. My Hon'ble Friend Mr. Ramachandra Rao has in supporting the amendment suggested no reasons why any provision should not be inserted in the Act for that purpose. I am prepared to concede that it will take some time before local bodies can maintain the necessary establishment and make themselves ready to put this Act into operation. All that the section lays down is that 'the Governor in Council may, by notification in the Fort St. George Gazette, delegate all or any of his powers under this Act to the Director of Agriculture or any other officer or to any local authority or to the president or chairman of any local authority'. It gives power to the Governor in Council to consider the circumstances of each locality and to find out whether the local body concerned is in a position to obtain the necessary expert advice and put the Act into operation before the powers are delegated. There is another reason for my objecting to this amendment; and it is on a question of principle. The Select Committee which paid considerable attention to this subject, considered the circumstances of various localities and inserted this new clause. It gave power to the Governor in Council to delegate those powers which are necessary, either to the Director of Agriculture or to the local authorities. It is under the most extraordinary circumstances that the Government of India should give a direction like the one suggested by the Hon'ble the Advocate-General. The chief reason that the Hon'ble the Advocate-General suggested was that the Government of India objected to the delegation of the powers under section 3. If the Council are agreed that the recommendations of the Select Committee may be approved and that the powers of delegation may be retained so far as section 3 is concerned, I think that the Council will be justified in making a further representation to the Government of India. Whatever may be the result of the amendment, I hope the Council will not construe from the Hon'ble Mr. Siva Rao's speech that if this amendment is to be accepted, we shall not have this power of delegation recognized even to a limited extent. I would therefore suggest to the Council that though the powers retained in the section after the amendment is accepted are very little, though the local body can in that case only appoint inspecting officers or valuing officers, it encourages the principle of delegation and that we should support the clause as it is even though the amendment is accepted. We should not ask for the deletion of the whole clause. There may be difference of opinion, but let no one think of deleting the whole clause."

The amendment was then put and agreed to.

Clause 20 (new) was allowed to stand part of the Bill.

His Excellency the PRESIDENT:—"Clause 19 as it originally stood becomes clause 21 now and the Hon'ble the Advocate-General wishes to move an amendment."

(The Advocate-General; Mr. Rajagopala Achariyar; [18TH FEBRUARY 1919.
Mr. Kavalappara Muppil Nayar.]

The Hon'ble the ADVOCATE-GENERAL:—"Your Excellency, I move that at the end of sub-clause (d), the following words be added: 'and the methods and conditions of valuation of trees and plants'. The reason for that amendment is that in sub-clause (c) of clause 9, which we have already passed, we say that for the purpose of sub-section (3) value shall mean the value of the tree or plant at the time of its destruction. It is impossible especially in the case of plants to lay down clearly the methods of valuing in the Act. Timber trees may have to be valued in one way according to market value and it is easy enough; in the case of fruit trees, the capitalising of the income may be one way of valuing them, in the case of other trees expert valuation may be necessary. In the case of plants especially, there may be difficulties which would arise and for all these purposes, it is proposed to add these words in order to make it perfectly clear that the general rule-making power extends to this also: Sub-clause (d) runs: 'prescribing the procedure to be followed in making an award under section 11.' I propose to add the words at the end of this sub-clause: 'and the methods and conditions of valuation of trees and plants'."

The Hon'ble Mr. A. Y. G. Campbell seconded the amendment.
The amendment was put and agreed to.

The Hon'ble the ADVOCATE-GENERAL:—"After clause (d) of section 21, which has just now been passed, I move that the following be added as sub-clause (e): 'Providing for payment of compensation under section 18 and for all matters connected therewith.' This is a simple amendment merely consequential upon clause 18 which includes compensation to be paid to occupiers, who, in obedience to orders issued under section 6, destroy the plants or trees. I therefore move this amendment."

The Hon'ble Mr. A. Y. G. Campbell seconded the amendment.
The amendment was put and agreed to.

The Hon'ble the ADVOCATE-GENERAL:—"Your Excellency, I propose amendment No. 28 (b) on the second supplementary agenda, that the old sub-clause (e) of new clause 21 be re-lettered as sub-clause (f). I also move, Your Excellency, amendment 28 (c) on the type-written agenda that: from sub-clause (f) of clause 21, as re-lettered the words 'under sections 6 and 12' be deleted."

The Hon'ble Mr. A. Y. G. Campbell seconded the amendment.
The amendment was then put and agreed to.

The Hon'ble the ADVOCATE-GENERAL:—"I propose amendments Nos. 28 (d) and 28 (e) on the typewritten agenda that old sub-clause (f) of new clause 21 be re-lettered as sub-clause (g) and old sub-clause (g) of new clause 21 be re-lettered as sub-clause (h)."

The Hon'ble Mr. A. Y. G. Campbell seconded the amendment.
The amendment was then put and agreed to.

Clause 21 as amended was then allowed to be added to the Bill.
The preamble was then allowed to be added to the Bill.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Under Rule 51, I beg to move that the Bill as amended be passed into law."

The Hon'ble the Advocate-General seconded the motion.

The Hon'ble Mr. K. K. R. KAVALLAPPARA MUPPIL NAYAR:—"Your Excellency, I do not propose to detain the Council with any long observation. I just wish to make one or two general remarks. As I said at an earlier stage, I fully realize the necessity for such an Act—and I have wholeheartedly supported it. I can see that in the conflict of interests between the community and the individual, the latter must generally give way in spite of the hardship. I welcome this Act—though I must say it is necessarily on the principle of adopting the lesser of two evils. But, I wish, at the same time, to draw the attention of Your Excellency in Council to the very grave dangers that may arise from the delegation of so very high and almost arbitrary powers. Hence, a word of caution to the department which I believe has had up till now practically no experience in work of the sort proposed. We have, for instance, to be careful of these experts when they wish to take to now pastures or when even unable to control perhaps private feelings they rush to issue ill-considered leaflets on most complicated and controversial questions—like land tenures. I also request that due consideration may be had on this aspect of it and necessary instructions, to be sympathetic in the exercise of their new powers, issued to the inspecting authorities along with all notifications.

"I next wish to refer to a communication to the Council on the present subject from a member of the public from my part of the country. The communication insinuates probable hardship from Jaumis. I do not propose to argue it out, if that gentleman's object is simply to drag before the Council the irrelevant, and I hope that once-for-all-dead-question—alleged tenancy troubles. I may at once say that in Malabar it has always been our particular misfortune that whenever any unpleasantness or evil takes place it is at once put down to the score of the Janmi; and any new attempt at this old game shall not surprise me in the least. As regards, however, relief for his loss, the tenant can always claim his legitimate share of the compensation when awarded under section 11 or section 18. I really cannot see where room for any complaint lies."

18TH FEBRUARY 1919.]

(Mr. Krishna Rao; Mr. Siva Rao.)

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, at the final stage of the passing of this Bill, I may be permitted to make a few remarks. There is absolutely no doubt that the Bill which is now to be passed into law is a wholesome measure calculated to remedy a serious evil, though it must be admitted that both the Government and the non-official public have found considerable difficulties in dealing with a measure of this description. This is a legislative measure which is comparatively new; and in passing this measure, there have been several complications and difficulties which had to be solved. The Bill which is now to be passed into law, I must frankly confess, throws very serious responsibilities upon occupiers and confers very wide and extensive powers upon inspecting officers. It is on a gradual adjustment of the work to be done by both these different sets of persons, that the success of this measure will largely depend.

"I may now draw the attention of the Council to some of the important provisions of this Bill the most important of which is what is put down in section 4. Immediately after a notification is issued under section 3, it is made the duty of the occupier to carry out within the notified area, the preventive and remedial measures prescribed in the notification. It has not been possible owing to various difficulties to think of providing for compensation for the owner who carries out remedial or preventive measures at that stage. It is later on to be found out whether an adequate remedy can be provided. Again under clause 5, we find that the officer empowered under clause 17 may enter the land and take such action as may be necessary though it is not possible to define what sort of action he may take and to what extent he may take the action and whether damage or loss will be caused thereby. It has not been possible for us to make provision for such a contingency. But I may draw the attention of the Council to the amendment of the Hon'ble the Advocate-General which, as provided in clause 6, has given considerable relief. Section 6 as amended by the Select Committee made it incumbent upon the inspecting officer to call upon the occupier by notice in writing to carry out the prescribed remedial or preventive measures within a time to be specified in such notice. The alteration of the word 'shall' into 'may' has given considerable relief. It indicates that it is unnecessary for the inspecting officer under those circumstances to take such drastic measures as the one suggested in section 5 or 6, though it gives him a discretion to do so. There will be a number of cases in which the executive officer will be justified in taking the remedial measures or the preventive measures of his own accord if that would work hardship upon the poorer classes. So far as this Bill is concerned, it has not been found feasible or possible to make such detailed suggestions; but there will be hundreds of cases in which the occupiers will have to be protected. It will be the duty of the Government not merely to put the provisions of the law into operation, but to take the responsibility of dealing with these insect pests and diseases and carry out the necessary operations. It is only to the extent that the occupiers can be really held responsible that these provisions can be put into operation. In other cases where there is general insect pest and so forth, the Government should themselves come to the relief of the people concerned. As to the duties of the inspecting officers, they have a very grave responsibility to discharge. We find in the corresponding provision of the Ceylon Pest Act they appoint a Board and all proceedings are taken in the name of the chairman of the Board; but so far as this Act is concerned, we have given necessary powers to the inspecting officer appointed by the Government. It will be difficult to work out these provisions to the satisfaction of all the people concerned, unless these aspects are borne in mind by Your Excellency's Government when rules are framed for the purpose under section 21.

"Under section 21, rules have to be framed prescribing the methods of publication of descriptions of insect pests, plant diseases and noxious weeds and of the treatment to be followed. In prescribing the methods of treatment, after taking the expert advice of the officers of Government, it will be necessary to so frame the rules as to cause as little dissatisfaction as possible to the people. May I venture to suggest that in an important case of this description, in dealing with a legislative measure which is new, it is desirable that the rules, as soon as they are framed, are published for criticism so that all persons concerned may have an opportunity to make representations? If they are unnecessarily drastic and if they are likely to cause hardship to individual land-owners, it may be possible to bring the defects therein to the notice of the Government. I think it is only then that it would be possible to bring it to the notice of the Government. I am sure that both the Government and the public are really anxious to deal with this evil and to put it down; but we must avoid all unnecessary hardship by the rules. I venture to suggest now that a motion has been made for passing the Bill into law, that that aspect will be borne in mind. Though this is a new measure, though there are drastic provisions and though some people are likely to be put to inconvenience, it is on the whole a wholesome measure. It must be given a fair trial to see how it will develop. I have no doubt that the Bill deserves to be supported."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I wish to make a few remarks before this Bill is passed into law. Even when it was introduced in this Council, I expressed my misgivings whether this measure will be a desirable one to achieve the object for which it is proposed. All of us most heartily sympathise with the object of this Bill; so far as it seeks to prevent the spread of insect pests and diseases from one place to another, it has our warmest sympathy. But there seems to be some difference in the methods of carrying out this object. It raises a serious doubt in my mind whether all these drastic powers are necessary or desirable in the present state of the country; or in other words whether there is likely to be more evil

(Mr. Siva Rao; the President; Mr. Ranga Achariyar; [13TH FEBRUARY 1919.
Sir Fairless Barber; Mr. Rama Ayyangar.]

than good resulting from this measure. There is no doubt that these measures are very drastic in their nature. We do not know who the inspecting officers will be, their qualifications are yet to be prescribed as also those of the valuing officers or of the assessing officers and the appellate authorities. The poor ryot is entirely in the hands of these scientific experts, if I may call them so, scientific faddists. They may devise any measures which are best suited in their opinion to prevent the evil and then the poor ryot or occupier is bound at the threat of criminal prosecution to carry out such measures. I entirely disapprove of the penal provisions in the Bill. I am one of those who wish that the Bill had stopped short without giving the inspecting officers power to enter upon the land and to carry out the requisite measures. I quite see that some legislation was necessary, but if legislation had gone on these lines, the inspecting officers had been vested with some power to enter on the land it would have been all right. In this case, the poor owner or occupier, whatever the extent of his holding may be, whatever his means may be, whether he is a poor man or is in a position to carry out those measures or not, he is enjoined by law to carry them out. Otherwise, he is threatened with prosecution. There is absolutely no provision made in the case of a poor man who has no means of carrying out the measures. Suppose a man owns a few cents of land and the measures suggested are far too disproportionate. He may give up the holding instead of carrying out the measures; but now he is not left to relinquish the holding, but he should carry out the provisions. Otherwise, he is sentenced to pay a fine of Rs 50. Again, there is absolutely no provision for remission in part or in toto. In spite of our best endeavours in this Council to carry out the amendment that the Collector should have the power to remit it, Government have not accepted the amendment. I do not want to detain the Council very long, but I hope there may not be any abuse of these powers, that executive authorities will work the provisions of the Bill in a sympathetic manner and try to make it as popular as possible instead of abusing their powers under this Bill."

The Hon'ble Rao Bahadur T. Ranga Achariyar rose to speak.

His Excellency the PRESIDENT:—"I think we may pass the Bill. I do not think it is necessary to speak further. It is for the Council to decide."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Your Excellency, I only wish at this stage to emphasize the very shrewd observation made by my Honourable friend, Mr. Muppil Nayar. The tendency of the Englishman is to place too much faith in the expert and in the case of a measure like this, in dealing with the welfare of a population like the agriculturists, I would ask the Government to move slowly and not to place implicit faith in expert advice. We know experts. There are experts and experts and we know how they differ. One expert condemns what the other has done when he comes on the field. That is one word of caution. By this Act, a beneficent measure has been enacted. I hope it will turn out to be a beneficent measure for the welfare of the agriculturists, but at the same time there are provisions there which may be worked to the harassment and annoyance of the ryot and that can only be prevented by a close and strict watch being kept from the central authority. Whoever is in charge of the Agricultural department on behalf of the Government will have to keep a close and strict watch on the working of this Act, and after it is worked for some years, I dare say the whole machine will work all right. But till then I would ask your Excellency's Government to take stock of the experience of the people in this country in these matters, pay more value to the experience that they have got than to the advice of the experts who are mere novices in agriculture."

The Hon'ble Sir FAIRLESS BARBER:—"I only wish to thank the Government for the great trouble they have taken in passing this Act."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, I want to say only one word in connexion with this Bill. I feel that the Government have tried to meet the difficulties raised as much as possible. I feel also that when an enactment like this is drawn up there will have to be put down general clauses which must be inserted for its proper and efficient working. But as I have observed at the time the Bill was introduced, too much ought not to be made of the opinions of experts. I should very much like that, immediately, the department is now asked to state in what cases they feel they are satisfied that orders must be issued to destroy crops or anything of the kind. I know very often when they issue orders for the destruction of crops those crops spring up all right in the course of a month or two. Unless they are perfectly sure of their orders being safe, they ought not to be issued. Changes in the season are often to be noticed and that is a thing that the expert officers do not take enough notice of. The officers want to destroy the plants already suffering from the disease when if they wait for some time the plants would be all right a few days later. I have asked many times the officers of the department and when they are close pressed they say 'we are ourselves in the same position as you are.' My Lord, under these circumstances, I only want that the Government should immediately get information as to in what they can give a definite answer that the only course is that the plants should be destroyed. In other cases it will be better to leave it more to the locality and the people than to expert opinion alone. Only one other point I would urge and it is this: Government must not for some time think of prosecutions and the penal clauses ought not to be enforced at all. There is really no necessity for applying them. The whole Act must be worked as if there were no penal clauses at all."

13TH FEBRUARY 1919.] (Mr. Chidambaramathu Mudaliyar; Mr. Suryanarayana Rao;
the President; Mr. Ranga Achariyar.)

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"Your Excellency, I wish to say a word in this connexion. It must be the endeavour, the constant endeavour of the Local Government to make the working of this Act as little irksome as possible. This Act provides for certain measures of relief being taken under exceptional conditions and under dangerous circumstances. I believe the Government will really make the people feel that such is really the case in the actual working of it by providing safeguards and by making rules which would really answer the purposes for which this Act is going to be accepted by this Council."

The Hon'ble Mr. A. SURYANARAYANA RAO:—"My Lord, I have only a few words to submit in this connexion. With regard to the wholesomeness of the measure, there are no two opinions; I entirely agree with that. But in the working, I fear that the whole thing entirely rests with the inspecting officer and he can do anything in this matter. I feel that considerable power has been entrusted to the inspecting officer. He can issue the notice, he can remove the plant, and he can do anything and I do not think sufficient check is provided over the inspecting officer. Probably the inspecting officer will be of the rank of the revenue inspector. I do not know if we can have an inspecting officer of a higher rank. The higher the rank the better it would be to see that these occupiers are not improperly harassed. I therefore request Your Excellency's Government to kindly see that in framing the rules, the inspecting officers are men of proper rank, that there is sufficient check over them to see that there is no corruption, because everything suffers by corruption, and if the inspecting officer is corrupt, he can get money out of the ryot and do whatever he likes. He can fleece money or condone anything that the people do."

"Then with regard to prosecutions, the Hon'ble the Advocate-General was pleased to introduce the provision that the sanction of the District Collector is necessary and my Honourable friends the non-official members have fought for it. I was neutral. I do not think it is a blessing, because we know very well what generally happens in all these matters. It is generally a stereotyped order that is obtained. I would rather wish that that clause is deleted altogether. I would rather have the other clause that the prosecution should be finished within three months or rather started within three months. Three months is a wholesome provision, but the sanction of the District Collector is only illusory and very little comes out of it, because we know these orders are passed as a matter of course and where the inspecting officer places a particular matter before the District Collector and asks for sanction, I am sure the District Collector will not refuse it in the ordinary course of things, because he will not know the other side of the case. I do not think therefore that there is much in that sanction, but however my Honourable friends wanted it and there is that clause. With these observations, I have no objection to the Bill being passed into law."

His Excellency the PRESIDENT:—"I shall now put the motion. I am sure my Honourable colleague is very grateful to all the good advice given and also to the very kind acknowledgment made by the Hon'ble Sir Fairless Barber."

The motion was then put and agreed to and the Bill was passed into law.

After the Insect Pests and Diseases Bill was over, the consideration of the City Municipal Bill was taken up on Thursday at about 1 o'clock.

THE MADRAS CITY MUNICIPAL BILL 1918.

His Excellency the PRESIDENT:—"We begin with clause 104. I will call on the Hon'ble Mr. Ranga Achariyar to move his amendment No. 64 on the paper."

The amendment was as follows:—

"Add the following as proviso to the clause:—
Provided that where the assessed premises, or roads, or bridges are in the occupation of a Tramway or Telephone Company the property tax, if any, shall be paid in the manner provided above, by such company."

Clause 104.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Honourable Members will notice that the clause which we have just added to the Bill, namely clause 103, is the pivot on which the whole financial portion of the Act goes. It says: 'The property tax on buildings and lands shall, subject to the prior payment of the land revenue, if any, due to the Government thereon be a first charge upon the said buildings or lands and upon the movable property, if any, found within or upon such buildings or lands and belonging to the person liable to such tax.' Clause 104 makes the property tax include the tax on buildings and lands, payable by instalments by the owner of the assessed premises, in two equal instalments, each instalment being payable within 15 days after the commencement of the half year to which it relates. It is a well-known method of bringing down to local rates the tramway companies, the telephone companies and other companies who occupy the road by putting lines there, and occupy roads and bridges. As the section stands, it will be noticed that it is only the owner of the assessed premises who will be liable. In the case of roads and such other places, we cannot claim anything. We cannot say that the tramway company or the telephone company are the owners of the assessed premises and therefore under the Act, they will escape all liability to local

(Mr. Ranga Achariyar ; Mr. Ramanuja Achariyar ;
the Advocate-General ; Mr. Rama Ayyangar ;
Mr. Molony ; Mr. Krishna Rao.) [13TH FEBRUARY 1919.]

more attention to the Tramway Company than to the general principle. There is the Telephone Company which is paying nothing to the Corporation, but the company is making a large revenue and they are occupying bits of roads here and there, carrying their wires to and fro and why should they not be made to pay something? It is a very well-known form of taxation, it is called special property and it is specially valued. As regards railway companies, they have one mode of valuation, but as regards other properties namely, tramways, electric lighting works, mines, docks, telephone companies, etc., they are classes of properties which are taxed at local rates, and they have a special mode of assessment. The mode of assessment is different from the ordinary one. It is a well-known method of raising taxation for local purposes. As the law we are enacting now is not for the present company, but is one to enable the corporation to levy rates why should we confine our attention to the present tramway company and say how poor it is or how poor it was? I think it is beside the point. It is an acceptable principle of legislation to tax such companies as occupy bits of roads and beneficially occupy bits of roads. That is the point. So long as there is beneficial occupation of such lands, they ought to be liable to local rates. What the local rate is to be may depend upon various considerations. Let us not confound ourselves merely by taking the tramway company's case. Even in regard to the case of the tramway company, I expect they are flourishing now and they will flourish very soon. Even they would not find any difficulty and I have safeguarded my amendment by adding the words 'if any'. We may trust the commissioner and the executive to whom we give power, we may trust to his exercising his discretion wisely and properly."

The amendment was put and lost.

Clause 104 was allowed to stand part of the Bill.

Clause 105.

Clause 105 was allowed to stand part of the Bill.

Clause 106.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I beg to move amendment No. 65:—

65. In clause 106 (1) omit the words 'in writing' in the sixth line."

The Hon'ble the ADVOCATE-GENERAL:—"I accept it."

The amendment was put and agreed to.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I beg to move amendment No. 66:—

66. In clause 106 (2) omit the word 'written' in the third line."

The Hon'ble the ADVOCATE-GENERAL:—"I accept it."

The amendment was put and agreed to.

Clause 106 as amended was allowed to stand part of the Bill.

Clauses 107 to 116.

Clauses 107 to 116 were allowed to stand part of the Bill.

Clause 117.

The Hon'ble Mr. K. RAMA AYYANGAR:—"I beg to move amendment No. 67:—

67. In clause 117 (1) add the word 'used' after the words 'has been kept.'

"There is a difficulty in introducing this section—tax on carriages and animals. In the case of animals their keeping itself is use. But in cases where they are preserved to be used, the question whether they are used or not becomes of importance. I find in the present section 150 of the Act of 1904 there is power not to tax unused carriage though it is a taxable carriage. Suppose in the course of a half year, the owner of a taxable carriage loses his animal and could not find another, but keeps it in his house or stable which already pays a rent to the municipality and why should the keeping of the carriage be taxed? The previous position will be maintained by putting the word 'used.' I submit, My Lord, the present position of the law may be restored."

The Hon'ble Mr. B. Venkatapati Raju seconded the amendment.

The Hon'ble Mr. J. C. MOLONY:—"I oppose the amendment. It would be perfectly impossible to work a provision which raises the question whether a person is merely keeping his carriage or using it. It will lead to endless disputes. I submit that this amendment is entirely unworkable."

The amendment was put and lost.

The Hon'ble Mr. A. S. KRISHNA RAO:—"I do not move amendment No. 68 in my name."

13TH FEBRUARY 1919.] (Mr. Yakub Hasan ; Mr. Ranga Achariyar ; the President ;
the Advocate-General ; Mr. Rama Ayyangar.)

With the permission of His Excellency the President, the following amendment was withdrawn:—

"68. In clause 117 (1) omit the proviso."

Clause 117 was allowed to stand part of the Bill.

Clause 118.

The Hon'ble YAKUB H. SAN SAHIB Bahadur:—"I beg to move amendment No. 69:—

"69. Omit sub-clause (a)."

"In section 118 it will be found that the carriage and animal tax shall not be levied on carriages and animals belonging to the Government. I do not see why carriages and animals belonging to the Government should not be subject to the same tax as carriages and animals belonging to private individuals are subject to, and therefore I move that this sub-clause be omitted."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I second it. The corporation passed a resolution urging on me to support it in this Council."

The amendment was put and lost.

The Hon'ble Rao Bahadur T. Ranga Achariyar claimed a poll which was taken with the following result:—

For	Against
The Hon'ble Mr. P. Siva Rao.	The Hon'ble Sir Alexander Cardew.
" K. Rama Ayyangar.	" Mr. L. Davidson.
" Dr. T. M. Nayar.	" C. G. Todhunter.
" Mr. B. Venkatapati Raju.	" A. Y. G. Campbell.
" Diwan Bahadur K. R. Suryana-	" R. Ramachandra Rao.
rayanamurti Nayudu.	" M. Young.
" the Raja of Pittapur.	" L. E. Buckley.
" Mr. T. Ranga Achariyar.	" N. E. Marjoribanks.
" Yaqub Hasan Sahib Bahadur.	" Khan Bahadur Aziz-ud-din Sahib
" Mr. K. Chidambaranatha	Bahadur.
Mudaliyar.	" Mr. V. K. Ramanuja Achariyar.
" A. S. Krishna Rao.	" A. Subbarayalu Reddiyar.
" B. V. Narasimha Ayyar.	" R. Littlehales.
" Sir Gordon Fraser.	" J. C. Molony.
" Mr. J. H. Thonger.	" W. Hutton.
" the Most. Rev. John Aelen.	" W. J. J. Howley.
	" the Advocate-General.
	" Diwan Bahadur P. Rajagopala
	Achariyar.
	" Mr. H. G. Stokes.

The amendment was lost, 14 voting for and 18 against it. Clause 118 was allowed to stand part of the Bill.

Clauses 119 to 128.

Clauses 119 to 128 were allowed to stand part of the Bill.

Clause 129.

"70. Add the words 'charcoal and coal' after the word 'firewood' and at the end of the first proviso 'and in the case of coal and charcoal Rs. 2 per ton'."

His Excellency the PRESIDENT:—"There is one amendment on the first paper in the name of the Hon'ble Mr. Rama Ayyangar and an amendment in the name of the Hon'ble the Advocate-General in the supplemental agenda. I propose to take first the Hon'ble the Advocate-General's amendment."

The Hon'ble the ADVOCATE-GENERAL:—"My amendments are consequential upon the amendment we carried with regard to clause 98. They are:—

(a) In the heading to the clause omit the words 'and firewood.'

(b) In clause 129 (1) omit the following words:—

'and firewood'; 'in the case of timber'; 'in the case of firewood six annas per ton'; 'or firewood.'

(c) In 129 (2) and (3) omit the words 'or firewood'."

The amendments were put and agreed to.

The Hon'ble Mr. K. RAMA AYYANGAR:—"My Lord. . . ."

His Excellency the PRESIDENT:—"Your amendment will run 'timber, charcoal and coal'. Have we not imposed a tax on charcoal and coal?"

(Ranga Achariyar ; Dr. Nayar ;
Mr. Rajagopala Achariyar.)

[13TH FEBRUARY 1919.]

rates. It should not be the policy of the legislature to exempt such companies from liability to local rates and therefore it was when the Government published their first draft in 1916, they put in section 120 and they had a proviso to that section which is now section 104—there is a misprint in the amendment which may be noticed—‘provided that where the assessed premises are roads or bridges in the occupation of a tramway or telephone company the property tax, if any, shall be paid in the manner provided above, by such company.’ The object of this proviso is to make them liable to these local rates. Where such companies occupy the roads or bridges or other portions of such public property as may be vested in the Corporation or in the Government, they should be made liable to tax. Therefore this proviso was introduced in the 1916 draft Bill and somehow it disappeared in the 1918 draft and I tried to introduce it in the Select Committee and they would not accept it. The reason assigned was that we have entered into contract of the mileage rate with the Tramway Company but we have certainly entered into no such contract with the Telephone Company. Even in regard to the Tramway Company we must impose the liability to local rates; this must be taken into consideration in fixing the mileage rate. Simply getting hold of the subsisting contract between the Tramway Company and the Corporation, we must not omit to enact a provision in the statute book for the purpose of levying these rates. There may be other companies than the Tramway Company and the Telephone Company and in all such cases, we must make provision. As is well known, we have entered into a very unfortunate bargain with the Tramway Company. The matter was not carefully scrutinized when the first Tramway Order was accepted by the local authorities and sent up to the Government. They escaped with a very light rental and if we also prevent the Corporation from levying the rate on such people who are making profit, it would not be right. I therefore propose this amendment.”

The Hon'ble Mr. K. Chidambaramudaliyar seconded the amendment.

The Hon'ble Dr. T. M. NAYAR :—“My Lord, I have some doubt whether a tramway company or a telephone company occupying part of a land will ever become liable to pay any municipal tax, because the roadway is vested in the Corporation and as such it is free from any municipal taxation. Therefore any occupier of such roadway will not become liable to pay any tax. What they will be liable to pay is a rent and that should be dealt with under different provisions. I think there will be some legal difficulty if we now say that the Tramway Company are liable to pay taxes for the roads they occupy. It will be impossible to enforce it. I am quite at one with the Hon'ble Mr. Ranga Achariyar that a proper rent ought to be charged on them and collected, but I doubt whether it can come under this provision.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“Your Excellency, I would take up the last point mentioned by the Hon'ble Dr. Nayar which is that he doubted whether we can say in regard to the Tramway Company or the Telephone Company that it is the owner of that bit of land over which the line actually runs and thereby impose upon the company a property tax. So far as the legality of it is concerned, if this thing is passed, it will be legal, that is to say if this Council says as proposed by the Honourable mover that, where the assessed premises are roads or bridges in the occupation of a tramway or telephone company, the property tax if any shall be paid in the manner provided above by such company.”

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—“Permanently occupied by posts and pillars, etc.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“If the Council says that, it will be law, and liability will be fixed on them, but whether it will be a good law or a reasonable law is a different matter. Law is law whether it is a reasonable one or not. That is the point raised by the Hon'ble Dr. Nayar. I would base my objection on a somewhat different footing. Assuming that you could in some way increase the tax paid by these companies, whether in the present conditions it would be wise to do so—that is the question. The Honourable Member seems to think that at present the Tramway Company—that is much more important than the Telephone Company—escapes all liability to local taxation. Is it escaping all liability to local taxation? I have got before me a statement of the local taxation which the Tramway Company is now paying which comes to Rs. 11,000 per annum.”

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—“Is it property tax?”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“Rs. 1,984 for property tax; from the extension in Broadway, etc., Rs. 5,300.”

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—“That is rent.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“Yes. It is rent. But rent for what?—rent for using your road. The Honourable Member's proposal is that by some manipulation of the law, you should say that in addition to that, the company are the owners of that bit of land over which they go and thereby levy a property tax on them. The vehicles, the cars pay taxes and the amount works out to Rs. 11,000. If these are going to be increased under the new law, in some cases we may be more than doubling the liability. It is open to you in regard to further extensions to increase your rent. Then they are liable to company tax which is also being increased. The chances are that what they are contributing to the municipal revenue will under the Bill be greatly increased. The question for the Council to consider is whether we should go further in this direction by passing this piece of legislation which the

13TH FEBRUARY 1919.]

(Mr. Rajagopala Achariyar ; Mr. Ranga Achariyar ;
Mr. M. Ramachandra Rao ; Sir Gordon Fraser.)

Honourable Member proposes. I am quite aware that there are parallels elsewhere to this particular proposal which the Honourable Member makes. But what is the position so far as the Tramway Company is concerned? We want very badly a large extension of the tramway system. Facilities for communication to the poorer classes of the population are extremely limited and the extension of the tramway system is badly needed. I find that the Tramway Company, since the year 1904 when the tramway was re-constructed up to the year 1917 for which we have got figures, was paying an average dividend to the ordinary shareholders of 3.82, that is, less than 4 per cent. If you now introduce this law and take more from them, what would be the result? It will reduce their dividend and they would not have any motive to extend their lines and you would really be doing a positive disservice to the poorer classes of the population. It is not people like my Honourable Friend Mr. Ranga Achariyar or myself that use the tramway. It is the poorer classes of the population whose convenience we have to look to. If we pass this, I am sure it will be a serious set-back to the development of the tramway system in this city and I can conceive of nothing more unfortunate to the city than that. It is not a case in which the company is making a fabulous profit and we have let them off easily before and we must try to get more. They are getting less than 4 per cent. It will be straining the law after what has taken place to put in this provision in regard to the tramway. That bit of road over which they run their cars is open to other people also. It is not in their exclusive occupation and they maintain that bit of road and they pay the tax on cars, though their cars do no damage to the road.”

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—“They do considerable damage to the track they maintain and the track is always kept in water and the adjacent track is always a pool of water and the Corporation has to keep repairing it eternally.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“The Corporation may well be thankful that they are not called upon to keep in repair 50 per cent of the road. I put it on the wider ground; I think it is a mistake with regard to a company like this to do anything which will act as a set-back to its development. I therefore oppose this proposal.”

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—“What about the Telephone Company?”

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—“My Lord, I have considerable hesitation in supporting this proposal, mostly on grounds of legality of this provision in section 104. Sections 98 to 102 and section 103 relate to the property tax. I take it that this can only be levied from the owner. In this case, the particular portion of the road let to the company belongs to the Corporation. My Honourable Friend proposes to levy on the lessee a property tax, on a property which has been let by the Corporation; whether that position is one which is consistent with the scheme of this Act is the question. It may be that my Honourable Friend may have other kind of taxation that may be devised, but so far as this particular property tax is concerned, it is one about the legality of which I have very grave doubts. It is quite easy to find parallels but I do not know whether it is called the property tax. Under the District Municipalities Act, we have had cases where plots of land belonging to municipalities have been let to various individuals for the purpose of construction of huts and the question arose whether we can impose a tax on the huts constructed on buildings on the lands belonging to the municipality and it was eventually held that it was not possible to do so. I do not know if my Honourable Friend is satisfied that this comes within the section, for the property tax under section 103 takes precedence of land revenue, and it is the first charge on buildings and lands and upon the movable property. My Honourable Friend says that the taxes paid to the municipality are a first charge upon his own lands. If my Honourable Friend can devise other ways of tapping the Madras Tramway, we shall be prepared to support him, but otherwise we find a great deal of difficulty in this proposal.”

The Hon'ble Sir GORDON FRASER :—“I just want to say one word in opposition to this amendment. It is said that the Corporation made a bad bargain with the Tramway Company. Personally I cannot see it at all. I do not know if the Honourable Member who moved this amendment has really gone into the history of the Tramway Company since its initiation. The Tramway Company started and I think I am right in saying that it has been re-constructed on two occasions, certainly on one. I think of the original people who went into this business and provided the tramway for Madras, very few of them have anything left to show for it. The Tramway Company took this risk very much to the benefit of the Corporation. It may be that the Corporation could have worked this scheme quite differently but when people talk of a bad bargain made by the Corporation, I certainly do not agree with them; I think that the benefit is all on the side of the Corporation. If there is one body of people who made a bad bargain, it is the original people who took shares in the Madras Tramway Company.”

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—“In the answer given by the Honourable Member in charge, the question of the legal difficulty was raised but we need not pursue it. Unless it is beyond the competence of this legislature, I do not see how the question of legality comes in at all. It is entirely within the competence of this legislature. As regards the suitability of it, I am afraid the issues have been confounded by paying

(Mr. Rajagopala Achariyar; Mr. Ranga Achariyar; [13TH FEBRUARY 1919.
Mr. Rama Ayyangar; the President; the Advocate-General;
Mr. Narasimha Ayyar.)

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"No."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"If we pass this we can impose it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The Honourable Gentleman should have raised this question when the taxation clauses were taken."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency said that consequential amendments might be made."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Clause 98 as passed does not provide for a tax on charcoal and coal. It is that which gives the power to the corporation to levy this tax. The Honourable Member has not brought it up there and he proposes to bring it up now under section 129. Clause 129 lays down the procedure."

His Excellency the PRESIDENT:—"My Honourable Friend is quite correct."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Clause 98 is a general clause in which the power to tax is taken and in the details we say how it is proposed to tax. I wanted to give an amendment into Your Excellency's hands, but just before that the Hon'ble Mr. Ranga Achariyar said that a certain section would have to be reserved till a subsequent section was amended. Your Excellency ruled that it was unnecessary to retain it, but that if the latter is passed, these could be consequentially amended. On that I did not oppose the passing of section 98 simply on the understanding that Your Excellency gave that ruling."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I may help my Honourable Friend. What I said was that section 55 as to the period of office of councillors, elected and appointed, might be reserved because the Hon'ble Sir Gordon Fraser had an amendment which would necessitate an amendment to section 55 which was carried. Your Excellency said that if that was so, it could be amended."

The Hon'ble the ADVOCATE-GENERAL:—"That clause was put and carried."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"That does not mean final addition."

His Excellency the PRESIDENT:—"I am sorry if any misunderstanding on my part has prevented any Honourable Member from putting his amendment. The point is the Honourable Gentleman gave no notice of an amendment to clause 98 and no amendment having been inserted in clause 98, the amendment which he now proposes to clause 129 is out of order. There is no power in the Bill to tax charcoal and coal and therefore it will be quite meaningless for the Council to embark on the discussion of the Honourable Gentleman's amendment which he now proposes. I have no choice but to rule it out of order. I again express my regret. I am not conscious of having suggested to the Honourable Member that this was the proper place to raise the question. I do not recollect that it was ever put to me, but if it was ever put to me, I regret having misled the Honourable Member."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I have no voice in the matter except to place what I feel in the matter. It is patent that I have not given notice of an amendment to section 98, but I have given notice of an amendment to section 129. It need not have been placed on the agenda and His Excellency could have forwarded the amendment without placing it on the agenda. It was placed on the agenda and it meant that the consequential alterations may be made. There was an occasion for me when I could have opposed section 98 being passed, but by the ruling which was given in respect of another section that was put and passed, I was bound by a ruling of that kind. It is for Your Excellency to decide; in fact I do not think that Your Excellency would like to cut off argument or the position being placed before the Council. It is only a consequential amendment to be made, it might have been rectified before the office, it might have been rectified by me and the occasion when I could have rectified it was lost to me under the circumstances I mentioned."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I would make a request to this Council that we should not set up a precedent on a matter of this sort. Unless there is anything of a rule omit considering it. There is nothing in the Act or in the rules. I have not discovered one section warranting the position that the amendment should be excluded. There is no sort of antagonism between the provision previously passed and this. There is no rule that if we pass Bill consisting of 400 sections, there may be omissions of all sorts. When we are taking a big will require to be shaped, and we cannot possibly pass this in a day or two. I am quite sure that these anything on clause 98 which negatives the position taken by the Hon'ble Mr. Rama Ayyangar. There is nothing to say that we should not tax charcoal and coal."

His Excellency the PRESIDENT:—"I was anxious to hear everything that could be said, but this is really a matter upon which I must take the responsibility. It is obvious. There are gentlemen whose legal knowledge is greater than mine and I should be sorry to say that they should contest the position which is this. If you want to put charcoal and coal into this clause section 129, we shall have to go back and amend the clause 98. That will be the consequence. I am obliged to rule the Honourable Gentleman's amendment out of order."

[13TH FEBRUARY 1919.]

(Mr. Narasimha Ayyar; the President;
Mr. Ranga Achariyar; the Advocate-General.)

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"So that I may be better guided, may I know under what rule it is done?"

His Excellency the PRESIDENT:—"I had to decide points of order. The chairman has to decide points of order. I do not know which rule it is."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Rule 50."

His Excellency the PRESIDENT:—"There is obviously no other alternative."

The amendment was ruled out.

Clause 129 was allowed to stand part of the Bill.

Clauses 130 to 133.

Clauses 130 to 133 were allowed to stand part of the Bill.

Clause 134.

The Hon'ble the ADVOCATE-GENERAL:—"Amendment No. 71 is consequential and will drop. It is in the name of the Hon'ble Mr. Ranga Achariyar."

The following was the amendment which was dropped:—

71. After clause 134 which will be 133 after renumbering, insert the heading 'Duty on Goods' and add the following as clause 134:—

"The Governor in Council may make rules not inconsistent with the Act for regulating the collection of the duty mentioned in clause (h) of section 98, and pay them to the corporation after deducting the expenses incurred, if any, by the Government or by the Madras Port Trust in the collection thereof."

Clause 134 was allowed to stand part of the Bill.

Clauses 135 and 136.

Clauses 135 and 136 were allowed to stand part of the Bill.

Clause 137.

His Excellency the PRESIDENT:—"Amendments Nos. 72, 73 and 74 are all consequential and they drop."

The following amendments were dropped:—

72. The Hon'ble Mr. A. S. KRISHNA RAO:—"After clause 137 add the following as clause 137-A:—

- (1) The terminal tax on railway passengers shall be levied on the tickets of all passengers travelling by rail from any place more than 15 miles from the boundary of the city to any railway station in the city.
- (2) The rates at which the tax should be levied on each class of ticket shall be determined by the Council, provided always that they shall not exceed the maxima laid down in part IV-A of schedule IV.
- (3) The tax shall be collected as a surcharge on fares by the administration of the railway by which the passengers are carried.
- (4) The Governor in Council may make rules not inconsistent with this Act, regulating the collection of the tax, the payment thereof to the Corporation and the deduction of any expenses incurred by railway administrations to the collection thereof.

73. The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Number existing clause as clause 137 (1).

Add as clause 137 (2) the following:—

"The Governor in Council may make rules for fixing the amount of contribution payable to the Corporation under clause (f) of section 98."

74. The Hon'ble Diwan Bahadur M. RAMACHANDRAIAH:—"Add the following as clause 138 and renumber all the subsequent clauses:—

Terminal tax.

- (1) The terminal tax on railway passengers shall be levied on all passengers arriving in and departing from any railway station in the city by rail provided that the Governor in Council may by notification in the *Fort St. George Gazette* exempt passengers so arriving from and departing to stations within a radius of not exceeding 25 miles from the city.
- (2) The rates at which the tax shall be levied on each class of ticket shall, subject to the sanction of the Governor in Council, be determined by the Council provided always that they shall not exceed the rates laid down in part IV-A of schedule I.

(Mr. Rama Ayyangar ; the Advocate-General.)

[13TH FEBRUARY 1919.]

- (3) The tax shall be collected by the railway administration in such manner as may be decided by the Governor in Council.
- (4) The Governor in Council may make rules for regulating the collection of the tax and the payment thereof to the Corporation and for determining the charges for the collection of the tax, if any, to which the railway administration may be entitled.

Clause 137 was allowed to stand part of the Bill.

Clauses 138 to 146.

Clauses 138 to 146 were allowed to stand part of the Bill.

Clause 147.

The Hon'ble Mr. K. RAMA AYYANGAR :—"I move the amendment No. 75.

"75. After the words 'any one of such persons' add the words 'who is in the possession of the debenture or security.'

"The section runs :—"When two or more persons are joint holders of any debenture or security issued under this Act, any one of such persons may give an effectual receipt for any interest or dividend payable in respect of such debenture or security, unless notice to the contrary has been given to the corporation by any other of such persons.' The words 'who is in the possession of the debenture or security' should be added at the end. My only submission is that we will be contravening the provision of the Negotiable Instruments Act. When anybody produces a debenture or a security it is better that this clause is not exercised as excluding the other. It may be that one man gives possession to another on conditions which we may not realise and yet he may go to the municipality and draw the money. The effect of it will be that the person in possession may have legal remedies. I thought this matter may be placed before the Government."

The Hon'ble the ADVOCATE-GENERAL :—"The amendment is unnecessary. When two persons hold a debenture, each of them can give notice to the corporation not to give money. Therefore, the joint holders are protected. The corporation could be equally protected by obtaining a release from one of the joint holders. The introduction of the words 'who is in the possession of debenture or security' would lead to a very difficult process. The clerk of the corporation may have to administer the Act and he may have to find out who is in possession of the security or debenture. The holders can easily protect themselves by giving notice to the corporation. Unless both of them want to claim, the corporation can obtain a valid discharge by paying money due under it to either of the two persons. This will introduce the necessity for ascertaining who is in possession and we would have to distinguish between possession and custody and we would have to entrust it to the petty clerk to decide it."

The Hon'ble Mr. K. RAMA AYYANGAR :—"Others may give notice. I do not want to take away the provision as to notice. I cannot understand the objection of the Hon'ble the Advocate-General. If there are two joint holders, both of them are in joint possession though one of them has the physical possession."

The amendment was put and lost.

Clause 147 was allowed to stand part of the Bill.

Clauses 148 to 152.

Clauses 148 to 152 were allowed to stand part of the Bill.

Clause 153.

The Hon'ble Mr. K. RAMA AYYANGAR :—"I move amendment No. 76.

"76. Add at the end of sub-clause (1) the words 'necessary for such payment.'

"That is again for the notice of the Government. I want that only the amount necessary for payment should be attached and nothing more."

The Hon'ble the ADVOCATE-GENERAL :—"It is absolutely unnecessary. The section is quite plain. Section 153 says :—"If any money borrowed by the corporation from the Government, whether before or after the commencement of this Act, or any interest or posts due in respect thereof, be not repaid according to the conditions of the loan, the Governor in Council may attach the municipal fund or any part thereof'. It is wholly unnecessary. They are not going to attach for six pies, six lakhs of revenue."

The amendment was put and lost.

Clause 153 was allowed to stand part of the Bill.

Clauses 154 to 166.

Clauses 154 to 166 were allowed to stand part of the Bill.

[13TH FEBRUARY 1919.] (Mr. Krishna Rao ; the President ; Mr. Ranga Achariyar ; Mr. M. Ramachandra Rao ; Mr. Molony.)

The Hon'ble Mr. A. S. KRISHNA RAO :—"I think we may begin after lunch."

His Excellency the PRESIDENT :—"I may make one announcement. In the case of the Agricultural Pests and Diseases Bill, it is quite possible to see that printing of the Bill was corrected in all particulars. We should be finishing in a few days this very large and long Bill and it will not be possible and I do not think that it would be wise to say that this Bill should be passed into law at the same moment when we finish the consideration of the last clause. So, for the purpose of very careful scrutiny of the Bill, in regard to punctuation, printing, etc., I propose to suggest to the Council that it would conform to the needs of discussion that the actual passing of the Bill into law should be deferred to the next meeting of the Council."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"When will that be?"

His Excellency the PRESIDENT :—"Tuesday, the 11th of March. That is the date which has been indicated for purposes of convenience. When we meet then, we can take the business of simply requiring formally the passing of the Bill into law. That will also give an opportunity to Government of bringing any special points that may arise."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"And also to us, I believe."

His Excellency the PRESIDENT :—"I do not propose that there should be any general discussion except the ordinary discussion provided by the rules. If there is anything which Government wish to lay before us, we shall be guided by the ordinary rules in that matter."

The Council then adjourned for a short interval.

The Council re-assembled at 3 p.m., when the discussion was resumed.

Clause 167.

The Hon'ble Mr. A. S. KRISHNA RAO :—"I have the honour to move amendment No. 77 :—

77. In clause 167 (1), substitute 'Standing Committee' for 'Commissioner'.
"Section 167 reads thus : 'Without the permission of the commissioner, no building, wall or other structure shall be newly erected and no street or railway shall be constructed over any municipal water-mains.' I suggest that in sub-clause (1) of this section, instead of the word 'commissioner' the word 'standing committee' might be substituted. It will be remembered that this clause which is not in the original Bill was introduced in the Select Committee after some consideration. In the second sub-clause the principle is practically recognized that in the case of buildings, walls or structures erected or any street or railway constructed, the approval of the standing committee will be necessary before the commissioner can cause the same to be removed. What I suggest is only an extension of that principle. In the case of works affecting water-mains it is desirable that the permission of the standing committee is secured in the first instance. There need not be much difference between the provisions in the first part of the section and the second part of the section; and the amendment does not suggest that it should go before the corporation however important the work may be, but only before the standing committee which consists of seven members with a quorum of three. If the matter is urgent, it would not be difficult to secure a meeting of the standing committee even at short notice. In view of the importance of these buildings constructed on municipal water-mains, the permission of the standing committee is required before those works are undertaken. There need be no difference between sub-clause (1) and sub-clause (2)."

The Hon'ble Mr. B. V. Narasimha Ayyar seconded the amendment.

The Hon'ble Mr. J. C. MOLONY :—"I oppose the amendment. This is really a matter of executive detail. The Honourable Gentleman who moved the amendment has spoken entirely on the importance of the buildings constructed on water-mains. But municipal water-mains in relation to the whole city are very much more important; in deciding whether a building can remain or not the commissioner must rely upon the expert advice of the engineer. There is no other person who can be consulted and it is impossible to leave a detail like this to a deliberative body like the standing committee. It is not a question of policy at all; it is a question of executive detail."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"On the reason given by the Hon'ble Mr. Molony, the section should run : 'The commissioner with the permission of the engineer.' How the commissioner is in a better position than the standing committee to take the advice of the engineer, I cannot understand. Unless we act on the principle that if he happens to be a civilian, he is all-knowing and therefore he can act on the advice of the expert much more easily than the standing committee. It must be remembered that municipal water-mains run not only through public land, but also through private land. The Hon'ble Mr. Molony knows perfectly well that municipal water-main runs through Hyde Park, which is private property. I do not know how the owners consented to allow the mains to run through their property. It must have been in the early days when people did not know their rights. It is more or less an interference with private rights of property and in such a case to leave it to the sweet will and pleasure of this commissioner who will act in his executive capacity is not right. The owner has to exercise his right over his own property, but the Hon'ble Mr. Molony suggests that it should be left to

(Mr. Ranga Achariyar; the President; the Advocate-General; Mr. Rajagopala Achariyar; Mr. Rama Ayyangar; Mr. Molony; Mr. Thonger.) [13TH FEBRUARY 1919.]

the sweet will of the expert officer. As it is a matter interfering with private rights of property it must be left to a responsible body like the standing committee and not the commissioner who is always ready and willing to act upon expert advice."

The amendment was put and lost.

The Hon'ble Rao Bahadur T. Ranga Achariyar claimed a poll.

His Excellency the PRESIDENT:—"Ring the bell."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I do not think that the members who came now should take part in the vote. They have not voted already. Let us have a snatch vote at least on one point."

His Excellency the PRESIDENT:—"Does the Honourable Gentleman wish for a division?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"No, Your Excellency (Laughter)."

Clause 167 was allowed to stand part of the Bill.

Clause 168.

Clause 168 was allowed to stand part of the Bill.

Clause 169.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I move amendment No. 78:—

78. In line 2 omit 'at his discretion'.

"I think the words must have been left by oversight. They may be introduced there."

The Hon'ble the ADVOCATE-GENERAL:—"I accept it."

The amendment was put and agreed to.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I move amendment No. 79:—

79. In sub-clause (d) of explanation, insert the word 'churches' after the word 'temples'.

"I think that also might be inserted because we deal with temples and mosques."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I accept it."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"We are thankful for these small mercies. (Laughter)."

The amendment was put and agreed to.

Clause 169 as amended was allowed to stand part of the Bill.

Clause 170.

The Hon'ble Mr. K. RAMA AYYANGAR:—"I do not press amendment No. 80."

With the permission of His Excellency the President, the following amendment was withdrawn:—

80. Add a proviso 'provided that the council may on a representation by ten of its commissioners revise any decision of the commissioner in the matter'.

Clause 170 was allowed to stand part of the Bill.

Clause 171.

Clause 171 was allowed to stand part of the Bill.

Clause 172.

The Hon'ble Mr. K. RAMA AYYANGAR:—"I move amendment No. 81:—

81. In sub-clause (a) add the words 'for a continuous period of two months.'

"My Lord, it is only to avoid any mischief by the subordinate officers who may on report cut off water-supply for a premises when a man goes out for a few days; when he returns he would find that he would have to apply to the commissioner or some one else for the water-supply. If the water is wasted, we have a right to exemption. But to cut off water-supply and then restore it would be a matter of difficulty."

The Hon'ble Mr. J. C. MOLONY:—"I oppose this amendment strongly. The reason given is hypothetical mischief by some subordinate. When you leave the house vacant, the amount of water wasted is somewhat surprising. I once had to pay for water; it was in a period when I was away for ten days and my servant left the taps open and used almost twice the water that I would have used in a month. There is no reason to suppose that the corporation subordinates are always oppressing the people, and that to turn off water and to turn it on will be a matter of difficulty. It is not right to keep water on when the house is vacant, and while the rate-payers are paying for the pumping engines."

The Hon'ble Mr. K. RAMA AYYANGAR:—"It is not as if he keeps the tap open and goes away. The question arises where it is unoccupied and where the water is not used. If it is used wrongly, there are other provisions. For mere non-occupation of a house it is not right to stop water."

The Hon'ble Mr. J. H. THONGER:—"We must penalise the waste of water, which is very scarce."

The amendment was put and lost.

(Mr. Rama Ayyangar; Mr. Molony; Mr. Krishna Rao; Mr. Ranga Achariyar; Mr. Rajagopala Achariyar; the Advocate-General.) [13TH FEBRUARY 1919.]

The Hon'ble Mr. K. RAMA AYYANGAR:—"I move amendment No. 82:—

82. Delete sub-clause (b).

"My submission is that the non-payment of the tax ought not to be a reason for cutting off supply. They will wish to take advantage of that provision when the taxes are collected; I do not suppose it can be, because they have a right to have the tax. There should not be this right to punish people if they do not pay the tax by cutting off their supply especially when the municipality is bound to see that water which is contaminated is not used. It will cause so much difficulty to the public. If want of payment of tax interferes with the privileges of citizenship, it should not be allowed. It is not that the man is allowed to appropriate the money; all the money is collected mostly. I submit it is not proper to have a provision like that."

The Hon'ble Mr. J. C. MOLONY:—"I oppose it strongly. This is a provision which has existed for a long time and this is the only method of dealing with recalcitrant tax-payers."

The amendment was put and lost."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I do not move amendment No. 85."

With the permission of His Excellency the President, the following amendment was withdrawn:—

85. In sub-clause (b) substitute 'fifteen' for 'thirty.'

The Hon'ble Mr. K. RAMA AYYANGAR:—"I do not propose amendment No. 83."

With the permission of His Excellency the President, the following amendment was withdrawn:—

83. In sub-clause (c) insert the words 'for two weeks' after the words 'occupier continues.'

The Hon'ble Mr. K. RAMA AYYANGAR:—"I move amendment No. 84:—

84. Delete sub-clause (f).

"Sub-clause (f) says: 'If any pipes, taps, works or fittings connected with the corporation water-supply are found, on examination by the commissioner to be out of repair to such an extent as to cause waste or contamination of water.' That is again a punishment which will entail people being disturbed of their rights. Each house-owner cannot decide such questions and the municipal corporation would be the only capable body, because they entertain an establishment to see that this kind of wastage does not take place. Cutting off the water-supply is another kind of punishment. I want it to be deleted."

The Hon'ble Mr. J. C. MOLONY:—"I oppose that also. We have found by long experience that this is the most effective way to repair leaky taps. We issue notice to repair, but people take no notice in 99 cases out of 100. When we send a man to cut off supply his mere arrival is enough to make them take notice."

The amendment was put and lost.

Clause 172 was allowed to stand part of the Bill.

Clauses 173 to 187.

Clauses 173 to 187 were allowed to stand part of the Bill.

Clause 188.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I move amendment No. 86:—

86. In line 2, after the word 'cattle-stand' add the words 'choultry, theatre, railway-station, dock, wharf, or other place of public resort.'

"It is only an addition of a few other places similar to the one in the section. I think such a provision is necessary. The section would read, as proposed, the commissioner may, by notice, require any owner or manager of a market, cart-stand, cattle-stand, choultry, theatre, railway station, dock, wharf, or other place of public resort within such time as may be specified in such notice to provide and maintain for the separate use of persons of each sex latrines of such description and number and in such a position as may be specified and to keep the same clean and in proper order."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I accept it."

The Hon'ble the ADVOCATE-GENERAL:—"The word 'or' before the word 'cattle-stand' may be deleted."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Yes."

The amendment was put and agreed to.

Clauses 188 as amended was allowed to stand part of the Bill.

Clauses 189 to 204.

Clauses 189 to 204 were allowed to stand part of the Bill.

Clause 205.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I move amendment No. 87.

87. In sub-clause (d) insert at the commencement the words 'with the special sanction of the Standing Committee'.

(Mr. Ranga Achariyar ; Mr. Rajagopala Achariyar ;
Mr. Krishna Rao.) [13TH FEBRUARY 1919.]

"It is rather an important provision. It defines the powers of the commissioner. It says that the commissioner may subject always to such sanction as may be required under chapter IV—that is about financial powers—lay out and make new streets, etc. Sub-clause (d) says that he 'may widen, open, extend or otherwise improve any public street'. I propose to add that it should be done with the special sanction of the standing committee. It is rather an important power. Difficulties have arisen in my own experience where the president wanted to widen the street. Widening means also cutting off plots removing various other things which he may consider to be projections. I had to intervene in several cases like that in my division where proposals were made by the president in order to carry out these proposals and in one or two cases I prevented him from doing so. I think it is necessary in such a case that the special sanction of the standing committee should be taken."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I confess I have some difficulty in following the Hon'ble Mr. Ranga Achariyar. He has apparently no objection to the commissioner laying out and making new streets, constructing bridges and sub-ways, turning, diverting or permanently closing any public street or part thereof, but he objects to the commissioner widening, opening, extending or otherwise improving any public street. I could understand the Honourable Member proposing that the other things should receive the sanction of the standing committee but he wants a special sanction for this purpose. I would ask the Honourable Member to notice the words 'Subject always to such sanction as may be required under chapter IV'. Chapter IV limits the powers of the commissioner to purchase land and to enter into contracts. There is always a general control in the budget and I do not see any reason to distinguish between the function that he has to perform under clause (d) to which the Honourable Member objects and the function that he has to perform under clauses (a), (b) and (c) which he apparently accepts. I would rather not make any change. I would therefore oppose the amendment."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I quite realize my Honourable friend's difficulty because he has had no practical experience of municipal matters that I have had. I make no objection to clauses (a), (b) and (c) because no building will be affected, but where he has to widen, open or extend or otherwise improve any public street, he has to interfere with the existing structures. The Honourable Member has overlooked that in clause (c) it requires the special sanction of the Council and the Government because it is a serious matter—permanently closing a public street. Therefore, with reference to widening, opening and extending, it will be interfering with the existing structure which will have to be done with due consideration to the requirements of the locality. I know one case where a very influential commissioner who happens to own a house at a corner of the street in Komaleswaranpet wanted to demolish the neighbouring houses to have carriage access for his motor car and carriage and the thing was about to be carried when I had to intervene and prevent it being done. The commissioner will have a lot of routine work to do and some engineer will put up a notice and he will simply say 'ordered'. All this state of things will be avoided and it is very unsafe to leave a power in the hands of a commissioner, but if it is put before the standing committee, they will look into the matter more carefully. Why not trust to the discretion of the standing committee in such a matter as that when you are doing a thing which will entail interfering with other people's property? What is this trust in the commissioner and distrust in the standing committee? It is that spirit which I object to. The spirit in the whole of this Act is 'trust the commissioner who is my nominee, but do not trust the standing committee or the council who are not my nominees'. I therefore strongly urge this amendment."

The amendment was put and lost.

Clause 205 was allowed to stand part of the Bill.

Clauses 206 to 210.

Clauses 206 to 210 were allowed to stand part of the Bill.

Clause 211.

The Hon'ble Mr. A. S. KRISHNA RAO:—"I move amendment No. 88—

88. In line 1 substitute 'Standing Committee' for 'Commissioner' and substitute 'it' for 'he'.

In line 3 omit the words 'with the sanction of Standing Committee'.

"The principle underlying this amendment is just the one underlying the amendment moved by the Hon'ble Mr. Ranga Achariyar which has just been rejected by the Council; but each proposal has to be judged on its merits though I have not the slightest doubt that it is likely to share the same fate.

"The clause reads thus:—'The commissioner may, upon such terms as he thinks fit, allow any building to be set forward for the purpose of improving the line of a public street and may, with the sanction of the standing committee, by notice require any building to be so set forward, etc.' The Council will notice that, in the clause as it is, the sanction of the standing committee is required in the case of buildings set forward in the case of reconstruction or new construction, in the case of buildings set forward to improve the line of the street. The commissioner is given full discretion upon such terms as he thinks fit to allow any building to be set forward for the purpose of improving the line of the public street. I think it is somewhat anomalous that when the desirability of obtaining the sanction of the standing committee was found necessary in the

13TH FEBRUARY 1919.] (Mr. Krishna Rao ; Mr. Rajagopala Achariyar ;
Dr. Nayar ; Mr. Narasimha Ayyar ;
Mr. M. Ramachandra Rao.)

latter part, it was thought not necessary in dealing with the former portion. If my first amendment is accepted, the other amendment suggested in that clause will be consequential. The main object of this amendment is just to create a greater sense of responsibility in the members of the standing committee and not to make it understood that the commissioner can, even on important matters, act on his own sole discretion. The object is well-understood and the questions are not so difficult as to be beyond the purview or the comprehension of the members of the standing committee. If the commissioner is going to act upon the advice of expert officers, those expert officers are available to the members of the standing committee; and let us give the members of the standing committee some credit for common-sense and sound judgment. Unless the policy is to be that we should not go an inch further beyond what is recommended by the select committee, and that no attempt should be made to take away the powers proposed to be given to the commissioner by the select committee or to add to the powers proposed to be given to the standing committee—unless that is the policy to be pursued, I have not the slightest doubt that this is a proper case in which your Excellency's Government should interfere and substitute the words I propose."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I may mention that this is a new thing. We take it from the Bombay law and it is literally followed. I may mention why we put it like that. We felt that it would be as well that this thing of allowing buildings to be set forward should be in the hands of the commissioner who would be less amenable to influence than in the hands of a number of people who can be more amenable and upon whom pressure may be more easily put. There is the contingency of struggle such as we have in mufassal municipalities. People have the tendency to come more and more into the streets and roads and we considered that and said that the commissioner 'may, upon such terms as he thinks fit, allow any buildings to be set forward for the purpose of improving the line of a public street'; so that if a man wants to come forward, it is the commissioner who shall decide. If he is required to put his building forward, that will require the sanction of the standing committee. It is only in the case of reconstruction or new construction that that is contemplated. That is intended to bring houses into line. How it is going to work in practice I have no idea. We have taken it from the Bombay law, we have followed it pretty closely and I would leave it there."

The Hon'ble Dr. T. M. NAYAR:—"Does it apply to all streets or only to streets where building lines have been defined?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"It applies to both cases."

The Hon'ble Dr. T. M. NAYAR:—"If it only refers to cases where the building lines have been fixed, the cases will be very few, but if it is to be applied to any building in any street, you want greater check."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"As the thing is worded it will apply to any street."

The Hon'ble Dr. T. M. NAYAR:—"What does coming forward mean? Coming forward to what place?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"To the line where it is prescribed."

The Hon'ble Dr. T. M. NAYAR:—"I want it to be explained because it will make a world of difference between the two cases."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Section 208 lays down clearly the procedure for prescribing the street alignment and 209 deals with restrictions on erection of or addition to buildings within street alignment or buildings line. So it is a continuation of the same thing. Section 210 refers to setting back projecting buildings or walls. It is not quite clear whether it is within the street alignment. The Hon'ble Dr. Nayar wishes to know whether the commissioner's power to allow buildings to be set forward is in streets where street alignments have been settled as under section 208 or whether it is a general power in any street where street alignments have not been made. In one case the matter has been settled by the publication of the street alignment survey and there should be no objection to allow the commissioner to deal with it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Now that this explanation has been given to me, I am thankful for it. Reading sections 208 to 211, there is very little doubt that it refers to streets where building lines are settled. Section 208 prescribes the power to prescribe the building line; section 209 deals with restriction on erection of or addition to buildings within street alignments or building line; section 210 refers to setting back projecting buildings or walls and section 211 to setting buildings forward to improve the line of street. The whole thing contemplates, as the Hon'ble Mr. Ramachandra Rao has pointed out, the line having been laid down, the commissioner to work out the details."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Might I add the words 'within street alignment'?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Is it necessary? If it is necessary I shall bring up the amendment."

(Mr. Ranga Achariyar ; Mr. Rajagopala Achariyar ; [13TH FEBRUARY 1919.
Mr. Krishna Rao ; Mr. Molony.]

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" I would suggest the addition of the words 'where action has been taken under section 208'."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" I will make a note of it and bring up the point again if necessary."

The Hon'ble Mr. A. S. KRISHNA RAO :—" I only wish to point out that the Hon'ble Mr. Rajagopala Achariyar has practically confirmed the apprehensions raised by the Hon'ble Mr. Ranga Achariyar that members of the standing committee will not be in a position to appreciate the difficulties and that the commissioner who can act for himself will be in a better position to deal with the question. He incidentally referred to the working in mufassal municipalities. I feel it my duty to point out that there are various occasions where corporations have acted properly and refused permission for setting forward. If the Hon'ble Mr. Rajagopala Achariyar will examine the question, he will find that there are a number of instances in which municipalities refused to grant permission. We find the Collector or the revenue officer asking us to reconsider it though the municipality refused permission. We must not go under the impression that these corporate bodies will be influenced by such things."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" I did not press that ; let us go on the merits."

The Hon'ble Mr. A. S. KRISHNA RAO :—" No hardship will be caused even if this power is vested in the standing committee."

The amendment was put and lost.

The Hon'ble Mr. A. S. KRISHNA RAO :—" I do not move the latter portion of the amendment that in line 3 of the clause, the words, 'with the sanction of the standing committee' be omitted, because it is consequential."

Clause 211 was allowed to stand part of the Bill.

Clauses 212 to 214.

Clauses 212 to 214 were allowed to stand part of the Bill.

Clause 215.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" This is rather an important innovation that we are making in the Act. I ask the careful attention of the Council to this question. I gave my support to it in the select committee ; it was I who suggested this provision, but the select committee have made it more stringent on the suggestion of the Hon'ble Mr. Molony. Here we have this difficult question of open spaces being built upon without sufficient provision being made for streets. They build houses recklessly under the present law ; we found it difficult to enforce the opening of new streets where open spaces are built upon. There are several places where proper approaches were not laid to the satisfaction of the corporation authorities. Therefore such a provision was necessary. I gladly welcome the provision, but at the same time it must be remembered that this provision, encroaching upon the rights of owners of property, should not be made too stringent. There are cases which the executive will have in view in which slums and par-cheris are located. The lands are owned by one individual or by several individuals. Under this section power is taken by the executive to require them to provide for streets. If we leave it without restriction as to width of the streets and other details, the executive may say 'we want a forty-foot-wide street or a twenty-foot-wide street.' In some cases it will be impossible for the owner to provide for such a wide street. Whereas it is necessary to improve the locality, it should not be a burden on their owner. Therefore I propose that in regard to these streets the ordinary provisions as to the width of the streets should not apply, but in view of the circumstances of each case, I propose that—

89. After the word 'roads' in line 5 and before the word 'giving' insert the words 'of such width and dimensions as the standing committee may by general or special order prescribe.'

" They will be able to know the circumstances of the locality and they will judge as to what is to be the proper width. Having regard to the position of the owner and the various other considerations which will be taken into account, the width may be fixed. I have suggested 11 feet, following the English Act, in the case of small places where huts are situated and 20 feet in other cases. But, however, I thought it was wise not to insist upon any particular width, because it may vary from place to place and persons to persons. Therefore, I want the discretion to vest in the standing committee to prescribe the width and the dimensions of the road affecting rights of property and it should not be left unprovided for ; it should not be left to any uniform standard. It is better to leave it as it is so that the standing committee will, according to my amendment, have the discretion to prescribe the width by a general or special regulation."

The Hon'ble Yaqub Hasan Sabih Bahadur seconded the amendment.

The Hon'ble Mr. J. C. MOLONY :—" I beg to oppose the amendment. Section 215 deals with private streets. Section 216, clause (5) says : 'No person shall lay out or make any new private street without or otherwise than in conformity with the orders of the standing committee.' The standing committee is the sanctioning authority. So I do not see the point of the Hon'ble Mr. Ranga Achariyar."

13TH FEBRUARY 1919.] (Mr. Ranga Achariyar ; Mr. Molony ;
the President ; Dr. Nayar ; Mr. M. Ramachandra Rao.)

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" He cannot make a street without such sanction, but they cannot fix the width. There is the general law of the 20 feet width and the 40 feet width and I say it should not apply to these cases."

The Hon'ble Mr. J. C. MOLONY :—" The width of a street shall ordinarily be not less than 40 feet and in the case of huts 20 feet."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" In this case we ought to give the discretion to prescribe the width to the standing committee. When you want to go and improve the par-cheris it will facilitate the executive action ; instead of creating opposition in the locality, you know the practical difficulties of improving slums. The owner is unwilling to help the execution in improving the slums, because it interferes with his space. The question of width must be left to the standing committee. There must be facility for improving the slums. As it is, we cannot enforce these things. As we are taking power to compel a man to keep a space from which he can make money, if you compel a man to leave a space of 20 feet where there are 20 huts, it is hardly necessary to have such a wide street. It is hardly wise to insist upon it."

His Excellency the PRESIDENT :—" The point of difference seems to be, if I may explain it, I do not think the Honourable gentleman has caught it, those responsible for the Bill consider that those powers are already provided in the Bill and therefore the Honourable Gentleman's amendment is superfluous."

The Hon'ble Dr. T. M. NAYAR :—" My Lord, there is a still deeper question involved. The Honourable Member's amendment wants to give the standing committee power to decide the width of roads which ought to be fixed by the Act. It is dangerous to leave it to the standing committee or to the commissioner or even to the corporation. They are all more apt to listen to sentimental appeals than sanitary considerations. Therefore, from time to time they may relax the rules. I think it is exceedingly dangerous to allow a standing committee or the corporation to fix the width of roads. I quite agree that so far as hutting grounds are concerned, they require special consideration because it would be impracticable to lay the same rules as to width of roads for hutting grounds. Once our general principle that the height of a building should not be more than the width of the street is accepted, it is all right. But I think hutting grounds should be dealt with in a different manner. The real difficulty would arise not in connexion with hutting grounds but in connexion with private property. I strongly oppose giving the standing committee or any other authority power to reduce the standards laid down in the Act."

The amendment was put and lost.

Clause 215 was allowed to stand part of the Bill.

Clauses 216 to 229.

Clauses 216 to 229 were allowed to stand part of the Bill.

Clause 230.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—" My Lord, the two amendments to section 230 standing in my name relate to building regulations. Honourable Members will see that under clause (1) of section 230, the Governor in Council has the power to make rules for the regulation or restriction of the use of sites for building and for the regulation or restriction of building. Sub-clause (2) of section 230 says : 'without prejudice to the generality of the power conferred by sub-section (1), clause (a), rules made under that clause may provide, etc.' My first amendment proposes that these words shall be re-placed by the words mentioned in the first of my amendments, namely :—

90. Omit sub-clause (a) of clause 230 (2) and substitute the following :—

'that land on which it is proposed to construct buildings and the site surrounding them should be raised to a level to be fixed by the council.'

" My Lord, the object of my amendment is this. These words 'no insanitary or dangerous site shall be used for building in the section' are too vague. I really cannot understand what is meant by 'no insanitary or dangerous site.' A site may be sanitary one day and insanitary another day. There is nothing inherently impossible in making an insanitary site sanitary. I am not able to appreciate the use of the word 'dangerous.' We do not know how any site can be dangerous otherwise than as being insanitary. So much for the clause as it stands. As regards my suggested amendment it lays special stress on one circumstance which has always occupied the attention of municipal councillors and that is the undesirability of constructing buildings whose level is not satisfactory. I therefore propose that the Governor in Council may have the power to frame general regulations as suggested herein that the land on which it is proposed to construct buildings and the site surrounding them should be raised to a level to be fixed by the council."

His Excellency the PRESIDENT :—" If the Honourable Gentleman will allow me to interrupt him for a moment, as it is worded, the amendment places some Honourable Members of Council in some difficulty as to voting. This amendment is not really alternative. It does not seem to be an alternative to the clause which he wishes to omit. I might be quite in favour of both. I cannot put it as the Honourable Gentleman proposes it shall be put. I shall have to put the two propositions separately."

(Mr. M. Ramachandra Rao ; Sir Francis Spring ;
Dr. Nayar ; Mr. Ramanuja Achariyar ; the President.) [13TH FEBRUARY 1919.]

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—" My Lord, it is quite open to take that course. My difficulty was in allowing these words to stand there. I should be equally satisfied if this clause namely 'lands on which it is proposed to construct buildings, etc.' as suggested in my amendment is put in or not. But I lay great emphasis upon it because under the by-laws and regulations of other municipalities in England a great deal of attention has been paid to regulations for the purpose of compelling owners to raise the level of building sites in the surrounding lands. I might refer to some of the rules there which are elaborate. Probably it is unnecessary. But it seems to me that in building regulations one important matter has to be insisted upon and that is its being properly raised before the general building operations are started. I do not see any other clause which empowers general regulations to be framed in this respect. I might invite the attention of Honourable Members to some of these regulations."

The Council may, by such regulation, (i) prohibit the erection of dwelling houses or the adaptation of any buildings for use as dwelling houses or any defined area or areas of such land, (ii) regulate the erection of dwelling houses or the adaptation of buildings for use as dwelling houses on such land or any defined area or areas of such land, (iii) prescribe the level at which the underside of the lowest floor of any permitted building shall be placed on such land or any defined area or areas of such land and as to the provision to be made and maintained by the owner for securing efficient and proper drainage of the buildings either directly or by means of a local sewer into a main sewer of the council."

"The essential portion of these regulations is to take care in the earlier stages not to commit the council to a policy of permitting buildings in low-lying lands. The power proposed to be conferred under the general powers is to insist upon certain levels in certain localities. That is how I understood these words: 'no insanitary or dangerous site shall be used for building' applying essentially to buildings which are difficult of drainage, where it is not possible to maintain proper levels for the construction of dwellings. I thought it would be an improvement to replace these words by the words I suggest, but if there is any difficulty in carrying out the object, I have no objection to the words remaining as they are and my words being added to the clause."

The Hon'ble Sir FRANCIS SPRING :—" The raising of the level does not necessarily make it sanitary. Both are equally necessary."

The Hon'ble Dr. T. M. NAYAR :—" I consider the amendment absolutely unnecessary. The clause as put in the Bill is quite comprehensive and covers all the cases contemplated by the amendment. If that is not sufficient, sub-clause (c) says that he can prescribe the level and the width of the foundations and the level of the lowest floor and the stability of the structure. That would answer the purpose. I strongly object to the clause as it stands in the Bill being cut out, because it confers wide powers on the Governor in Council to frame regulations. I have no objection to the Hon'ble Mr. Ramachandra Rao's amendment being put in, but it is absolutely unnecessary. The clause as it stands covers all possible cases."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—" I oppose the amendment, because the Hon'ble Mr. Ramachandra Rao gave only one case of a site being dangerous or insanitary. We get applications for buildings on made up soil and sanitary authorities sometimes object and say that buildings shall not be allowed. That case will not be covered by this. I would leave the Bill as it is."

His Excellency the PRESIDENT :—" I put it to the Council. Clause 230 (2) (a) as it is in the section, I shall put first."

Clause 230 (2) (a) as in the Bill was put and allowed to stand part of the Bill.

The Hon'ble Mr. Ramachandra Rao's amendment No. 90 was put and lost.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—" I beg to move to add the following :—

'Add the following to sub-clause (d) of clause 230 (3): "and the purposes for which the building is proposed to be used."

"Clause (d) as it runs is that these regulations may provide for the number and height of stories composing a building and height of rooms. I propose that the applications for buildings also should contain the information as to the purpose for which the building is proposed to be used. Sometimes, My Lord, I have seen application for buildings made without any definite purpose for which it is going to be used being stated, with the result that houses have been built and have been afterwards used for the storage of goods and sometimes for residential purposes; it all depends on the way in which the building is proposed to be used—if it is only a shop, or for the storage of grain or for residential purposes. It seems to me that to have the building application without definite information as regards the definite purpose, will not be a complete application. Sometimes I have seen residential houses turned into factories."

The Hon'ble Dr. T. M. NAYAR :—" I beg to second this amendment. We have had definite cases in Madras where applications came without stating the purpose for which the building was intended. When an application was put in for a building in a locality where it was forbidden to have a market, the application was for a building and the building was completed and then the question came for licensing the building to be used as a market. I refer to the Choolai market."

13TH FEBRUARY 1919.] (Mr. Rajagopala Achariyar ; Mr. Ranga Achariyar ;
Mr. M. Ramachandra Rao ; Mr. Ramanuja Achariyar ;
Mr. Rama Ayyangar ; Mr. Thonger ; Mr. Narasimha Ayyar.)

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" I accept the amendment."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" I am afraid it will cause hardship. What the Honourable Member proposes is this: the section says that rules may provide for the following matters, and clause (a) says 'information and plans to be submitted together with applications for permission to build.' Clause (d) says 'number and height of stories composing a building and height of rooms.' The Honourable Member proposes that clause (d) may prescribe also the purpose for which the building is proposed to be used. The rules may say that the building erected may be used for a particular purpose. As is well known, circumstances change in each locality. It may be a flourishing trading centre at one time, it may be a fashionable residential quarter one day, it may change another day; therefore if you compel the owner and say 'that it must be used for a particular purpose' it will be unduly hard. The instance which the Hon'ble Doctor Nayar gave as to the application for a market, etc., is a rare instance. You could not build a house and use it as a market. You cannot convert a house into a market. The authorities there must have been sleeping when they allowed the building to go on, when they knew perfectly well that the building was for a market. There are special regulations and they can provide for it. I do not think that the municipal law should unduly interfere with the liberty of the people in using their property. Tondiarpet, I know, was a very fashionable locality before, but now it is not considered to be so. So also it will be with regard to trade. It will be tying down the hands of owners for all time to come."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—" No."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" It will, because your wording is to add 'and the purpose for which the building is proposed to be used.' If you include it under clause (a) I would have no objection but you want to include it as part of clause (d). That means that the by-law shall say 'you shall put it to this use.' That is what you propose; it is not merely for the information of the officials concerned, but you say that the rules may prescribe the purpose for which the building may be used. That will be the result. I therefore strongly oppose the amendment."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—" Government have accepted the amendment rather quickly and probably it is useless to say anything."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" We are all open to conviction."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—" If a person specifies some purpose for which he wants the building and after the building is constructed it is used for some other purpose, what are we to do? Are we to ask him to destroy the building? No powers are given under this Act for compelling him to use it for a purpose for which it is designed."

The Hon'ble Mr. K. RAMA AYYANGAR :—" If any such power is to be given, provision should be made that he must be allowed to change as the municipality permits. When it is a question of building a house or other construction, there is no reason why its use must also be made a binding term. It requires consideration. If it is put in at all, it will have to be reconsidered with reference to other sections."

The Hon'ble Mr. J. H. THONGER :—" I wish to oppose the amendment. The point brought forward by the Hon'ble Mr. Ranga Achariyar is exceedingly sound. I have known very many cases in which buildings put up for private houses are afterwards found suitable for shops. I do not see any use in stating in the first instance for what purpose the building is to be used later on. I therefore think the amendment should not be accepted."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" I wish to offer a suggestion. I think there are considerations on both sides. One instance which came up to my mind was this: there was the question of a building put up on the roadside by a few Muhammadan gentlemen. They professed that it was intended to be a residence and it was permitted by the municipality on the ground that it was to be a residence. Very soon, the residence ceased to be a residence and became a house of prayer. No one can take exception to its becoming a house of prayer. But what followed was that the occupants of it began to raise objection to other people going in processions, or taking dead bodies along with beat of drums, etc."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" That is provided for elsewhere."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" The rules may insist upon information. You may get the information as to the purpose of the building but suppose there is a change, then it is a difficult question. With reference to that, I think we might empower municipal councils with the necessary checks to pass regulations in respect of the use of buildings for other than domestic purposes. For domestic purposes, checks are undesirable but for all other purposes regulations are necessary. Suppose in the midst of dwelling houses it is suggested that a house is to be used as a grain-store. In towns in these days of plague when even Madras is visited with plague, it is very essential to keep grain-stores away from residential quarters. Grain-stores should not be in the midst of residential quarters. When once the purpose is not residence, the municipality may be empowered to issue rules as to the use to which the building may be put; as to the occupation of a house for domestic purposes, no rules are necessary."

(Mr. Yaqub Hasan; Mr. Molony; the President;
Sir Gordon Fraser; Mr. M. Ramachandra Rao;
Mr. Ranga Achariyar; Mr. Rajagopala Achariyar;
Mr. Ramanuja Achariyar; the Advocate-General.)

[13TH FEBRUARY 1919.]

The Hon'ble Yaqub Hasan Sahib Bahadur:—"This will not serve the purpose which the Honourable Mover has in view. If it is put in, it will mean that every application will give more than one purpose. The applicant will say that it is required for domestic purposes and also for a business or for a godown. He may put all sorts of purposes that he may imagine that it may some day be put to, so that later on the municipality may not say 'you have deceived us and taken the permission.' Now there are rules that so much open space should be provided in the case of domestic houses and if the building is to be used as a warehouse, that provision is not necessary. Such information is generally put in connexion with applications. It will serve no useful purpose if we add this."

The Hon'ble Mr. J. C. Molony:—"Your Excellency, I submit that a rule of this kind is practically an impossibility. As the Hon'ble Mr. Yaqub Hasan says, an applicant will put in anything, and we can never prevent anything. It is really unworkable."

His Excellency the President:—"There is a great deal of doubt about it and I think we need not press it."

The Hon'ble Sir Gordon Fraser:—"One speaker referred to a dwelling house afterwards being used for the storage of grain. That is one point that I refer to in my amendment No. 128 where I propose that such storage of grain should be licensed by the municipality. That will cover the point of the Hon'ble Mr. B. V. Narasimha Ayyar."

The Hon'ble Diwan Bahadur M. Ramachandra Rao:—"I do not wish to press it. I only wish to point out to my honourable friends that I was dealing with the case of a person who comes with an application to build to the corporation office, which has the duty of checking plans and the estimates for the building, to find out whether the building is in accordance with practical requirements. I only wanted that in such cases the purpose for which it is intended to be used may also be given. I think an application for a grain-store may be prepared differently. With regard to storage, the ventilation and other things are quite different from those with regard to the dwelling house. I was dealing with an application, so that full information may be before the sanitary officers of the corporation."

The Hon'ble Rao Bahadur T. Ranga Achariyar:—"There are by-laws for that purpose."

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar:—"It is hardly worth while pursuing the discussion. I venture to think the discussion we have had is enough."

With the permission of His Excellency the President, the amendment was withdrawn.

Clause 230 was allowed to stand part of the Bill.

Clauses 231 to 236.

Clauses 231 to 236 were allowed to stand part of the Bill.

Clause 237.

The Hon'ble Rao Bahadur V. K. Ramanuja Achariyar:—"I do not propose to move No. 91."

With the permission of His Excellency the President, the following amendment was withdrawn:—

91. Omit the word 'written' in the third line.

The Hon'ble the Advocate-General:—"I do not move No. 91-A."

With the permission of His Excellency the President, the following amendment was withdrawn:—

"91 A.—Omit the words 'by written order,' in clauses 237, 238, 239 (1), 250, 251."

Clause 237 was allowed to stand part of the Bill.

Clause 238.

The Hon'ble Rao Bahadur V. K. Ramanuja Achariyar:—"I do not propose to move No. 92."

With the permission of His Excellency the President, the following amendment was withdrawn:—

92. Omit the word 'written' in the fourth line.

Clause 238 was allowed to stand part of the Bill.

Clause 239.

The Hon'ble Rao Bahadur V. K. Ramanuja Achariyar:—"I do not propose to move No. 93."

With the permission of His Excellency the President, the following amendment was withdrawn:—

93. Omit the word 'written' in the fourth line.

Clause 239 was allowed to stand part of the Bill.

[13TH FEBRUARY 1919.] (Mr. Ramanuja Achariyar; Mr. M. Ramachandra Rao;
Mr. Ranga Achariyar; the Advocate-General.)

Clause 240.

The Hon'ble Rao Bahadur V. K. Ramanuja Achariyar:—"I propose No. 94."

94. Before the words 'not prepared' in the second line insert the word 'is.'

"It is a purely verbal amendment."

The amendment was put and agreed to.

Clause 240 as amended was allowed to stand part of the Bill.

Clauses 241 to 245.

Clauses 241 to 245 were allowed to stand part of the Bill.

Clause 246.

The Hon'ble Diwan Bahadur M. Ramachandra Rao:—"I do not propose No. 95."

With the permission of His Excellency the President, the following amendment was withdrawn:—

95. Omit the clause.

Clause 246 was allowed to stand part of the Bill.

Clauses 247 to 249.

Clauses 247 to 249 were allowed to stand part of the Bill.

Clause 250.

The Hon'ble Rao Bahadur V. K. Ramanuja Achariyar:—"I do not move amendment No. 96."

With the permission of His Excellency the President, the following amendment was withdrawn:—

96. Omit the word 'written' in the fourth line.

Clause 250 was allowed to stand part of the Bill.

Clause 251.

The Hon'ble Rao Bahadur V. K. Ramanuja Achariyar:—"I do not move No. 97."

With the permission of His Excellency the President, the following amendment was withdrawn:—

97. Omit the word 'written' in the fourth line.

Clause 251 was allowed to stand part of the Bill.

Clauses 252 to 259.

Clauses 252 to 259 were allowed to stand part of the Bill.

Clause 260.

The Hon'ble Rao Bahadur T. Ranga Achariyar:—"This relates to precautions in the case of dangerous tanks, wells, holes, etc. The section says: 'The commissioner may, by notice, require the owner to fill in, remove, repair, protect or enclose the same so as to prevent any danger therefrom.' I propose:—

98. In line 4 of clause 260 (1) after the word 'owner' and before 'to' insert the words 'or person having control.'

"If Honourable Members will turn to section 263, we have provided for serving a notice on the person having the control. Therefore I propose after the word 'owner' we may insert the words 'or person having control,' so as to enable the commissioner to require the person having the control to do the needful."

The Hon'ble the Advocate-General:—"I do not think the amendment is necessary. I think it is not consistent with the principal section. What is really done is that if the owner of these places is not to be found, then the commissioner himself can do it. There is no necessity for leaving these things to the occupier or to the person having the control. If Honourable Members will look at sub clause (2) it says: 'If immediate action is necessary, the commissioner may himself, before giving such notice or before the period of notice expires, take such temporary measures as he thinks fit to prevent danger and the cost of doing so shall be recoverable from the owner in the manner provided in section 387.'

"If you give notice to the person having the control, would you be able to recover the cost of it from him? You must give notice to such a person from whom you would be able to recover the cost in case he commits default. It is for that purpose that the liability is thrown on the owner in the first instance, but if the owner is not found, then the commissioner can himself do it. I think that is a sufficient safeguard."

The Hon'ble Rao Bahadur T. Ranga Achariyar:—"I will tell you why Government oppose it. I must place the history of this matter. I thought Government would accept it. The real difficulty arose in connexion with the cess-pools under the control of Government. For instance, in the Spur Tank, they have made a number of holes where water stagnates and they continue to create nuisance all round the locality. The Corporation has been time after time issuing notices to the Government, but they pay so little attention to it. So also in Choolai

(Mr. Ranga Achariyar; Mr. M. Ramachandra Rao.) [13TH FEBRUARY 1919.]

we had a lot of difficulty in filling up a pond belonging to Government; whereas we have been taking steps against private owners mercilessly calling upon them to fill ponds and tanks, we have been unable to compel the Government to do it. Who is the owner? Therefore we want to be in a position to serve it upon the person who has the control so that we may take steps to remove such nuisance. For that purpose this is needed. If persons having control do not do it, you will recover the cost from the Secretary of State. That is the position that will occur. There are also other public authorities that have such land, for example, railway companies; all along the railway line, they have low-lying land where water stagnates and infects the surrounding locality and who is the owner upon whom we may serve the notice? Under sections 263 and 264, we have provided for it. The difficulty pointed out by the Hon'ble the Advocate-General as to how we are to approach the owner did not arise in sections 263 and 264. I think we are serving the notice upon the person having the control and we are recovering the cost from the owner. It is for that purpose that the words 'or persons having control' should be introduced in this section also."

The amendment was put and lost.

Clause 260 was allowed to stand part of the Bill.

Clauses 261 to 272.

Clauses 261 to 272 were allowed to stand part of the Bill.

Clause 273.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, this section 273 is an important section which gives the commissioner powers of dealing with insanitary buildings. There is one provision specially which requires consideration and after giving notice of the amendment*, I went into the circumstances under which this provision was inserted in this Bill. As this is an important matter, I should like to briefly explain the position taken up under clause (3). This clause says: 'When any building is entirely demolished under this section and the demolition thereof adds to the value of other buildings in the immediate vicinity, the owners of such other buildings shall be bound to contribute towards the compensation payable to the owner of the first-named building in proportion to the increased value acquired by their own property. My Lord, before clause (3) there are two other clauses which give the commissioner ample powers to deal with insanitary buildings, with buildings which obstruct percolation or the free passage of air, what are called obstructive buildings under the English Act, and various other powers are also given under clause (2) as regards the circumstances which would enable a person to claim compensation. I was anxious to find out how this provision came to be inserted and I looked up to the notes on clauses on the first Bill published in 1916 and I found from it that this was modelled after section 33 of the English Housing of the Working Classes Act. Under the English law, if a municipal authority wishes under that section to demolish a building which obstructs percolation or air, or which will add to the comforts of the neighbouring house-owners, they have a right to ask the municipal authorities to demolish the building. The demolition is undertaken on the report of the medical officer and if, as a matter of fact, the building is demolished we have to consider the question as to how the site on which the building stood is to be disposed of. The provisions of section 33 of the English Act are to the effect that in regard to the site of the demolished building, the local authority has the option of keeping that site and paying compensation unless the owner signifies his intention to keep the site after demolition. All these safeguards are to be bound in that section, namely, it gives the option to a local authority to keep the site and pay compensation to the owner or leave the site to the owner, in which case he may not get the compensation but he would only get the compensation for the materials and the demolition of the building. None of these safeguards are to be found in this section, but power is given to the commissioner to order the demolition of the building and there is no provision anywhere here as to how the owner of the site on which the demolished building stood is to be compensated. I suppose it is expected that after the demolition of the building the site is to be kept vacant for the benefit of the neighbours without compensation. Is that a reasonable position to take? Therefore it is I drafted the amendment of which I gave notice to the Hon'ble the Advocate-General that when the building is demolished, the corporation shall have power to purchase the land unless the owner thereof declares within one month after the service of notice under sub-clause (1) that he desires to retain such land after demolition. This follows entirely the provisions of section 38. I explained my difficulty in voting on this clause. I do not find sufficient protection for a person whose building has been demolished, because he is obliged to take the site and keep it vacant without any compensation. I do not consider this a fair transaction. He must have the option to keep the site if he likes, but if he insists the Corporation must pay not only for the demolition of the building but also for the vacant site, dispose of it, or if it is necessary to keep it, it must keep it. The result is that after the building is demolished, the owner is obliged to keep the site vacant, without re-constructing any building upon it because it has been demolished for the purpose of making it much more agreeable to the neighbours."

"My Lord, the second difficulty that I feel about this section is that after demolishing the building, it gives power to the commissioner to call upon the neighbouring owners to contribute towards the compensation to the owner of the first-named building, namely, the demolished building, in proportion to the increased value acquired by their own property. In regard to this matter also, I find considerable difficulty. In the first place, there are no provisions in the

* 99. Add the words "to the extent of one-half" between "contribute" and "towards."

13TH FEBRUARY 1919.]

(Mr. M. Ramachandra Rao; the President;
Mr. Ranga Achariyar.)

section that before a building is demolished, any of the neighbouring property owners who may be asked to contribute are consulted. It may be that the commissioner may demolish a building costing Rs. 10,000 and after demolition go and ask everybody else to contribute towards the compensation which has been paid. Therefore, there is no sufficient protection to the neighbours before they are called upon to make the rateable contribution. And, therefore, I propose that another clause should be inserted that when notice is issued under sub-section (1) the Commissioner shall, before ordering demolition, issue notice to such persons as may be called upon to contribute. Otherwise, it is open to the commissioner to demolish the building absolutely without any notice to the persons who may be called upon to contribute and then ask all of them to make a rateable contribution in proportion to what might be considered the increased value of their holdings. That also is not a fair arrangement and we must consider the parallel provisions under section 38. The third objection to this clause is: Is it fair if the Commissioner takes it into his head, in what he considers to be for the sanitary well-being of the neighbours, to demolish the building and ask all the neighbouring land-owners to pay the entire cost of that demolition? I do not know under what parallel provision this contribution of the whole cost is being asked for. If we are to go by the provisions of the Town Planning Act, section 65 says: If as a matter of fact, such increased value is given by some such thing as is proposed here, the betterment rate is one-half. That is the extent of contribution is limited to one-half. After all the demolition is undertaken not necessarily in the interests of the persons who surround the site, but in the general interests of sanitation. We must go by some rule in the matter. I find this rule is entirely arbitrary. I may perhaps refer to section 98 of the Town Planning Act of 1906 which says: where by making a town planning scheme, any property is increased in value, the residents there if they make a claim, within the time limited by the scheme, within three months, they shall be entitled to recover from any person whose property has so increased in value, one-half of that increase. I ask the Honourable Member whether it would be a fair proposal to entrust this power to the commissioner to destroy the building absolutely without reference to the persons who may be called upon to contribute and then empower the commissioner to ask other people for contribution to the extent to which the municipality may be damaged by way of compensating the owner. Therefore I submit that if this power is to be used fairly to all parties concerned, we must go on some principle and I think there is no other principle than that embodied in section 58 of the Town Planning Act which contains the principle of betterment as well as the principle of betterment. We are dealing with the question of betterment and I submit that, if by the destruction of any building, the neighbouring properties are increased in value, what is the basis upon which you would ask these men to contribute? This section says they should contribute in proportion to the increased value of the cost of demolition. It is somewhat difficult on the date of demolition to find out what that increased value is. In regard to the town planning scheme, it takes two or three years to get increased value to neighbouring properties; however, that is a matter to be worked out in practice."

His Excellency the PRESIDENT:—"How does it differ from the English Act?"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Section 58 says that the betterment rate is confined to one-half, that is, the contribution from the neighbouring properties to any town planning scheme should be limited to one-half the increased value."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"This is to contribute towards the compensation."

His Excellency the PRESIDENT:—"Is that provision carried to insanitary buildings? We are talking now of insanitary buildings."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"That is so. I want to know the principle on which the building may be demolished without any reference to the persons who may be called upon to contribute and then empowering the commissioner to levy the contribution,—I take it to the whole compensation paid by the corporation to the owner of the demolished building."

His Excellency the PRESIDENT:—"The amount of compensation is limited to the increased value acquired by their premises by reason of the demolition. You must first determine the increased value of their premises."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"There are two questions to be considered; first there is a building which has been demolished and the man whose building has been demolished, gets full compensation for the materials and the site, because that site cannot be built upon again."

His Excellency the PRESIDENT:—"It may be."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"That is a point to be argued. He gets full value from the corporation."

His Excellency the PRESIDENT:—"Such as it is."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"How is the money to be recovered? Is it to come from the general funds of the corporation or are the neighbouring land-owners, owners of neighbouring sites, to be asked to contribute towards this compensation?"

His Excellency the PRESIDENT:—"They may not be asked to contribute anything."

768

THE MADRAS CITY MUNICIPAL BILL, 1918.

(Mr. M. Ramachandra Rao; the President;
Mr. Molony; Mr. Ramanuja Achariyar; Dr. Nayar.) [13TH FEBRUARY 1919.]

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I do not read it in that way."

His Excellency the PRESIDENT:—"If their premises had acquired no increased value, they will not be asked to contribute."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"The owners of such other buildings, it is said, shall be bound to contribute in proportion to their increased value."

His Excellency the PRESIDENT:—"If there is no increased value, they will not pay anything."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, I take it that the demolition is undertaken with the object of bettering the locality. The commissioner is asked to undertake the demolition in order to clear the obstruction and improve the general sanitary condition; it is only under those circumstances that the commissioner is empowered to demolish the building. That being so, there is a later section which says that compensation is to be recovered, a Judge of the Small Cause Court is to hold the inquiry and decide what the increased value to the neighbouring property is. It seems to me if my Honourable Friends who live in Madras are satisfied with this as it is I should not quarrel. But I feel very great hesitation in giving my vote to a section which seems to vest in the commissioner powers of demolition of buildings and the power to call for rateable contribution—we do not know to what extent—from the neighbouring owners of property in order to recoup the corporation for the expenses they might be put to by the compensation. If that is so, we must know the circumstances under which such contributions can be called for. I take it, so far as I can see, there is no principle and if we are to go by the town planning principles, the valuation has to be to a certain extent. I do not know the principle on which this section is based. I cannot see from anything which has transpired in the Select Committee as to how this provision is proposed to be worked and how that has been drafted. All that I can see is a reference to section 38 of the Housing of the Working Classes Act, which contains certain safeguards and also contains provisions to compensate the person for the site, if he so chooses and throw the site on the corporation, to compel the corporation to take the site also. I should like to have some light thrown on the subject, as it seems to me a one-sided arrangement as it stands."

The Hon'ble Mr. J. C. MOLONY:—"I am opposed to this amendment. I am sorry I have been totally unable to follow the Honourable Member in a great deal of what he said. He seems to have gone very far from the exact wording of the amendment that we are dealing with. We are dealing with insanitary and dangerous buildings—if these are taken down and the owners of neighbouring property are benefited such owners should pay. To say that they should pay only one-half means that the general tax-payer should pay the other half. The corporation is not a body that has money of its own. It is a body which lives on what it gets from the general tax-payer. So, you make the general tax-payer pay for the benefit of a particular property owner. If a house is in a dangerous condition, we take it down. The site is available, there is nothing to prevent the owner from building on the same site. If you want to take the site also, you must pay for it."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"The Hon'ble Mr. Ramachandra Rao has confused himself and confused us by a reference to the Town Planning Act. This section refers to insanitary buildings and dangerous buildings. In such cases, the commissioner should have the power to act at once and when the buildings are destroyed, it is unnecessary that the site of the buildings should be acquired by the municipality. It would be at the disposal of the owner and he may build again, and there is reference to re-construction in clause (4) and therefore compensation is to be paid only for the building so far as it is valued at the time of demolition. As regards obtaining the contribution, it is only when there is an increased value for the neighbouring houses that contribution is obtained. There is no reason why people who are benefited should not contribute. We have been fighting for financial contribution and there is no reason why the corporation should make a present of one-half the costs. The Hon'ble Mr. Ramachandra Rao said that gentlemen in Madras may do as they like. But in the mufassal it would work hardship. I, as chairman of a municipality in the mufassal for six years, would have welcomed a provision like this in the Municipal Act. We have no power of demolishing a building and recovering the costs. If this power had existed, I would have been very glad. When the Act is amended, some provision like this, I hope, will be introduced. The cost of demolition and the compensation to be paid stand in the way of many insanitary buildings being destroyed. If we can obtain compensation from people who have benefited, it will strengthen the Chairman's hands in the improvement of insanitary buildings."

The Hon'ble Dr. T. M. NAYAR:—"I do not accept the amendment of the Hon'ble Mr. Ramachandra Rao, my Lord. I think I have an amendment to suggest, I have not given notice of it but I will indicate the nature of it and Government can consider whether it is worth accepting. The Hon'ble Mr. Ramachandra Rao has dealt with two cases separately, the cases of the owner of the insanitary building which is demolished and secondly the case of the neighbours who have benefited by the demolition. It is just as well to take the two cases and consider them separately. So far as demolition of an insanitary building is concerned, this Act here provides for a process which has been going on for some considerable time in Madras. The corporation has from time to time acquired insanitary buildings, demolished them and opened up congested areas and improved the localities. There has been no difficulty whatever in dealing

13TH FEBRUARY 1919.]

(Dr. Nayar; Mr. M. Ramachandra Rao;
Mr. Ranga Achariyar; the President.)

separately with buildings and sites except in the case of hutting grounds; in the generality of other cases, buildings and the sites belong to the same owner and they are acquired together and when the building is demolished, the site becomes the site of the corporation for them to deal with as they think fit. In the majority of cases, they are required to be left as open space. The only class of cases where buildings are owned by one and the land by others, is the case of the hutting grounds. Perhaps the practice in the mufassal is different and hence all the confusion and the difficulty that my Honourable Friend felt. Here there is no difficulty at all. I should consider that the corporation should, in all cases, keep the land after demolition because in the majority of cases, they will be required to keep them as open spaces. If you erect another building, you will not relieve the congestion even if it is more sanitary and there will not be sufficient improvement to the locality concerned. I do not anticipate any difficulty.

"Then the other section, which is newly come into use, is that the owners of property in the immediate neighbourhood who have been benefited by this demolition, should contribute in some proportion towards the improvement that has been effected. That, as a general proposition, nobody will dispute. The difficulty arises when we proceed to lay down the methods of deciding as to what contribution they should pay and collecting it from them. I myself believe that it will be unfair to ask them to pay for the cost of the acquisition and the demolition. What we have to consider is, to what extent they have benefited? We must see that if they benefited to a certain extent, then we may levy contribution from them proportional to the benefit which they have received. That would be a very satisfactory way. In these congested localities, we may sometimes have to pay fairly high prices for our acquisitions. Suppose we pay Rs. 5,000 in a congested locality and acquire an insanitary building and grounds and demolish them, the surrounding small houses in that locality—we do not expect any rich people to live in that locality—may have received a benefit to the extent of a couple of thousands. On that basis, to ask them to contribute Rs. 5,000 would be unfair. Therefore, the only amendment I would suggest is that in settling the principle of betterment, we should collect from the surrounding owners who have benefited, one-half of what they benefited. That would be a very equitable proposition. Then arises the question, how are you to decide as to what their benefit is? For that purpose, we cannot do better than follow the English Act. The English Act says, unless the parties come to an amicable understanding within a certain time, the question shall be settled by one arbitrator to be appointed by the local Government and in this case, it will be the Small Cause Court. Either the parties must amicably settle it, the corporation and the owners who are benefited must amicably settle it or the question must be settled by the arbitrator appointed by the local Government who is the Chief Judge of the Small Cause Court. I would not levy from them more than one-half. To levy the whole of it is unfair. That is my solution, my Lord."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"That is my amendment."

The Hon'ble Dr. T. M. NAYAR:—"You have this."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"That is another point."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I also strongly support the amendment that what we levy from the neighbours should not exceed one-half of the improvement; following the English Act, one-half of the amount of that increase."

His Excellency the PRESIDENT:—"I suggest that Honourable Gentlemen need not take the analogy of the English Town Planning Act; we are dealing with insanitary buildings."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"But the principle of what we should levy from the neighbours is the same, whether it is the town planning or any other scheme. I do not think we can impose against their will more than one-half. I support the amendment to that extent."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"The amendment standing in my name No. 99 is to add the words 'to the extent of one-half' between the word 'contribute' and the word 'towards'. It means that the levy from the neighbours would be limited to one-half."

His Excellency the PRESIDENT:—"The Honourable Gentleman's intention is quite plain."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"One-half the increased value. What I seek is that the contribution should be limited to one-half the increased value. My Honourable Friend Doctor Nayar, so far as I have been able to follow him is agreeable to that amendment. As regards the rest of the debate, my Honourable Friend Doctor Nayar says that the site on which the demolished building stood should be kept vacant. My Honourable Friend Mr. Ramanuja Achariyar says that it may be built upon afterwards. I would add 'to the extent of one-half the increased value.' All that I want is that this compensation should be limited to one-half the increased value."

His Excellency the PRESIDENT:—"Before I put it may I say one word? It is really to emphasise to the Council the warning given to one or two Honourable Members that we should not apply to this clause the analogy of the Town Planning Act. In town planning, you may destroy perfectly sound and wholesome buildings for the purpose of running a new street or laying out a plan of your town or a section of a town. It is quite natural in that case that there should be a strict limitation on the compensation to be leviable or contributable by owners. In this clause, we are dealing with insanitary buildings, the congestion of slums. I would ask

(Mr. Ranga Achariyar ; Mr. Rama Ayyangar ;
Mr. Narasimha Ayyar ; Mr. M. Ramachandra Rao ;
the President.) [13TH FEBRUARY 1919.]

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"I repudiate the suggestion on behalf of the Corporation. We recognize him in many ways."

The Hon'ble Mr. K. RAMA AYYANGAR :—"The only question is in recognizing him in this Act, we recognize him only for the purpose of punishing him. What expenditure is sanctioned by the Government in those cases has been declared to be irrelevant by the President. I do not think it is in the interests of the hakims or the vaidyans to provide for this prosecution."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"The Council may remember the discussion about the Medical Registration Act and what attitude the public in general took about the disabilities imposed on the practitioners of indigenous systems. With reference to this, I would point out that we are here affecting the indigenous practitioners in two ways. There is a provision for imposing professional tax on hakims and making them pay sums of money. Again in clause 330, the duty is imposed upon them, the violation of which entails penalty. We have done two things, we recognize them for the purpose of the professional tax and we recognize them for the purpose of saying that they are medical practitioners to help the Corporation in certain ways and if they do not, we will punish them. We say that they will be fined Rs. 50. In one way it has a very good effect, that we make our attitude clear about indigenous systems of medicine. That is the only system on which millions of our people depend. There is a Tamil proverb which gives it very beautifully: 'ஆகியவர்களுக்கு அகலுதல் கடுமையானது'."

"The man is brought in for all disadvantages. That is the case with regard to the hakims and vaidyans. Other medical officers come in for good emoluments and for the issue of certificates, but hakims and vaidyans come in for the profession tax and are responsible for notifying the existence of diseases. There is a penalty. We are clearly showing our attitude to the indigenous practitioners."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"I had absolutely no intention of reviving under this amendment our old controversy about the Ayurvedic and Unani systems of medicine. I may say during the last influenza epidemic at Ellore, on account of the shortage of qualified medical practitioners, we had to fall back upon ayurvedic medical men. I tried my best to find out who the existing hakims and vaidyans were and I sent out all my men to find them out and I made a regular gathering of them to see what they are like and what their knowledge of this extremely infectious disease was. I do not know whether the Hon'ble Mr. Molony would call influenza an infectious or an epidemic disease. I had very great difficulty in making out a list of them. We wanted to see whether we can give them any general directions in fighting this epidemic in the place. We found it extremely difficult. Every one gathered gave us all sorts of explanations about the disease which were unacceptable with the result that they would not recognize influenza as an epidemic disease or as an extremely contagious disease. Their method of treatment was examined; their explanations were unacceptable. To lay the duty of reporting infectious diseases on men whom I had met there appeared to me to be somewhat a difficult task. In view of my experience, I found it rather difficult to consent to this thing; I mean no disrespect to any gentlemen practising this system. There are qualified hakims and qualified vaidyans who are trusted by the people but there are many others who may come under the statutory definition of hakims and vaidyans. Therefore, to penalize them and prosecute them for not reporting the disease appears to me to be rather hard. I recognize the existence of such a provision in the old Act, but in view of my own experience, I think it is wrong to retain it now."

His Excellency the PRESIDENT :—"There is a great deal to be said in favour of what the Honourable Member has said. But there is such a provision in the existing Act and it has not operated as a hardship."

The amendment was put and lost.

Clause 330 was allowed to stand part of the Bill.

Clauses 331 and 332.

Clauses 331 and 332 were allowed to stand part of the Bill.

Clause 333.

The Hon'ble Mr. K. RAMA AYYANGAR :—"I move amendment No. 102 :—

102. In sub-clause (c) of clause 333 (1) insert as (proviso 1) after the words 'removed to the said hospital or place' the following :—

'provided that he shall not so remove if the person suffering or any one in charge of him agrees to segregate the person in the manner required by or subject to the conditions imposed by the Commissioner or any by-law of the municipality.'

"In section 333 there are three clauses. (1) 'If in the case of any person in a hospital, it appears to the officer in charge of it that such person is suffering from a dangerous disease, or if in the case of any other person, it appears to the health officer or assistant health officer that such person is suffering from a dangerous disease, etc.' The word used is 'dangerous'. I could not very well follow it. The dangerous disease may not be infectious disease. The section continues: 'and is without proper lodging or accommodation, etc.' It was 'or' in the previous case and not 'and'. In each of these cases, it is suggested that action should be taken. The third clause says: 'is without medical supervision directed to prevent the spread of the disease.'

13TH FEBRUARY 1919.]

(Mr. Rama Ayyangar ; Mr. Molony ;
Mr. Krishna Rao.)

It may be that supervision by a non-registered medical practitioner may be brought under clause (c). It may be declared that any medical practitioner other than a registered medical practitioner will not be able to have the medical supervision directed to prevent the spread of the disease. In such a case what is suggested is: 'if such officer in charge, health officer or assistant health officer as the case may be, considers that such person should be removed to a hospital or other place at which patients suffering from such disease are received for medical treatment, this is important—he may remove such person or cause him to be removed to the said hospital or place.' That is, if any person in Madras suffers, in the opinion of the health officer or the assistant health officer or the officer in charge, from any one of those conditions he is unprotected by any one of those conditions, he can order the removal of that person to one of those places and that is again limited to the hospital or to the place where people are taken for medical treatment for such disease. In the case of plague camps, there may be such a question arising though it has been since held that it is unnecessary so to remove. In other cases, it may be that such a removal may be necessary. Whatever may be the status of the individual, power is given to remove that person either to the hospital or to the place where medical treatment is given. I believe the municipality provides camps. The question is whether power should be given to the Corporation to remove everybody bodily to that camp. It has often been said that the removal to a plague shed has been more the cause of the death of the man than anything else. In fact, I know in the case of most influential persons, people that can command anybody and will be able to use influence, this may not work hardship. Either the disease would not be known or the disease might not be capable of being found out by these officers but in the case of the poor people or people of the middle classes, it may be that one wants to remove him to a place which is defined there. The question is if any condition is imposed upon that person, whether he would take care that the patient is properly kept segregated. Will there be any necessity to remove him? I do not think that any provision to remove him to a particular place should be made universal. All that the law should make provision for is to see that the interests of the public are served and unnecessary irritation should be avoided. We have known that much of what was done at the beginning of plague regulations was found later on to be unnecessary. People who had the power, exercised it in excess of what was required and it created much commotion. I thought it was necessary to restrict this matter where a sufficient safeguard will be undertaken by the persons in charge of such patients to see that they are properly segregated. You should not have a provision in such a vague form which will apply to all people, but will be applied in different ways to different people."

The Hon'ble Mr. J. C. MOLONY :—"I oppose this amendment. The Honourable Member seems to have entirely forgotten two things in dealing with these sections. The first is that these restrictions are imposed both in the interests of the person who is removed and in the interests of his neighbours. He seems to imagine that for some curious reason, the municipality, that is to say, the health department will deport people to camps and hospitals and other places simply for the pleasure of doing so. I will ask him to consider what that means. Some body said that if you deport poor people, it means that there are a lot of discontented poor people in the hospital and it means expenditure of municipal money. If we can by any possible means leave people in their houses we leave them. If there is any reasonable means of segregating a man in his own house without danger to his neighbours, we are only too glad. It saves a lot of worry, it saves a sense of responsibility, it saves the necessity of taking care of him in the hospital and it saves the cost of feeding. In a great many cases, however, such segregation is absolutely impossible. The amendment which the Honourable Member proposes as a kind of safeguard is nothing. A person will agree to do anything, but the question is: can he do it or will he do it? A person may say he will segregate his patient, but you will find after a day or two he has not done so. We should be taking away a power from the municipality which they have no means of misusing and which is only for the protection of the general public."

The Hon'ble Mr. A. S. KRISHNA RAO :—"Your Excellency, I regret that I have not been able to follow the opposition to the amendment. All the reasons that have been urged tend to support the motion made rather than tend to defeat the motion. It is pointed out that the municipality is not going to be very unreasonable, and that it is only in cases where it is dangerous to segregate a person in his own house, this procedure will be adopted. May I remind the Hon'ble Mr. Molony that this provision evidently suggests that we shall not so remove him if he agrees to act in the manner required, or subject himself to the conditions imposed by the Commissioner or by any by-law of the municipality. It gives complete discretion to the Commissioner to prescribe conditions and suggest in what manner he should be segregated. I think the Hon'ble Mr. Rajagopala Achariyar will correct me if I am wrong. The plague regulations recently introduced have effected a change even in regard to most dangerous diseases. I believe it has been provided that wherever possible, segregation should be in one's own house. They have relaxed the rigidity of the rules. While such is the case, I fail to understand why this proviso should not be inserted in this clause which does not ipso facto give the right in the person to be segregated, but simply says that he should do so in the manner required and subject to the conditions prescribed by the Commissioner. When there are these safeguards, I cannot see what reasonable objection there can be to the amendment being accepted."

The amendment was put and lost.

Clause 333 was allowed to stand part of the Bill.

(The President; Mr. Ranga Achariyar; the Advocate-General; Mr. M. Ramachandra Rao; Mr. Krishna Rao.) [13TH FEBRUARY 1919.]

you to pause before you apply to such conditions, conditions that are contemplated under the Town Planning Act. At the moment, I can only recollect one such. If you limit the contribution leviable from an owner of an insanitary dwelling house, it will be directly to his interests to have the conditions of these dwellings deteriorate until it pays him to have a demolition taken up by the corporation and compensation paid to him. I would therefore deprecate it. I quite understand the Honourable Member's motive. I do not think we have lost anything by this discussion. It is a very important and responsible duty which is laid upon the corporation. I do not regret any attention paid to it; we have had an interesting discussion. I do think the Council would be wise in not inserting the provision on the analogy of the English Town Planning Act. This is after all purely experimental and it is always possible to amend provisions if they operate harshly. There is no reason to presume that they will operate harshly at present. I would therefore put the amendment to the Council."

The amendment was put and lost.

Clause 273 was allowed to stand part of the Bill.

Clauses 274 to 298.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"There is the omission to define a lodging house. I only wish to point out that in section 279."

His Excellency the PRESIDENT:—"There is no amendment on paper."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I know it. I only wanted to say that we have not defined the lodging house."

The Hon'ble the ADVOCATE-GENERAL:—"No definition of a lodging-house necessary."

Clauses 274 to 298 were allowed to stand part of the Bill.

Clause 299.

The Hon'ble the ADVOCATE-GENERAL:—"I beg to move amendment No. 100-A:—"

'100A. Omit all the words occurring after the words 'by the commissioner'.

"The Hon'ble Mr. Ramachandra Rao has given notice that the words 'or where milk is stored' should be added. It is not necessary to specify certain conditions and not all conditions. That is the main reason. The condition of the cows outside the city is going to be a condition which I insist upon. I therefore move that all words after the word 'commissioner' in the second line of sub-clause 2 be omitted."

The amendment was put and agreed to.

The following amendment standing in the name of the Hon'ble Diwan Bahadur M. Ramachandra Rao Pantulu was not moved:—

"100. Add the following at the end of clause 299:—"or where the milk is stored."

Clause 299 as amended was allowed to stand part of the Bill.

Clauses 300 to 329.

Clauses 300 to 329 were allowed to stand part of the Bill.

Clause 330.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, I propose that this explanation as to the duty or obligation of medical practitioners to report dangerous and infectious diseases which is proposed to be extended to hakims and vaidyans under this explanation be omitted. My amendment is:

'101. Omit the explanation.'

"It has been stated in this Council several times that hakims and vaidyans are very ignorant men. Perhaps they are or they are not. We need not at all discuss that question just at present, but the point is that this section lays on medical practitioners the duty of reporting infectious diseases and I submit that in my judgment it is not desirable to lay this injunction upon those persons. Certainly it is not at all possible for them to know what are infectious diseases, what are epidemic diseases and what are endemic diseases. Persons better informed than the ordinary hakims and vaidyans are not quite clear as to what the endemic diseases and the epidemic diseases are. If you are going to lay this obligation on them, I think it must be preceded by a process of education of all the hakims and vaidyans of what is an endemic disease, what is an epidemic disease and what is an infectious disease. I do not wish to lay this obligation on them because, I am certain that if we do that, we will be exposing them to unnecessary prosecutions in a matter for which they are ill-equipped. While we are loathe to recognize their usefulness I do not think it is right to subject them to penalties such as those laid down in this section. On these grounds, I propose this amendment."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I second this amendment. It is not desirable that these obligations should be laid upon them so long as nothing has been done to improve their position and to encourage them. It is difficult to say who is responsible and to what extent. I think Your Excellency's Government are aware of the feeling in the country so far as hakims and vaidyans are concerned. There is a feeling which I find it difficult to suppress. What could be done and should be done on behalf of the Government to encourage them has not been done; and before anything is done to improve their lot and encourage their position it

13TH FEBRUARY 1919.] (Mr. Krishna Rao; Mr. Chidambaramatha Mudaliyar; Mr. Ranga Achariyar; Mr. M. Ramachandra Rao; Mr. Rama Ayyangar; the President; Mr. Ramanuja Achariyar; Mr. Yaqub Hasan.)

is not desirable that we should lay this obligation upon them. In addition to this objection, I will point out that there is no registration law. It will be difficult to prepare elaborate lists as to the persons who come under this description. Therefore I strongly second this amendment and I hope the Government would accept it."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"I am surprised at this provision in the Bill. I strongly support the amendment proposed by the Hon'ble Mr. Ramachandra Rao in the interests not only of the hakims and the vaidyans but also in the interests of the people at large and of the Municipal Corporation also."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I am sorry, my Lord, I cannot share the feelings expressed by my Honourable Friends. It seems to me that the suggestion is more in anger at the attitude taken by the Government."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I must explain it is not at all due to that feeling."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"It appears to me that it cannot be in the interests of the hakims and the vaidyans. Whatever attitude the Government may take, I may assure my Honourable Friends here that the Corporation has not neglected the hakims and the vaidyans. We are supporting institutions where hakims and vaidyans are trained, and we rather want to give them a status by this Act than take away that status. On the other hand, we are giving a status, a statutory position. I ask my Honourable Friends to consider that aspect of it; you cannot have the benefit without the responsibility, you cannot have the benefit without the burden. Let them share the responsibility with other medical practitioners of reporting to the Corporation dangerous and infectious diseases. Most of these patients are in the hands of hakims and vaidyans. Unless you bring them under control, there is no use asking the Government or asking the local body to support them. I would earnestly ask my Honourable Friends to withdraw that."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Is any expenditure towards institutions sanctioned by the Government?"

His Excellency the PRESIDENT:—"That does not arise."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I also oppose the amendment. Government may regard the hakims and vaidyans as quacks; but we want their services to be fully utilized in reporting the outbreak of infectious disease. They know what is plague, what is cholera, etc. I therefore oppose this. They may not know what is an infectious disease, what is an epidemic disease or what is an endemic disease."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"This clause says: 'If any medical practitioner becomes cognizant of the existence of any dangerous disease in any private or public dwelling in the city he shall inform the Commissioner, the Health Officer, the medical registrar of the district, or the sanitary inspector of the division with the least practicable delay.' If hakims and vaidyans are also considered medical practitioners and are asked to inform the Commissioner, you must know who these hakims and vaidyans are. I do not know about vaidyans, but so far as hakims are concerned, any scholar of Arabic is considered a hakim, because medicine forms part of the study in Arabic. Every Moulvi or scholar in Arabic is considered to be a hakim. Some are practising medicine and others are not. But even those who are not practising may practise some time. How will you bring the charge home if hakims and vaidyans fail to inform the Commissioner of the existence of this disease? How can you catch hold of him and how can you say he is a hakim or he is not a hakim? He will say he is not a hakim. How are you going to punish him for failing to do his duty? It is unworkable. The Hon'ble Mr. Ranga Achariyar says that we are going to give him a status by this Bill. I do not know what status there is in it. If you, for example about plague or cholera, accept a certificate of a medical practitioner certifying that a person has not died of cholera or plague, I can understand it. I ask you, is the Corporation prepared to accept the certificate of a hakim that a person has not died of plague? If you are not going to accept their certificate, why should you compel them to notify in these instances? I think it would be very unworkable if it remains as it is for the simple reason that we have no lists of hakims. We will have to bring in another provision and say that no person should practise as hakim or vaidyan unless his name has been registered or unless a licence has been given to him. Then alone we will know who the hakims are and we can then enforce this provision. As it is, we can as well do away with this provision."

His Excellency the PRESIDENT:—"It is in the existing Act and I think we may continue it."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, I have not been able to understand the argument of the Hon'ble Mr. Ranga Achariyar. He wants to put it in and says that it is recognizing his status. As far as I can see it is recognition only for prosecutions. He says he wants to benefit them. The only effect will be to prosecute him when he does not do his duty. That is the only form in which you recognize him. You do not recognize him in any other way."

(Mr. Rama Ayyangar; Mr. Krishna Rao; the President.)

[13TH FEBRUARY 1919.]

Clauses 334 to 337.

Clauses 334 to 337 were allowed to stand part of the Bill.

Clause 338.

The Hon'ble Mr. K. RAMA AYYANGAR:—"I do not propose to move amendment No. 103." With the permission of His Excellency the President, the following amendment was with-

drawn:—"103. Insert the words 'known to him as such' between the words 'dangerous disease' and the words 'shall enter.'"

Clause 338 was allowed to stand part of the Bill.

Clauses 339 to 357.

Clauses 339 to 357 were allowed to stand part of the Bill.

Clause 358.

The Hon'ble Mr. A. S. KRISHNA RAO:—"In any case, we have to meet to-morrow. So I shall begin to-morrow."

His Excellency the PRESIDENT:—"We must all use our time as well as we can. Many inquiries have been addressed to me by members from the mufassal if I can give them any indication as to when this Bill is likely to be concluded. I do not know what the Honourable Gentleman who takes interest would suggest."

The Hon'ble Mr. A. S. KRISHNA RAO:—"We will finish at about 1 p.m. to-morrow."

His Excellency the PRESIDENT:—"If that is so, we will warn the contractor that lunch would not be required. If that is to the convenience of the Council, we will resume discussion at 11 o'clock to-morrow."

The Council then adjourned till 11 a.m. on Friday the 14th day of February 1919.

H. G. STOKES,

Acting Secretary to Govt., L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Friday, the 14th day of February 1919.

P R E S E N T :

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.S.I., G.C.I.E., Governor of Madras—*Presiding*.

The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O., O.B.E.

The Hon'ble Mr. L. E. BUCKLEY, C.S.I.

The Hon'ble Mr. A. Y. G. CAMPBELL, C.I.E.

The Hon'ble Mr. W. J. J. HOWLEY

The Hon'ble Mr. W. HUTTON.

The Hon'ble Mr. R. LITTLEHAILES.

The Hon'ble Mr. N. E. MARJORIBANKS.

The Hon'ble Mr. J. C. MOLONY.

The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.

The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).

The Hon'ble Mr. H. G. STOKES, C.I.E.

The Hon'ble Mr. C. G. TODHUNTER.

The Hon'ble Mr. M. YOUNG.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR Avargal.

The Hon'ble the Rev. G. PITTENDRIGH.

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO PANTULU Garu.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.

The Hon'ble Mr. P. SIVA RAO.

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.

The Hon'ble Mr. B. V. NARASIMHA AYYAR.

The Hon'ble Mr. K. RAMA AYYANGAR.

The Hon'ble Sri RAJA RAO VENKATA KUMARA MAHIPATI SURYA RAO Bahadur, Raja of Pithapuram.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.

The Hon'ble Mr. K. KUMARAN RAMAN KAVALLAPPARA MUPPIL NAYAR.

The Hon'ble YAQUB HASAN SAHIB Bahadur.

The Hon'ble Sir GORDON FRASER, Kt.

The Hon'ble Mr. J. H. THONGER.

The Hon'ble Sir FAIRLESS BARBER, Kt.

The Hon'ble the Most Rev. JOHN ALEN, D.D.

The Hon'ble Sir FRANCIS SPRING, K.C.I.E.

The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.

The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO, Bahadur, of Bobbili.

The Hon'ble Dr. T. M. NAYAR.

(Mr. Yaqub Hasan; Mr. Ranga Achariyar; the President.) [14TH FEBRUARY 1919.]

53. (1) Subject to the provisions of section 54 a councillor shall cease to be a councillor if he—

- (a) is sentenced by a Court as described in section 52, sub-section (1), clause (a);
- (b) becomes of unsound mind, a deaf-mute, or a leper;
- (c) applies to be adjudicated or is adjudicated a bankrupt or insolvent,
- (d) subject to the proviso to section 52, sub-section (1), acquires any interest in any contract made with or work being done or to be done for the corporation except as a shareholder (other than a director) in an incorporated company;
- (e) is employed as paid legal practitioner on behalf of the corporation;
- (f) accepts employment as legal practitioner against the corporation;
- (g) is appointed to any office or post referred to in section 52, sub-section, (1), clause (b), sub-clause (iv);
- (h) is declared to be disqualified by a judicial order passed under section 71, and still in force;
- (i) ceases to reside in the city; or
- (j) fails for three consecutive months to attend the meetings of the Council.

“Under the circumstances mentioned above, a person ceases to be a commissioner. This fact will come to the notice of the president and the president will declare his seat vacant. But if it is not brought to his notice and the councillor acts as councillor and takes advantage of the ignorance of the President in this matter, then alone this clause comes into operation. But it is extremely unlikely that a person who has ceased to be a councillor according to section 53, will come in and act as a councillor except under a misapprehension. Perhaps he may think that he is not disqualified. If a person absents himself for three consecutive months, he ceases to be a commissioner under sub-clause (i) (j) of clause 53. But, if the person comes there to attend a meeting in the fourth month, you will prosecute him for doing a highly illegal thing by saying that ‘you have ceased to be a commissioner and yet you come to the fourth meeting to attend it with a sinister motive’. It will be absurd to prosecute him simply on that account. Again, if he is declared by a judicial order to be disqualified to be a commissioner, and then if he goes and attends the meeting—nobody who has any self-respect will go and attend the meeting, but if he goes there—there is the president to bring this clause 53 into operation and prevent him from acting as a councillor. I think it is absurd to keep this clause as it is, as it does not help in any way. So much has been said about contractors and councillors that there will be councillors behind the contractors who will go into the corporation to try and help the persons in whom they are interested. To prevent them from doing so, the clause without these words will be quite enough. We cannot imagine that a councillor, who is behind a contractor, when he ceases to be a councillor, will go to a meeting and will be able to exert his influence at that particular meeting and use it for the benefit of the contractor. I cannot imagine what necessity there is for the retention of these words. I do not see why the Honourable the Advocate-General is anxious to withdraw his motion. I am for these words being removed from this clause.”

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—“I think we must carefully consider the words proposed to be omitted—‘Or acts as councillor when disqualified under section 53’. This relates to disqualification arising not only from interest in contracts but from various other causes. Merely acting as a councillor, I do not suppose that any Honourable Member wants to make a crime, I do not think that we are anxious to make honest mistakes crimes. While we must provide that wilful acting is a crime, we must take care that honest mistakes are not made a crime. I think the object that all of us have in view will be attained if Your Excellency will kindly attend for a second and consider another amendment whereby we will alter the language thus—‘Or wilfully or knowingly acts as a councillor when disqualified under section 53’. (At this stage His Excellency the Governor was holding a consultation with the Honourable the Advocate-General.) Section 53 provides for a person becoming of unsound mind and he will not be likely to know that he has become of unsound mind. (At this stage there was a pause in the remarks of the Honourable Member.)”

His Excellency the PRESIDENT :—“Will the Honourable Gentleman continue his remarks?”

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—“I want to address my remarks to the chair.”

His Excellency the PRESIDENT :—“Pray continue. I am listening to the Honourable Member.”

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—“I am now proposing an amendment. I want the attention of the chair.”

His Excellency the PRESIDENT :—“By all means.”

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—“I propose, Your Excellency, that it will not do to omit these words altogether. I wish to suggest that it must be wilful action on the part of a councillor that must be made a crime. I, therefore, introduce the word ‘wilfully’ before the word ‘acts’. If a person wilfully acts as a councillor when disqualified under section 53 he will be punished; it is the wilful acting in contravention of the provisions of the Act that should be made a crime. I think it is necessary to have this amendment as it will meet all the requirements of the case.”

14TH FEBRUARY 1919.] (Mr. M. Ramachandra Rao; Mr. Ranga Achariyar; Sir Gordon Fraser; Mr. Rajagopala Achariyar; the Advocate-General.)

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—“I think there is a good deal to be said in favour of the retention of this clause. Every case of disqualification will be disputed by the councillor concerned or any other councillor. I take it that there are a number of cases of the disqualification to which the section will apply. Let us take the worst case of a member of the Madras Corporation becoming of an unsound mind—I hope that there are none there at present and there will be none there hereafter. But assuming that one of the sitting councillors becomes of an unsound mind, that unsoundness of the mind has to be established, because it may be contested by the person himself or a reference has to be made to the Small Cause Court and the question of unsoundness of mind will have to be established. It is only then that the disqualification will be established; till then it seems to be impossible to decide that question. Simply because some members of the Madras Corporation think that one of their colleagues is of unsound mind, how is it possible to say that the man is disqualified. Then take the case of a person who ceases to reside in the city. That is a disqualification and that has to be established. That is a question of fact. It may be that some members of the Corporation think that by continual residence outside the city, the disqualification has been established and that becomes a question of fact which has to be decided by a judicial decision. Under the scheme of this Act any person who is aggrieved and who says that the disqualification has not been established has got a right to obtain the decision from the Small Cause Court. My Lord, again, there is a familiar case of a person failing to attend three meetings. He comes to the fourth meeting without knowing that a disqualification is attached to him. Therefore, it seems to me that this provision that a person should not be punished until the disqualification is established should be retained and that the disqualification should be established by a judicial decision as provided in the Act and that is a very sound one. There are many cases in which unintentional transgressions of similar provisions have resulted in penalties, and there are always provisions for the establishment of the question of disqualification if there is a penalty attached to it. Therefore, My Lord, it seems to me to be wrong to give up this amendment, to leave the words as they are and to say that a person can be punished for the disqualification before the disqualification is established. I do not object to the section being suitably amended if a councillor votes in contravention of section 54 or acts as a councillor when the disqualification is established on a reference to the court. Then there should be no difficulty in providing a penalty. It is purely a question of fact as to whether a disqualification is established; I think therefore it is better to leave out the words as suggested in the amendment and to say that this penalty can only be incurred where the disqualification has been established as provided under this section.”

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—“Suppose he is under the honest belief that he is not disqualified until a reference is made to the court and the court declares that he is disqualified, do you make it a crime?”

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—“Until he is disqualified by the court it seems to be wrong to subject him to the penalty. That is the point. My Honourable Friends are more or less looking at sub-clauses (c) and (d) relating to contracts.”

The Hon'ble Sir GORDON FRASER :—“May I explain that they are the only clauses we are referring to. We would suggest that section 358 should refer to clauses 52 (1) (b) (iii) and 53 (1) (d) which relate to interest in a subsisting contract, etc. If this were done it would exclude all points referred to by the Hon'ble Mr. Ramachandra Rao and would only refer to the two clauses relating to subsisting contracts.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“What about the legal practitioner?”

The Hon'ble Sir GORDON FRASER :—“That is known to everybody; but that point does not arise here. The trouble only arises in connexion with this particular clause relating to people interested in contracts. If the sub-clauses I have already referred to in clauses 52 and 53 are provided for in clause 358 that will answer my purpose.”

The Hon'ble the ADVOCATE-GENERAL :—“Your Excellency, I am sorry that there is some misconception. I do not mean that clause 358 is an unwholesome provision; and it ought to be maintained in all its figure. All that I suggest is whether so long as sub-clause (3) of clause 54 remains—‘pending such decision such person shall be deemed to be qualified’ the scope of clause 358 is not restricted to cases where that decision has been arrived at and therefore it is not of sufficient value to retain it. It will only apply to cases where after the decision is arrived at a person acts as a councillor. I think that it should apply to cases even before a decision of the Small Cause Court is arrived at. It is more a criticism upon sub-clause (3) of clause 54 than a plea for the omission of these words in clause 358. But as the Select Committee recommended it, I suggested this amendment. But as the feeling of the Honourable Members is that it is necessary to retain these words I may point out to Your Excellency in Council that this is a wholesome rule which is contained also in section 46 of the Local Government Act of 1877. It says that if any person acts as a councillor when disqualified or votes when prohibited by this section, he shall be liable to a fine not exceeding £50. I do not agree with the Hon'ble Mr. Ramachandra Rao nor with the Hon'ble Mr. Ranga Achariyar in thinking that there will be any difficulty in working this section. If the disqualification is real there ought to be a penalty provided for it. I thought that as the clauses stand there was not sufficient scope for clause 358, but as the general feeling is for the retention of these words I adhere to the withdrawal of the amendment.”

(Mr. Krishna Rao ; the Advocate-General ;
Sir Gordon Fraser.)

[14TH FEBRUARY 1919.]

The Council re-assembled at 11 a.m., when the further consideration of the Madras City Municipal Bill, 1918, was resumed.

Clause 358.

The Hon'ble Mr. A. S. KRISHNA RAO :—"I have an amendment,* Your Excellency, for the omission of this clause ; but there is another amendment to the same clause in the name of the Hon'ble the Advocate-General in a modified form. I think, I would rather allow that amendment to be moved first."

The Hon'ble the ADVOCATE-GENERAL :—"Your Excellency, I beg to move that the following words be omitted in clause 358 : 'Or acts as councillor when disqualified under section 53.' The reason for this amendment may be briefly stated. Clause 54 of the Bill provides : '(1) whenever it is alleged that any person who has been elected or appointed as councillor is disqualified under section 52 or section 53 and such person does not admit the allegation or whenever any councillor is himself in doubt whether or not he has become disqualified for office, such councillor or any other councillor may, and the Commissioner, at the request of the Council, shall, apply to the Chief Judge of the Small Cause Court.' (2) The said Chief Judge after making such inquiry as he deems necessary, shall determine whether or not such person is disqualified under section 52 or section 53 and his decision shall be final.' Then follows this important sub-clause '(3) pending such decision such person shall be deemed to be qualified.' This was a novel provision which was in the Bill as introduced and the Select Committee decided to retain it. It means that the ordinary jurisdiction will be ousted and the only way in which the question of disqualification can be decided would be by an application by the councillor concerned or any other councillor or the Commissioner to the Chief Judge of the Small Cause Court ; and pending such reference to and decision by the Small Cause Court, the person said to be disqualified shall be deemed to be qualified. It would be inconsistent under section 53 till the decision of the Small Cause Court is arrived at. It will not be advisable to allow two sets of decisions to remain. Even if this clause is retained it is of no use, because he must be deemed to be qualified till the decision of the Small Cause Court is ascertained. There is no case of a person disqualified acting as a councillor, except in case, where a councillor persists in his acting as such after the decision of the Small Cause Court is pronounced. It can only refer to a small number of cases where after a decision of the Small Cause Court Judge a man persists in taking part as a councillor. It seems unnecessary to provide for it. There is sufficient protection against a disqualified councillor acting as a councillor. It seems, therefore, to be wholly undesirable and unnecessary that he should be punished with further fine. The other part of the section may remain as it is and I beg to move that the words which I read out may be omitted."

The Hon'ble Mr. H. G. Stokes seconded the amendment.

The Hon'ble Sir GORDON FRASER :—"What penalty is there for a councillor who sits on the Corporation, after he acquires an interest in any contract or work done with the Corporation?"

The Hon'ble the ADVOCATE-GENERAL :—"There is no penalty."

The Hon'ble Sir GORDON FRASER :—"In that case, your Excellency, I strongly oppose the amendment for the omission of the words 'or acts as councillor when disqualified under section 53.' I think it is most illogical that this portion of clause 358 as referring to clause 53 should be withdrawn. We had a great argument on section 53 and the principle that is there strongly advocated found favour with this Council ; and I think every one in the Council acknowledges the correctness of the principle. Under clause 53, there is no doubt that every self-respecting merchant, European and Indian, will immediately withdraw from the Corporation, immediately he becomes interested in any contract or work done with the Corporation ; and it is equally certain that the particular class of contractors aimed at by this Bill will not withdraw. If he is gaining any advantage from any influence that he can use on the Corporation, he is going to stay on the Corporation as long as he possibly can, and there are many ways in which he can get round this clause. I am very sorry now that I did not move my amendment, as I think that a declaration of interest would have acted as a particular safeguard. Now these unscrupulous contractors can very easily arrange for their contracts to be put through in the names of their subordinates. So it really comes to this : that a person, a merchant trader or industrialist with any self-respect resigns, while the other class of contractor at whom section 53 particularly aims does not resign. As soon as it is found out that he has an interest in a contract, under clause 53 all that can be done is to ask him to resign. There is no penalty attached to it. I say that the penalty should be a very severe one indeed. I think that it would have been advisable if my amendment had been discussed and accepted, for a severe penalty would have been attached to it. Presuming that clause 53 stands good and the amendment is rejected, if a councillor is elected holding an undisclosed contract, he does not come within the penalty clause of 358. Clause 53 says 'acquires any interest in any contract made with or work being done, etc.' That is acquiring an interest after a person becomes a councillor. But if he is elected while holding a contract this clause does not seem to apply. My argument is that clause 358 removes the only safeguard which the Corporation has against the particular contractor aimed at by clauses 53 and 54. Therefore I oppose the amendment."

* "104. Omit the clause."

14TH FEBRUARY 1919.]

(Mr. Thonger ; Dr. Nayar ; Mr. Suryanarayana Rao ;
the Advocate-General ; Mr. Yaqub Hasan.)

The Hon'ble Mr. J. H. THONGER :—"Your Excellency, when I made my motion a few days ago it was said that we should establish a principle and this was one of the safeguards named. The general opinion of this Council was that the principle in question must be stated and the Hon'ble the Advocate-General gave it as his opinion that a business man was always so keen that he could not resist temptation of doing business with the Corporation, and the safeguards under the Act were not sufficient to keep him under control. I do not, therefore, understand the principle of the Government now endeavouring to reduce these safeguards. The Council having, to all intents and purposes, debarred the leading business men in Madras from taking office as councillors now seeks to reduce the safeguards against those who may come in. That is not a sound position. The attitude of business men in this connexion has not been properly understood. We welcome any safeguard that is made ; we would like to make it as strong and as stringent as we can. We are interested in the integrity of the Corporation, and welcome any safeguard that may be introduced and not want any modification of existing safeguards. A man may act as a Councillor though he himself may know that he is in reality disqualified, but if he deliberately disregards that fact, he ought to be punished with a fine, especially when the Small Cause Court has decided that he has abused his privilege. If the intention of the Government is to withdraw this amendment I would suggest the addition of clause 52 as a penal clause, so that if a man puts himself forward for election and does not disclose his contract he incurs a penalty. Business men welcome all safeguards. But if you withdraw this clause you are doing so not for the benefit of respectable business men, but for unscrupulous men."

The Hon'ble Dr. T. M. NAYAR :—"I entirely agree with the remarks of the Hon'ble Sir Gordon Fraser and the Hon'ble Mr. Thonger. We decided the other day not to permit any one who had an interest in a Corporation contract to become a councillor. But by withdrawing this clause here, you permit a man to become a councillor and as long as he abstains from voting on the contract in which he is interested he does not come in under any of the penal clauses, and thus he escapes altogether. That, of course, would be all right if our restriction was intended for an honourable class of contractors, for, the other provision in the Act, that they have no business to come into Corporation, is sufficient, but you have to deal with a set of unscrupulous contractors acting as councillors and they will be exactly the class of people who would take advantage of your amendment now. They would abstain from voting and they would probably absent themselves on the day their question is taken up and they would come up the next moment to the Corporation and begin their wirepulling at the Corporation office. Therefore, it is fatal to the clause which we added prohibiting any one who has any interest in a contract from becoming a councillor to carry this amendment ; it would be wrong to carry this amendment. I go further and agree with the Hon'ble Mr. Thonger that some penalty ought to be provided against a councillor remaining as a councillor without disclosing the fact that he has an interest in any contract with the Corporation. The practice to which allusion has been made of putting forward a dummy as a contractor is an exceedingly common one in the Madras Corporation. As a general rule when we see the name of a new contractor we very often ask--who is it that is behind him. I have done my best on several occasions to trace the substantial man behind the dummy. Sometimes we are able to discover him and sometimes not. It may happen that behind him there may be councillors but these are undetected crimes with which we cannot do anything ; but that is no reason why in the Bill a penalty could not be provided against a man when he is detected. If a man is detected he ought to be punished, and what is more it should be definitely laid down here that it is a crime and it should be punished. I therefore agree with the Hon'ble Mr. Thonger that a penal provision should be added. I hope that the Government will appreciate the necessity for it, and add it of their own accord."

The Hon'ble Mr. A. SURYANARAYANA RAO :—"Your Excellency, I wish to have this provision retained. I am not for deleting any portion of this clause 358. The Hon'ble the Advocate-General wishes to delete a portion of it. But I am not for deleting any portion of it. It is a matter of common occurrence, common experience and common knowledge that generally these councillors appear behind somebody's name which is put forward. I am aware of instances where chairmen of municipalities are participators in contracts and some ignorance is put forward as the person holding the contract, whereas the contract is really for the benefit of the chairman himself. I, therefore, strongly oppose the deletion of any portion of this clause."

The Hon'ble the ADVOCATE-GENERAL :—"I beg to withdraw the amendment, having regard to the opinion expressed by the Honourable members. They ought to know the necessity for this provision."

The Hon'ble Yaqub Hasan Sahib Bahadur :—"I am for the amendment which has been discussed and I feel that it should not be allowed to be withdrawn. In the Select Committee I took up the very position which the Hon'ble the Advocate-General has now taken up. I said that these words should be omitted from this clause ; but he did not see it in the light I presented and these words were inserted. Afterwards a clearer vision seems to have come to the Advocate-General, and he has now thought it proper to bring forward an amendment to omit these words. He ought to have stuck to his amendment in spite of the little opposition that has been raised. I think the position that he has taken up is a very proper one. It is not proposed that the whole clause should be omitted as understood by the other speakers, but it is only these words that he proposed to omit--'or acts as councillor when disqualified under section 53.' A reference to section 53 will show that a councillor becomes disqualified under certain circumstances. Section 53 says :—

(Mr. Yaqub Hasan; the President;
Mr. M. Ramachandra Rao; Mr. Narasimha Ayyar;
Mr. Ranga Achariyar; the Advocate-General;
Sir Gordon Fraser; Mr. Thonger.)

[14TH FEBRUARY 1919.]

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Your Excellency under the rules if an Honourable Member who moves an amendment withdraws his amendment it is open to another member to take up the amendment and move it."

His Excellency the President:—"The Honourable Gentleman will see that we might pass an amendment round the whole council in that way. To effect the Honourable Gentleman's wishes he can vote for the non-withdrawal of the amendment while others may vote for the withdrawal of the amendment. If the Honourable Gentleman carries the Council with him, his object will be achieved."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"The matter should not end with the reply of the Honourable the Advocate-General. It should be open to other members to speak."

His Excellency the President:—"That is not the issue raised by the Honourable Member. If the Honourable Member wishes to address the Council I may inform him that he has already done so. But if he wishes to address again he is at liberty to do so. The issue raised by the Honourable Gentleman is whether or not he should be permitted to move the amendment."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Again I appeal to the Council to retain these words and to accept the amendment as proposed by the Hon'ble Mr. Ramachandra Rao."

The Hon'ble Diwan Bahadur M. Ramachandra Rao:—"I agree with the Advocate-General in thinking that sub-clause (3) of clause 54 affords sufficient protection and in the face of that sub-clause there should be no difficulty. That sub-clause says 'pending such decision such person shall be deemed to be qualified.' If a person is aggrieved and has any doubt about the disqualification he has got the right of reference to the Small Cause Court. Till that decision is given he shall be deemed to be qualified and the penalty for disqualification will arise only after the Court's decision is arrived at. That is a view which is certainly open to be taken under clause 54, and I agree with the Hon'ble Advocate-General on that point. I do not think that there is any difficulty at all."

The Hon'ble Mr. B. V. Narasimha Ayyar:—"I wish to have some information. The Hon'ble the Advocate-General has not referred to the suggestion of the Hon'ble Mr. Ranga Achariyar for introducing the word 'wilfully' before the word 'acts.' As pointed out by the Hon'ble Mr. Ramachandra Rao and the Hon'ble the Advocate-General in cases submitted for decision there is no difficulty at all; but there may be cases in which there is no reference as to whether a person has an interest in a subsisting contract, or whether a person has ceased to be a partner in a firm which accepts a contract with the municipal corporation. Suppose I and others are partners of a firm which has a contract. In that case the addition of the word 'wilfully' might perhaps be convenient."

The Hon'ble Mr. T. Ranga Achariyar:—"I beg to propose the insertion of the word 'wilfully' before the word 'acts.'"

The Hon'ble the Advocate-General:—"The addition of the word 'wilfully' is unnecessary, because it would make the section unworkable. A man cannot be said to be disqualified, when he is deemed to be qualified. If a person acts as a councillor after the Small Cause Court declares him to be disqualified what more wilfulness can there be?"

The Hon'ble Sir Gordon Fraser:—"Before the debate is closed may I ask the Hon'ble the Advocate-General if he will consider the desirability of adding clause 52 before clause 53 in clause 358. I do not ask him to decide this point now, but I ask him to give it his consideration. I think this clause ought to be made applicable to a man who is appointed a councillor while holding a contract."

His Excellency the President:—"If I may say so, logically the Honourable Gentleman is perfectly right; but I think the provision is superfluous. However, that is my own feeling. I hope the Hon'ble the Advocate-General will be able to answer that point. Logically it may be necessary to hold it water-tight; but I do not think it is necessary."

The Hon'ble the Advocate-General:—"I think it is unnecessary to have the wording suggested. It may be necessary for logical symmetry but in practice it is not necessary. If it is a case of election there may be disputes and they will be brought to the notice of Small Cause Court and a decision will be pronounced thereon. Whereas in the other class of cases where a man, after he becomes a councillor, becomes subsequently disqualified there is far greater danger of the matter being overlooked."

The Hon'ble Mr. J. H. Thonger:—"I disagree with the Hon'ble the Advocate-General and I again wish to ask the Council to put every possible restriction upon businessmen interested in contracts from becoming members of the corporation and to put every possible penalty upon men who seek election without disclosing their interest in contracts. The integrity of businessmen has been attacked by the Hon'ble the Advocate-General to some extent and we do not wish any safeguard to be withdrawn. The stronger we make it the better we shall be pleased as businessmen."

His Excellency the President:—"If I may say a word we all understand and the Council has understood the position taken up by the representatives of business in this matter. They have thoroughly put their position before the Council and we need not therefore

14TH FEBRUARY 1919.]

(The President; Mr. Narasimha Ayyar;
the Advocate-General; Mr. Rama Ayyangar;
Mr. Rajagopala Achariyar.)

labour the point. We need not take up the position that there is any particular weakness in Madras that should render necessary the safeguards which are thought necessary elsewhere. If you consider the position for a moment you will find that the legislation we have undertaken is on lines which are quite usual and which have been found practically wise elsewhere. We have merely followed those lines in our Bill. I should myself deprecate going any further than is necessary and unnecessarily labouring the point. Here we have a perfectly usual procedure laid down and a usual machinery which has been found practically sufficient elsewhere. I should suggest that there is no reason why we should go any further here in Madras. Our legislation follows the ordinary lines. We have made it perfectly clear that there is nothing special or particular about our Presidency. I should be inclined to advise the Council to make the matter rest where it is."

The Hon'ble Mr. B. V. Narasimha Ayyar:—"May I give one legal reason why Honourable Members behind me should let the matter rest where it is. Clause 52 deals with candidates; and clause 53 deals with those who become councillors and the section that we are now dealing with is in regard to councillors and not in regard to candidates. Under clause 52 except under sub-clause (5) the person dealt with is the candidate and not the councillor. It is, therefore, rather incongruous to deal with that clause in discussing clause 358 and therefore the Hon'ble the Advocate-General is right."

His Excellency the President:—"The amendment of the Hon'ble the Advocate-General is that the words 'or acts as Councillor when disqualified under section 53' be omitted."

The Hon'ble the Advocate-General:—"I beg to withdraw the amendment."

His Excellency the President:—"We have to record in our proceedings what takes place. I shall therefore first put to the Council whether or not the Council are in favour of the withdrawal of the Hon'ble the Advocate-General's amendment. Will the Council give leave to withdraw the amendment?"

The motion was put and agreed to and the Hon'ble the Advocate-General then withdrew the amendment with the permission of His Excellency the President.

Clause 358 was allowed to stand part of the Bill.

Clause 359.

Clause 359 was allowed to stand part of the Bill.

Clause 360.

The Hon'ble Mr. K. Rama Ayyangar:—"I beg to move that this clause be omitted. I hold that the non-taking out of a licence referred to in this clause should not be made the subject of a criminal conviction."

The Hon'ble Mr. B. V. Narasimha Ayyar seconded the amendment.

The amendment was put and lost.

Clause 360 was allowed to stand part of the Bill.

Clauses 361 to 365.

Clauses 361 to 365 were allowed to stand part of the Bill.

Clause 366.

The Hon'ble Mr. K. Rama Ayyangar:—"I do not press my amendment to this section."

With the permission of His Excellency the President the following amendment was withdrawn:—

"106. At the end of clause 366 (2) add 'subject to a revision by the Council on a requisition signed by ten commissioners that any particular decision be considered at its meeting.'"

Clause 366 was allowed to stand part of the Bill.

Clause 367.

With the permission of His Excellency the President the Hon'ble Mr. K. Rama Ayyangar withdrew the amendment to this clause to add the words "or revision" after the words "an appeal" and after the words "shall appeal."

Clause 367 was allowed to stand part of the Bill.

Clause 368.

Clause 368 was allowed to stand part of the Bill.

Clause 369.

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar:—"The amendment of which notice has been given in connexion with this section by the Hon'ble Mr. Ramanuja Achariyar is that for the first line of this clause be substituted "all orders made, notices issued and permission granted." The Honourable Gentleman does not wish, I understand, to move this amendment."

Clause 369 was allowed to stand part of the Bill.

Clauses 370 to 393.

Clauses 370 to 393 were allowed to stand part of the Bill.

(Mr. Ranga Achariyar.)

[14TH FEBRUARY 1919.]

Clause 394.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"I beg to move that in sub-clause (2) of clause 394 the words 'fine or' be inserted before the word 'costs.' This amendment deals with the disposal of fines and other sums of money. It raises a very important question for which I ask the consideration of the Council. There are two things which are sought to be surrendered by the amendment made by the Select Committee to the original draft. In the first place, your Excellency, it involves a change of principle in the Bill as introduced into the Council and this Government should have taken the previous permission of the Government of India before accepting that amendment under the rule referred to by your Excellency the day before yesterday. The change of principle here involved is whether the fines levied under municipal and local Acts should not be appropriated to municipal funds. On the advice of the Hon'ble the Advocate-General on a technical point he seems to think that it is *ultra vires* of this Council to make such a provision. I think he is wrong. On a question like this as it involves a departure in principle from the established policy of the Madras Government and the other Governments, the previous sanction of the Government of India should have been taken. The history of this provision will show that the policy of the legislature, as I shall presently point out in dealing with such fines levied under municipal and local Acts has been to treat them as part of municipal funds. I need only refer to some of the local Acts. Section 286 (3) of the District Municipalities Act, IV of 1884 makes over fines, penalties and compensation for municipal offences to the municipality. Sections 445, 447 and 450 of the Madras City Municipal Act of 1884 make over municipal fines to the municipal funds. Section 454 of the City Municipal Act of 1904 does a similar thing. Section 54 (iii) of the Madras Local Boards Act similarly deals with fines levied under the Act. Section 28 of Cattle Trespass Act I of 1871, (Imperial Act) says that all fines may be appropriated as compensation for loss or damage. Section 8 of the Hackney Carriage Act, XIV of 1879 (Imperial) provides for fees levied under the Act to be credited to municipal funds. Sections 250 and 545 of the Criminal Procedure Code enact the same principle whereby fines collected may be utilised for paying compensation to accused for frivolous complaints, etc. Section 19 of the Cantonments Act, XV of 1910 distinctly provides for several sums being placed to the credit of the cantonment fund. Fines levied under section 545 of the Criminal Procedure Code, section 34 of the Police Act, V of 1867 and section 156 of the Army Act—all these Acts provide for fines being appropriated to the cantonment fund. Section 279 of the Indian Companies Act, VII of 1913 provides for fines being made payable towards costs of the complaints. There is also a similar provision to section 13 (1) of the Indian Merchandise Act. Section 52 (2) of the Bengal Local Self-Government Act, III of 1885 provides for the constitution of district funds out of the fines imposed and levied under the Act, so also section 56 of the same Act provides for the union fund. Section 104 (1) of the Calcutta Municipal Act, III of 1889 provides for the constitution of a general fund to which are credited all fines, etc., realized in cases in which prosecutions are instituted under that Act. Section III of the Bombay City Municipal Act of 1888 provides for the constitution of fund which includes fines imposed by magistrates for offences under that Act.

"I can also enumerate other Acts where provisions are made whereby fines collected on account of municipal offences are credited to municipal funds. The Bill of 1916 and the Bill of 1918 contained this provision that all fines levied under section 414 should go to municipal funds. You know that the Government of India sent their remarks on the Bill; they did not take exception to the fines being paid over to municipal funds, but the Select Committee has acted on the advice of the Advocate-General on a technical point; but I submit that this Council ought not to surrender its prerogative, apart from the loss to which the corporation funds will be put to. I think that the fines collected—the Hon'ble Mr. Molony will bear me out—amounts to a decent sum of Rs. 6,000 or 7,000 a year. That is no doubt a small matter in itself, but what I attach greater importance to is the fact that this Council is deprived of its prerogative and privilege by virtue of this attempt made by the Advocate-General to say that these Acts are *ultra vires*—that the Acts in force for such a long time are *ultra vires* because they contravene section 21 of the Government of India Act. Section 21 of the Government of India Act you will find printed on page 14 of the book which lies before you. The provision therein contained is not a new one; it is as old as 1858. This provision is taken from the wording of the Act of 1858—that is to say it gives power to the Secretary of State in Council to appropriate the revenues of India, the revenues of India being taken to include fines and penalties. That is an executive action. That power of sections dealing with legislatures. Under section 67 (2) you will find that it is assumed that the legislature has power to deal with the public debt or public revenues of India, but only does not affect section 21, to deal with public debt and public revenues of India, but only condition to be satisfied is there must be the previous sanction of the Governor-General. As regards the local legislatures they stand on a better footing, because 79 (3) (a) does not include of India being omitted, though we find such a reference in section 67. In Ilbert's book in dealing with the corresponding provision of the Government of India Act of 1858, provision corresponding to section 21 of the Government of India Act, it is stated on page 187 'questions have been raised as to the powers of the Indian Legislature to appropriate by Indian Acts to specific objects provincial or imperial sources of revenue such as ferry fees and other tolls,

14TH FEBRUARY 1919.]

(Mr. Ranga Achariyar; Mr. Krishna Rao;
the Advocate-General.)

process fees, rates on land, licence taxes and income-taxes, but a strict view of the enactment in the Act of 1858 would be inconsistent with the general course of Indian legislation and would give rise to inconvenience in practice.' It is by accepting this doubt created by the Hon'ble the Advocate-General, we are now asked to cast to the winds all legislative enactments passed all these long years; and I submit that it would not do to root them all out without a proper reference to the Government of India, who will arrive at their decision on the advice of their legal advisors on the point. The proper business procedure would be to obtain the opinion of legal advisors from elsewhere and not to act on the opinion of the Hon'ble the Advocate-General, which will have the effect of rendering several Acts of this legislature and various other Acts of the legislature of this country *ultra vires*. It would be presumptuous on our part to declare all the Acts *ultra vires*; but we should act in consonance with precedent and practice rather than upon the advice of the Hon'ble Advocate-General. The Government of India having permitted this provision to remain in the original Bill, it is not competent to this Council to deal with it, in the manner that we are asked to do. Under the very rule under which we are asked to act, you will find the following provision on page 121 of the Madras Legislative Council manual.

"7. (1) Where, after a Bill has been introduced in a local Council whether as an exceptional measure dealt with under rule 5 or otherwise, an amendment is proposed in it which the local Government is prepared to accept but which, owing to its being outside the principle of the Bill as introduced or for any other reason, it considers that it cannot accept without a reference to the Government of India, the requisite steps should be taken to delay the progress of the Bill through Council pending the result of a reference to the Legislative Department of the Government of India.

"As regards the amendment introduced by the Select Committee, I submit that it contravenes the principles of the Bill as introduced with the sanction of the Government of India and the principles accepted by the legislature in the other provinces and the Imperial legislature. I may point out as regards the scope of the legislatures of the country, the matter was considered in connexion with the City Municipal Act. In the matter of importing timber in 25 Madras the late Sir V. Bashyam Ayyangar, an eminent Judge, considered that it was within the province of the local legislature to deal with the prerogative of the Crown. This legislature is given that power to deal with all laws in connexion with Government land. So long as no power is expressly taken away, I submit that it is within our competence to pass any law, it is merely throwing away our privilege and our power by yielding to the suggestion made by the Hon'ble the Advocate-General. I beg therefore to propose this amendment."

The Hon'ble Mr. A. S. KRISHNA RAO :—"I beg to second this amendment. I do not think that there can be any reasonable doubt about the principle underlying this amendment. It suggests that fines levied for prosecutions under the municipal Acts should go to municipal funds; and it is a long and well recognized and well established policy about which there cannot be any the slightest doubt. We have been providing so many penalties; and schedules VII and VIII contain a list of various sections under which prosecutions may be launched and fines may be imposed. It must be the duty of everyone in this Council as also of Your Excellency's Government to see that these fines are made over to the municipal fund. The other objection that may be urged as anticipated by the Honourable Mover is a technical difficulty—a legal riddle, if I may so call it—raised by the Hon'ble the Advocate-General. I do not think that so far as that difficulty is concerned, there will be many obstacles in getting over it. The examples of various legislative enactments which have been passed from time to time incorporating such provisions must convince every one in this Council that upon a true construction of the Act, it does not apply to cases of this description. The mere fact that in the definition of 'public revenue' the word fines has been also included, cannot lead us to the necessary conclusion that it applies necessarily to the other provisions. Even assuming for the sake of argument that there is some force in the argument of the Hon'ble the Advocate-General, I would suggest that in the application of a well established and recognized principle there ought to be no difficulty in applying for the sanction of higher authorities if such sanction is necessary."

The Hon'ble the ADVOCATE-GENERAL :—"The Hon'ble Mr. Ranga Achariyar's amendment is to insert the words 'fine or' before the word 'costs' in clause 394 (2) of the Bill. But it raises really two important questions—firstly the question as to the competency of the Legislative Council and secondly the question of principle whether a local authority should have a direct pecuniary interest in the prosecution. Dealing with the question of the competency of the Legislative Council, I may assure Honourable Members of Council that I am personally loathe to circumscribe to the slightest extent the powers of this Council. I should be most reluctant to cast the slightest doubt whatever upon the powers of the local legislature; and if I felt any doubt as to the matter, I should certainly agree with the Hon'ble Mr. Ranga Achariyar as to the interpretation to be put upon the Government of India Act. It is only where I have confidently come to the conclusion with such light as I possess that the interpretation I put upon it is beyond all reasonable doubt—it is only then it is my duty to advise the Government and the Council that it is beyond the power of the Council. I should not in any doubtful case say that this Council had no power,—that will not be my duty; and Honourable Members will certainly not credit me with any desire to overstep that province, which I have endeavoured to make clear.

THE MADRAS CITY MUNICIPAL BILL, 1918.

(Mr. M. Ramachandra Rao; the Advocate-General; [14TH FEBRUARY 1919.
Mr. Ranga Achariyar; Dr. Nayar.)

sections 21, 79 and 80 what is the true construction of the powers of this Council? So far as I know, section 21 relates to the control of expenditure by the Secretary of State. This section provides the legal basis for all of our financial codes. The Civil Service Regulations and various other codes which lay down the respective powers of the local Government, the Government of India and the Secretary of State owe their authority to this section 21. It is under this section that our financial codes which lay down restrictions on various authorities administering the public revenues in India are framed and the Secretary of State is the final authority over this expenditure. That is the object of section 21 namely that every pie of revenue raised in this country is subject to the administrative sanction of the Secretary of State and as I have already submitted, I find on an examination of this question that the legal basis of all our financial codes is traceable to section 21 which finally vests this power in the Secretary of State and by a process of decentralization these powers have been delegated to the local Governments and the Government of India in various degrees. That is the object of section 21.

"When we come to deal with the powers of the legislatures they are contained in quite a different chapter and Your Excellency will see that under section 80 (2) it is open to any Member of any local Legislative Council to introduce with the previous sanction of the Governor, Lieutenant Governor, or Chief Commissioner any measure affecting the public revenues of the province or imposing any charge on those revenues. How does the Hon'ble the Advocate-General say in the face of section 80 (2) that no local legislature has any power to impose any charge on public revenues?"

The Hon'ble the ADVOCATE-GENERAL:—"I did not say that. On the other hand I said distinctly that it has a right to impose a charge upon the revenues but I objected to its making a grant or appropriation of any specific revenue or assigning specific revenue."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"We are merely juggling with words."

The Hon'ble the ADVOCATE-GENERAL:—"That is to say you may start an institution which may cost Rs. 50,000 per annum. No particular revenue is assigned. If the money is forthcoming, the Government may assign the money to it. But you cannot assign a particular revenue or a share of particular revenue to any particular purpose. That is quite different. The real objection is that under section 79 (4) the local legislature has not power to affect an Act of Parliament."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Affect' has been construed to mean 'alter'."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"It is merely understanding the wording of the section. Here is section 80 (2) which says it is open to any Member of a local Legislative Council to introduce with the previous sanction of the Governor any measure affecting the public revenues of the Province or imposing any charge on those revenues. If my Honourable Friend says that this is a part of public revenues, here we have an express provision which says that any Member of the local Legislative Council has power to introduce any measure with the previous sanction of the Governor affecting the public revenues or impose a charge on the public revenues. There seems to be no use in continuing this discussion, I regret very much that after the Bill was introduced in 1918, if it was necessary to ascertain opinion elsewhere, Your Excellency's Government have not taken the steps necessary for the purpose. It is a matter of some importance. Those who represent local bodies do not wish that this matter should be dealt with by executive order or that this appropriation of fines which are the legitimate sources of prosecutions should be given to us by executive order. We want this to be guaranteed in the statute. As this affects not only the Madras Corporation but also the mufassal municipalities and local boards and every local authority which is discharging its duties in this country, it is a matter of serious consequence and I trust that this provision would be inserted. I would risk the rejection of this Bill if on account of this provision the Bill should be rejected by the Government of India. I feel very strongly that the construction of the Hon'ble the Advocate-General is not correct and we do not share the views which he has expressed in the matter."

"The last point which my Honourable Friend has raised is as regards the tendency or facilities or rather predilections to increasing the prosecutions for the sake of increasing the income. I wish the Hon'ble the Advocate-General had not suggested it as a reason. I can say from my own experience that municipal authorities have not indulged in these prosecutions for the sake of augmenting the revenues. I rather think it is the other way. They do not institute prosecutions which ought to be instituted and to suggest seriously that if this provision is there it would mean a temptation to local authorities to undertake more prosecutions than they ought to is to ignore the facts entirely. I entirely support the motion of the Hon'ble Mr. Ranga Achariyar and I trust that every non-official Member of this Council will support us in this matter."

The Hon'ble Dr. T. M. NAYAR:—"My Lord, after listening to the elaborate legal arguments on both sides, on the one side of the Hon'ble Mr. Ranga Achariyar and on the other of the Hon'ble the Advocate-General, I have come to the same conclusion, as Mr. Bumble did on a famous occasion, that the 'law's a hassle'. Instead of going into the technical details of this legal question, what I wish to ask the Council is to take a practical common sense view of it. Whether the Indian legislatures have the right to appropriate these revenues or not, may be an

14TH FEBRUARY 1919.]

(Dr. Nayar; Mr. Narasimha Ayyar;
Mr. Suryanarayana Rao; Sir Gordon Fraser;
Mr. Rama Ayyangar; Mr. Ranga Achariyar.)

unsettled question, there may be grave doubts. But they have been going on doing it in the past and if the Government of India or the Secretary of State had any serious objection to that, they would have taken some steps in the past to prevent their doing so. I think the common-sense view is admirably summed up here in Ilbert's book where he says: 'Questions have been raised as to the powers of the Indian legislature to appropriate by Indian Acts to specific objects, Provincial or Imperial sources of income, such as ferry fees and other tolls, process fees, rates on land, licence taxes and income-taxes. But a strict view of the enactment in the Act of 1858 would be inconsistent with the general course of Indian legislation and would give rise to inconvenience in practice.'

"That I think is the practical view for ordinary common-sense men to take. If that were not acted on, it will certainly give rise to inconvenience as it will in this instance. I am more concerned with the few rupees that the corporation may gain than about all the legal enactments that have been quoted here. In the past the corporation has put forward a humble plea that when fines are imposed by magistrates on people who commit nuisance on public highways the fines should be handed over to the corporation with a view to the corporation utilizing that money in building public urinals. The suggestion is a quite practical one and to a certain extent it has been acted upon. This is a wonderful new interpretation which the Hon'ble the Advocate-General has put forward. It is very learned and I submit to it. But there is one practical difficulty; it will put us in a position of inconvenience and therefore I ask this Council to proceed in a practical businesslike way and continue as we have been doing in the past and if the Secretary of State is going to act on the point suggested by the Hon'ble the Advocate-General, let them proceed by a writ of mandamus or certiorari and then we shall meet that position. For the present the Council may take a practical view."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, I think we in this Legislative Council are the makers of law and we should not characterize our progeny (by any analogy) as long-eared beasts; as to the main question, I think it is certainly much safer to delete this particular portion and to set about our work in a regular constitutional way. We have not the previous permission referred to in the section. We must get that permission and then at a later stage introduce the provision."

The Hon'ble Mr. A. SURYANARAYANA RAO:—"Speaking for the mufassal I think this word 'fines' must be retained. With regard to the observation of the Hon'ble the Advocate-General that there will be a temptation to encourage prosecutions, I submit that in launching prosecutions we are only wasting time and money. When we launch a prosecution we have to pay our prosecutor and our lawyer and we have to incur so much expenditure and we have to employ special men to attend the court for the prosecution. It is waste of time and money, and I assure this Council on behalf of the mufassal municipalities that prosecutions are only launched when they are absolutely necessary to teach a lesson to those who have offended against the municipal law. Prosecutions are not launched simply to get a few rupees."

"On the question of principle when the district municipalities have the benefit of these fines, certainly one would be very sorry to lose the privilege all at once by the interpretation of the section by the Hon'ble the Advocate-General. I think common sense and convenience lend support to the view that fines should properly belong to the municipality."

The Hon'ble Sir GORDON FRASER:—"I am afraid the legal point is beyond me, but I do think the corporation are entitled to the money and so I support the amendment."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, on this point I have already dwelt on the previous occasion and I do not want to repeat it. I am of opinion that when we have no objection raised by the Council of India and when it has been sanctioned to be introduced in this Council with this clause, it is not for us to go behind it in any event whatever may be the position of the law. I am not of opinion that the proviso in section 21 would not apply to this case. The words are 'a grant or appropriation made in accordance with provisions or restrictions prescribed by the Secretary of State in Council with the concurrence of a majority of votes at a meeting of the Council shall be deemed to be made with the concurrence of a majority of such votes.' Even in that view it may be taken that sanction was given to this when it was sent in that form and the Bill was sanctioned. That is enough for our purpose. We ought to take these fines as appropriations to the municipality leaving it to be questioned afterwards if any question arises."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I only wish to say a few words. My amendment has certain merits. At any rate the Honourable Member who introduced the Bill in 1916, Sir P. S. Sivaswami Ayyar thought that clause 415 (2) was not ultra vires. That clause ran as follows: 'Any fine or costs imposed or assessed by a magistrate by virtue of this Act shall on recovery be paid to the corporation to be by them applied for the purpose of this Act'. The Act of 1904 for which Sir John Wallis was responsible contained that provision and the Bill of 1918 contained the same provision in section 414 (2). I have stated that this has been the established provision in all the prior Municipal Acts, 1884, 1878, 1869, so that this is an old prerogative, and when a departure is sought to be made I thought it would be sought to be justified on a broader ground than on the mere suggestion that an energetic commissioner would be enthusiastic enough to add to the resources of the corporation by launching prosecutions. Has there been any such complaint for this century and more? I am surprised that

(The Advocate-General.)

[14TH FEBRUARY 1919.]

"In the next place, it will be equally my duty to point out when occasions arise, however convenient a proposed course may be, if it is clearly beyond the law laid down in the Government of India Act when the Council would not be well advised in overstepping the limits laid down and I should not flinch from the discharge of that duty, however personally reluctant and diffident I may feel in advising this Council on a matter like this.

"Previous legislation on many matters has been referred to. Honourable Members, especially those amongst them who are lawyers, are fully aware that the Government of India Act was only recently consolidated. Till then the Statutes relating to India were scattered, and I presume that attention was not always paid to the Statutes in all cases; we know perfectly well that many a statute has been declared to be *ultra vires* and there is no use therefore merely referring to the fact of legislation as an authority for the position that whatever has been legislated upon in some Council so far, must be taken to have the same authority as decisions. We know that there was no question raised and settled, when the Government of India Act was to be enlarged; it is for the courts of justice to pronounce an opinion on the matter and no debates in the Legislative Council upon the matter have been referred to by the Hon'ble Mr. Ranga Achariyar nor has he referred to a single decision in the Indian Law Reports of either the High Courts or of the Privy Council, showing that this question was ever raised in those cases and decided adversely to the view I seek to maintain. Honourable Members are fully aware that in many cases, implied decisions on facts and law are given in courts of law and they are not relied upon as authorities when the question is not raised and when there is no definite pronouncement upon the question. I ask that the same principle should be applied whenever the analogy from other Statutes is sought to be drawn. We do not know the circumstances under which the provisions were inserted. I can well imagine the class of cases mentioned by the Hon'ble Mr. Ranga Achariyar, responding to section 21 of the Government of India Act which says 'the expenditure of the revenues of India, both in British India and elsewhere, shall be subject to the control of the Secretary of State in Council, and no grant or appropriation of any part of those revenues, or of any other property coming into the possession of the Secretary of State in Council by virtue of the Government of India Act, 1858, or this Act, shall be made without the concurrence of a majority of votes at a meeting of the Council of India. Provided that a grant or appropriation made in accordance with provisions or restrictions prescribed by the Secretary of State in Council with the concurrence of a majority of votes at a meeting of the Council shall be deemed to be made with the concurrence of a majority of such votes'.

"Suppose there were rules made by the Secretary of State with the concurrence express or implied of a majority of votes at a meeting of the Council of India, permitting such things to be done, then the legislation in those particular cases would be *intra vires* and it would be within our power to do so. Supposing the Secretary of State had authorized the grant or appropriation to one province of the revenue in the case of particular things, there is absolutely no harm in the legislature embodying that provision in an Act. What is contained in the Government of India Act is not an absolute prohibition; it is only a prohibition subject to this condition that this should not be done without the concurrence of a majority of votes. If there is a concurrence of a majority of votes of the Secretary of State in Council to the procedure proposed to be adopted, there the matter ends. We do not know the history of the pieces of legislation that were referred to; and we do not know all the points that will be raised in dealing with this question. Therefore to rely upon these Acts is, I submit, not a really weighty consideration which should prevail with the Council in pronouncing judgment upon this purely legal question.

"On the other hand may I appeal to Honourable Members to be consistent on this point? So far as this Council is concerned, it was only last year in connexion with the Madras Prevention of Adulteration Act this Council voted against a similar proposition which the Hon'ble Mr. Ranga Achariyar brought forward—the transfer of fines to the local authorities. This Council upon a division came to the conclusion that they should not be so made over; and the only question that was then raised was this legal question which I raised and which was fully dealt with and fully debated upon on the last occasion, and then you had the judgment of this Council. I would therefore ask Honourable Members to abide by the decision of the Council until a superior authority advises us otherwise. *Res judicata* in regard to decisions of legislative assemblies is quite as wholesome a thing for public interest as *res judicata* in regard to decisions in courts of justice, and there is no use rearguing a question like this. I go further and say that I find that the very author quoted by the Hon'ble Mr. Ranga Achariyar, Sir Courtney Ilbert, is my authority for the position I have advocated. All that he says in that book is that it will lead to inconvenience. That is what I say—that it does lead to inconvenience; and the remedy for it is to get the Government of India Act amended or to get the Secretary of State to pass a resolution allowing the grant or appropriation of fines by local bodies. That is the proper procedure—that is the way to do it and not to take upon ourselves a power which we do not possess.

"Then, Your Excellency, as regards the merits of this question I would only refer to sections 20 and 21 of the Government of India Act. Section 20 (3) says:—

"The expression 'the revenues of India' in this Act shall include all the territorial and other revenues of or arising in British India, and, in particular—

(i) all tributes and other payments in respect of any territories which would have been receivable by or in the name of the East India Company if the Government of India Act, 1858, had not been passed; and

[14TH FEBRUARY 1919.] (The Advocate-General; Mr. M. Ramachandra Rao.)

(ii) all fines and penalties incurred by the sentence or order of any court of justice in British India, and all forfeitures for crimes of any movable or immovable property in British India; and

(iii) all movable and immovable property in British India escheating or lapsing for want of an heir or successor, and all property in British India devolving as *bona vacantia* for want of a rightful owner.

"Therefore fines do form part of the revenues of India. Section 21 says 'No grant or appropriation of any part of those revenues, or of any other property coming into the possession of the Secretary of State in Council by virtue of the Government of India Act, 1858, or this Act, shall be made without the concurrence of a majority of votes at a meeting of the Council of India'. Then as regards this grant or appropriation, you propose to appropriate wholly specific fines, fines which are leviable in respect of prosecutions which may be instituted under this Bill and you grant these fines to a particular body. It is a specific appropriation and a specific grant, it is not simply a general charge on the revenues of this Province up to a certain amount. The only power which the local Legislature has under section 80 is to impose a general charge upon the revenues of the Province leaving it to the executive Government to make the allotments of revenues. Otherwise it means that every year when we pass the budget it is perfectly open to the Legislative Council to appropriate any income it likes in whatever fashion it pleases. Why should this power be confined only to fines? Every part of the revenues of India, every part of the revenues of this province can be voted away by the Legislative Council; and yet we know that it has no power to do that and it cannot make an appropriation except to the extent that the budget permits. It has simply to pass the budget without affecting the grants in the budget except to the limited extent prescribed by the Financial Rules. That is a point beyond dispute. Therefore I submit, Your Excellency, that I shall be failing in my duty if I do not advise the Council with all deference to the Hon'ble Mr. Ranga Achariyar and the view that he represents that it is impossible to say that the fines are not a part of the revenues of India and it is impossible to say that a clause like the one he wants to introduce assigning these fines is not a grant or appropriation of specific revenues and is not a general charge on the Provincial revenues. I submit that it is not desirable to arm, assuming this Council has the power to enable them to do so, the local authorities with this power of taking over these fines. You give them thereby a direct pecuniary interest in prosecutions. It may be that an energetic councillor or an energetic commissioner may try to augment the revenues of the corporation by such prosecutions."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"May I know whether the Hon'ble the Advocate-General has suggested this on his own responsibility or on the responsibility of the Government that those who are entrusted with prosecutions for offences committed would embark on prosecutions with a view to augment their revenues if the fines are made over to them. That is the reason which he gives for not assigning the fines to the corporation."

The Hon'ble the ADVOCATE-GENERAL:—"I said that that was one of the dangers. As regards the question raised by the Honourable Member I may say that whenever I speak here I speak on behalf of Government."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, there seems to be no use in continuing this debate. Whatever reasons we may adduce for the purpose of showing that the Hon'ble the Advocate-General has not taken the correct view, all the same Your Excellency's Government is bound by that advice though we are not. I fully recognize that. But to say that this question was settled by a vote of this Council last year is entirely to forget the conditions under which votes are taken in this Council. If the Hon'ble the Advocate-General is asked in this Council to get up and support the position of Your Excellency's Government he has behind him 24 or 25 certain votes and a few more uncertain votes. I do not wish to go into that matter, but the Hon'ble the Advocate-General cannot seriously suggest that this question was seriously argued last year and decided and therefore this matter is one which is concluded by a judgment of this Council under the circumstances under which votes are taken here. Therefore it is necessary, in the interests of what we consider to be the powers and prerogatives of this Council, to lodge a protest every time this question is raised.

"I regret, my Lord, to say that though this question was raised last year and although this Bill of 1918 received the assent of the Government of India before it was introduced into this Council this question should still remain unsettled. I should like to know whether Your Excellency's Government at the time of obtaining the sanction of the Government of India for the introduction of the measure ever found any difficulty in regard to this section or whether the views of the Government of India were ascertained on the legal aspect of the question. After obtaining the permission of the Government of India with the section as it is now sought to be incorporated in the Bill the Hon'ble the Advocate-General has thought fit to suggest a doubt. I know my Honourable Friend far too well, is a great man for suggesting doubts and for setting them at rest. I know his legal ingenuity, but on the present occasion I cannot help stating that he has overshot the mark.

"The question Your Excellency has to consider is whether all the legal enactments undertaken all these years by the Government of India and by every local legislature in this country are against the terms of the Government of India Act, 1915, or the enactments replaced by it. I cannot think so. If the Hon'ble the Advocate-General now suggests a doubt for the first time in the face of all these enactments, I must say while I admire his courage I think that he should see there is another side of the question. The other side of the question is this. Reading

(Mr. Narasimha Ayyar; the President;
Mr. Ranga Achariyar; Mr. Rajagopala Achariyar;
Mr. M. Ramachandra Rao; the Advocate-General.) [14TH FEBRUARY 1919.]

occurred by a particular officer (whether Councillor or Chairman I shall not say) having neglected his duty. The Council was seriously perturbed and we paid a handsome fee to the Advocate-General for his opinion and asked him what we could do and whether the officer was liable under section 259. We got the opinion that he was liable but there were difficulties as to limitation. I think the provision is a wholesome one and the fact that it is so rarely used shows how loath we are to take action."

With the permission of His Excellency the President the amendment to omit the clause was withdrawn.

His Excellency the PRESIDENT:—"If we are going to sit here long it is better that we adjourn for luncheon. I think we had better examine the paper. We took a rather sanguine view. Will Honourable Gentlemen tell me which amendments are going to be moved?"

[His Excellency was informed that amendments Nos. 111, 112, 113, 115, 116, 117, 118, 121 to 128 were going to be moved and that amendments 119 and 120 will not be moved and 114 might probably be accepted by the Government.]

His Excellency the PRESIDENT:—"I think it is clear that we cannot finish even the main portion of the Bill before 2 p.m. What is the convenience of the Council? No arrangements have been made for lunch. We can however make arrangements. We can adjourn and meet here at 3 p.m. Shall I order luncheon at 2-30 p.m. Members will feel it convenient to get away. It will require all our expedition to finish it by 4 p.m."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I do not press the first portion of amendment No. 111, to substitute 'one year' for 'three years.' The Honourable Member gave me some information about limitation and I do not press for the one year period. But I move the proviso. That is a safeguard that no such suit shall be instituted unless it is recommended by a resolution of the Council passed at a special meeting called for the purpose and supported by the votes of not less than thirty-three councillors. I borrowed it from the provision with regard to the removal of the Commissioner and I think it is a necessary safeguard. I therefore propose it."

"The amendment which was moved was to add the following proviso to clause 400:—
'That no such suit shall be instituted unless it is recommended by a resolution of the Council passed at a special meeting called for the purpose and supported by the votes of not less than thirty-three councillors.'"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I must object to it. This is essentially a thing which should not be left to the council itself. The councillors are working together and suddenly to call a certain number of them to hand up a certain member to be proceeded against is rather putting too great a strain on them. It will render the whole thing nugatory. This is a thing which should be left to the Governor in Council to decide. I would strongly deprecate the change proposed."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I do not press it."

With the permission of His Excellency the President the amendment was withdrawn. Clause 400 was allowed to stand part of the Bill.

Clauses 401 and 402.

Clauses 401 and 402 were allowed to stand part of the Bill.

Clause 403.

The Hon'ble Mr. K. Rama Ayyangar had given notice of an amendment to delete this clause.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I will move the amendment for the Hon'ble Mr. Rama Ayyangar. This is a provision which empowers police officers to arrest any person committing an offence against any of the provisions of this Act or of any rule, by-law or regulation made under it. My Lord, at present I admit, there is no machinery for working, for the detection of offences except what is done by the municipal officers as well as police officers."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"This is an old provision."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I move it because he has asked me to move it."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"It is a very old provision."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I am quite aware of it."

The amendment fell through for want of a seconder.

Clause 403 was allowed to stand part of the Bill.

Clauses 404 to 411.

Clauses 404 to 411 were allowed to stand part of the Bill.

Clause 412.

The Hon'ble the ADVOCATE-GENERAL:—"Your Excellency, I beg to move amendment No. 112-A which runs as follows:—

In the proviso to the clause between 'may' and 'be held' insert 'notwithstanding anything in sub-clause (5) of clause (b) of sub-section (1) to section 52.'

14TH FEBRUARY 1919.] (The Advocate-General; Sir Gordon Fraser;
Mr. Ranga Achariyar.)

"The object of this amendment is to make it perfectly clear that even a man who is at present a commissioner may be eligible for election even if the election is held before the Act comes into force—in order to make it clear that the existing members of the corporation are eligible. If they are already councillors they would not be nominated or elected before the term expires. That is the present rule. That is also the rule which is inserted in clause 52. One may say that clause 52 deals with councillors under the new Act. But it is better to make it perfectly clear that the prohibition which exists against a person whose term of office has not already expired being elected before the term expires will not stand in the way of the first constitution of the Council, and therefore this provision is sought to be inserted."

The Hon'ble Mr. H. G. Stokes seconded the amendment.

The amendment was put to the Council and agreed to.

Clause 412 as amended was allowed to stand part of the Bill.

Clause 413.

The Hon'ble Sir GORDON FRASER:—"Your Excellency, I move the amendment standing against my name:—

113 'Delete the last eight lines of sub-clause (b) commencing with "and for ascertainment by lot" to "constitution of the council under this Act" and substitute a new sub-clause (c) as follows:—

'The first term of office of the newly elected and appointed councillors under this Act shall, notwithstanding anything in section 55, terminate on the first day of the month of November following the completion of two complete years of office, and thereafter a new council shall be appointed and elected as provided for in section 55.'

'Substitute (d) for (c)'. "

"This section of the Bill is very complicated, but there is a principle involved. One finds the principle very cumbersome. The idea is that ten commissioners shall be elected each year. There will be a partial election continually going on each year to the extent of one-third of the elected commissioners. Personally I think that that system is very cumbersome indeed. There is one argument that may be brought forward in favour of it; that to some extent it provides a certain amount of continuity of policy. You always have twenty commissioners left on the council, ten only retiring for election. On the other hand the better argument against it is that the council on these lines is liable to get into a groove and a triennial general election would be far better. It would at any rate prevent the working of the council on stereo typed lines. Another point is that a triennial general election would have a very strong educational value which at present under the present system of ten commissioners retiring annually is entirely lacking. The triennial election would certainly promote a considerable amount of public opinion and it would make the electors generally take very much more interest in the affairs of the corporation than the present system. Under the present system when an election takes place no one except the candidates is interested. One triennial general election would certainly promote very considerable interest among the electors. The result will be very probably there would be much larger polling than we get at present in small elections held every year. In the Bombay Act sections 22 and 23 provide for triennial elections. Section 22 reads 'general elections of councillors shall be fixed by the commissioner, subject to the provisions of section 23, to take place triennially on such days in the months of January and February as he shall think fit'. Section 23 says 'The ward elections shall be fixed to take place simultaneously for all the wards'. I think that system is very much better than the one proposed in this Bill under clause 413."

"The question was carefully considered by a special committee of the corporation on the 13th September and the committee then decided that the system of general election and appointment should find preference to the proposed system of an annual election of one-third of the elected commissioners. At the general meeting of the corporation to consider the recommendations put forward by the special committee the recommendation of that committee was unanimously approved by the corporation as a whole. The question was again considered by the corporation at the general meeting held about a fortnight ago and at that meeting my amendment as on the paper was put before the corporation and there again it was passed unanimously. I cannot see therefore why there should be any reason for not arranging that there should be a general election every three years, and I hope that the Council and Your Excellency's Government will accept the amendment as it stands and give the city a general triennial election instead of the system proposed under clause 413."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I beg to second this motion. It is a question of the balance of advantage and disadvantage. Upon a careful consideration of both sides we have come to the conclusion that the amendment is the proper procedure to adopt. It would ensure all the fifty people whether they be elected by institutions or divisions or appointed by the Government going to their respective constituencies at one time. I think general questions of policy or principle will then be taken care of by the electorates. I think on the whole this system of ten people going out one year and ten in another year will not rouse sufficient interest in the rate-payers, whereas a general election at one period would rouse public interest in the corporation's affairs and the candidates also would have to woo the constituency with greater care. I therefore strongly support the amendment."

(Mr. Ranga Achariyar; Mr. Rajagopala Achariyar; Mr. Suryanarayana Rao; the President.) [14TH FEBRUARY 1919.]

such a justification came for the omission of the word 'fines.' As regards the legal point, as the Hon'ble Dr. Nayar has said, this is not the place where we can debate the question of law. I think we had better follow our precedents, not the immediate precedent which the Hon'ble the Advocate-General referred to where for the first time he discovered this. It is not a safe precedent at all. It was the introduction of a new provision that was objected to in the Prevention of Adulteration Act. What we object to now is the removal of an existing provision. Let it not be quoted as a precedent, I am rather surprised that the head of the profession should elevate the decision of the Council in the way in which it is given here to the level of *res judicata*."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I confess that to some extent I share the Hon'ble Dr. Nayar's feeling of doubt in regard to the legal question. I shall, in the first place, clear a small misapprehension. The Hon'ble the Advocate-General pointed out that there was a danger of a thing like this being worked somewhat recklessly—the tendency, for instance, for prosecutions being rushed for making money. He did not charge any particular local body or say that the evil has manifested itself in this country. It has not manifested itself in this country, but it has manifested itself in other countries, and there is no reason why it should not manifest itself here. That may be a small matter."

"The main question is the legal question, whether it will be within the power of this Legislative Council to accept the amendment of the Hon'ble Mr. Ranga Achariyar. So far as that thing is concerned, I venture to respectfully point out, with all deference to the other distinguished lawyers whom we have here, that the Hon'ble the Advocate-General is the chief Law Officer of the Crown and he sits here and advises us in regard to matters of law. He is bound, whatever may be the consequences of it, when he sees a particular thing being proposed which he thinks is not legal, to say so, and so far as the Government are concerned, they are bound to accept his advice. In view of what I am now going to say I wish it to be distinctly understood that so far as the point of law is concerned we see no reason to depart from the view he has taken. We are anxious that it should not be taken that we depart from his view. Knowing him as I do, on a question of law he must be in the right, I have no doubt about it. But at the same time there are several elements which make the position uncertain so far as this thing is concerned. Firstly unlike the case of the Prevention of Adulteration Bill this is an old provision which has been there for a long time. Secondly this thing has gone up to the Government of India and they have not objected to it, and from that we are entitled to draw the conclusion that so far as they are concerned they would not veto this legislation on this ground, because this is an old provision. I take these things into consideration and if it is the wish of the Council generally to accept the risk and put the provision in, you may do so, but I wish it to be distinctly understood that the Honourable Members accept the responsibility for that course of action. The Hon'ble the Advocate-General has advised you in regard to the law. You tell him: 'we accept your advice but notwithstanding what you say, this thing has been there for a long time, it has been working all right; nobody has found fault with it; the Bill has gone to the Government of India and they have accepted it; we will accept the risk of its being vetoed and all the work that we have done till now being wasted.' If you accept that risk, do so. We do not want to stand in your way. But I wish it to be understood that you do it at your own risk."

The Hon'ble Mr. A. SURYANARAYANA RAO:—"I hope Your Excellency's Government will support it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"This Bill will go up in the same way as other Bills go up."

His Excellency the PRESIDENT:—"I understand the Honourable Gentlemen's amendment is accepted by the Council."

The amendment was put and agreed to.

Clause 394 as amended was allowed to stand part of the Bill.

Clauses 395 to 399.

Clauses 395 to 399 were allowed to stand part of the Bill.

Clause 400.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"This is a new provision which we have got in section 400. I objected to the whole provision in the Select Committee, but as it has got in I want to minimise the evil arising out of it. It is imposing a new liability and a risky one. On the question of its policy I ask the Council to consider it very carefully."

"400 (1) The commissioner and every councillor shall be liable for the loss, waste or misapplication of any money or other property owned by or vested in the municipal corporation, if such loss, waste or misapplication is a direct consequence of his neglect or misconduct and a suit for compensation may be instituted against him by the council with the previous sanction of the Governor in Council or by the Secretary of State in Council."

"(2) Every such suit shall be commenced within three years after the date on which the cause of action arose."

"I want to propose that the whole section should be omitted and failing that I want to introduce the safeguard that his own colleagues who are the persons who know best might judge of the matter, just as we put in a provision in the case of the commissioner. I propose first

14TH FEBRUARY 1919.]

(Mr. Ranga Achariyar; Mr. Krishna Rao; Mr. Rajagopala Achariyar; Mr. Narasimha Ayyar; the President.)

of all that the whole section be omitted. It will be a risky thing to allow such a provision to stand and it will be very difficult to work in the first place. What has to be proved is 'such loss, waste or misapplication is a direct consequence of his neglect or misconduct, and a suit for compensation may be instituted against him.' It includes the commissioner and every councillor, it will necessitate poll being taken in almost every case of voting; supposing some three years previously he had recorded a vote in a particular way he would have contributed to the loss. It is a difficult question. It is a new provision. We have no corresponding provision elsewhere. Therefore I propose that this should be deleted. It will lead to a great deal of trouble and unnecessary annoyance to people doing honorary work."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I second the amendment."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I oppose this amendment. The amendment is to omit the whole of clause 400. This clause provides that 'the commissioner and every councillor shall be liable for the loss, waste or misapplication of any money or other property owned by or vested in the municipal corporation, if such loss, waste or misapplication is a direct consequence of his neglect or misconduct and a suit for compensation may be instituted against him by the council with the previous sanction of the Governor in Council or by the Secretary of State in Council.' The Honourable Member says he views the existence of this provision as likely to produce unheard of consequences. May I point out that this thing exists in the District Municipalities Act of 1884, section 259 of which runs as follows: 'Every municipal councillor shall be liable for the loss, waste or misapplication of any money or other property belonging to the municipal council, if such loss, waste or misapplication is a direct consequence of his neglect or misconduct, and a suit for compensation may be instituted against him by the municipal council or by the Secretary of State for India in Council.' We are simply reproducing in the City Municipal Bill the provision which exists in the law governing the constitution and working of district municipalities and which has been there from the year 1884. It has not been alleged that that law in the mufassal has worked any hardship. There is no reason to believe that it will work any hardship here. After all, what is it that is said? The commissioner shall be liable for the loss, waste or misapplication of any money, etc., if such loss, waste or misapplication is a direct consequence of his neglect or misconduct. Firstly there must be loss or waste, and secondly it must be due to his misconduct; thirdly it must be a direct consequence of his misconduct. Am I to understand that there need be any hesitation in making an officer of the position of the commissioner responsible for the loss caused to the corporation by his misconduct when such loss is a direct consequence of that misconduct? I do not see any justification for the extraordinary tenderness on the part of the Hon'ble Mr. Ranga Achariyar for the misconduct of the councillors. I know the commissioner is a paid officer. He gets a large salary and if that man misconducts himself and the loss is caused as a direct result of his misconduct it is but right that he should pay for it. In regard to the councillors generally I know they are doing unpaid work, but if a man takes up the work of a member of a local body like that, he must do so on the understanding that he will do the work properly and that if on account of his wilful misconduct any loss is caused he must pay for it. This will keep out people who want to be in the local body and to do no work and to allow things to drift. I should consider that this thing which we have put in, following the District Municipalities Act, is an eminently wholesome thing to prevent wrong doing. We have provided that such suit must be instituted with the previous sanction of the Governor in Council or by the Secretary of State in Council. That itself gives you a very large amount of protection. It is not any man that can run in the commissioner or the councillor. We will consult our Law officers whether there is a prima facie case, and even that does not conclude it; the courts will have to decide it. They will insist upon proof of misconduct and proof of loss and they will insist upon proof that the one is a direct consequence of the other. There need be no hesitation therefore in retaining this clause. I oppose the Honourable gentleman's proposal to delete it."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I am thankful to the Honourable Member for drawing my attention to section 259 of the District Municipalities Act. May I know whether there was any occasion when that section was called in aid?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"May I give the reply?"

His Excellency the PRESIDENT:—"Let the Honourable Gentleman wait."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I do not want to give names but a case did come before me. It was an extremely good case, but unfortunately the Advocate-General advised us that the period of limitation had just passed and we did not proceed further. I intended to utilize that case against the amendment for the reduction of the period of limitation, but he has anticipated me."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"However, I have the satisfaction of knowing that my Honourable Colleague on my right (The Hon'ble Mr. A. Subbarayalu Reddiyar), who has distinguished himself as chairman of a premier municipality for many years did not know the existence of such a section. That shows how unnecessary it is, if from 1884, that is for nearly 35 years, one case came up and that was barred by limitation. I do not know if it is necessary to retain such a provision."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I think my Honourable Friend will be well advised to withdraw the amendment. I can state certain facts in connexion with one municipality where I held the office of chairman where we discovered that very serious loss had

(*Dr. Nayar; Mr. Ranga Achariyar;
the Advocate-General; the President;
Mr. Rajagopala Achariyar; Sir Gordon Fraser.*)

[14TH FEBRUARY 1919.]

The Hon'ble Dr. T. M. NAYAR :—" I beg to heartily support the amendment. The only possible reason for proposing such a clause as 413 is that a certain number of members who are conversant with the affairs of the corporation should always be on the Corporation. It is for that purpose that partial elections are held in certain bodies. So far as the Madras Corporation is concerned, at no time has there been an occasion when all the old members went out of the corporation. Even after the Madras Municipality came out as the Madras Corporation in 1904, when the municipality ceased to exist as such and first elections were held for the corporation, I do not think that more than 25 per cent of new members came in. All the others who came in were old commissioners. There has been very little change in the subsequent elections. As far as possible they continue old commissioners, and there is no danger whatever of the corporation after any election being left without any old members whatever. There is a good deal of force in what the Hon'ble Sir Gordon Fraser and the Hon'ble Mr. Ranga Achariyar said that small by-elections do not rouse sufficient interest in the constituencies and educational value on the electorate is a great thing to be had in view. A general election would have that educational value and would rouse interest, much more than partial elections in the minds of the electorate. There is no object in having a thing like that. It is a device which is usually introduced into new bodies, but the Madras Corporation is an exceedingly old body. It is the oldest municipal body in India, it has showed continued existence of a steady character and there is no necessity to introduce a safeguard which is usually intended for infant institutions. I hope the Government will see their way to accept the amendment and to institute triennial elections."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" A verbal amendment may be needed in case it is accepted."

The Hon'ble the ADVOCATE-GENERAL :—" The whole of this amendment is out of order. There is no appointed councillor. So far as appointed councillors are concerned they are for three years. The partial annual election is only with reference to the divisional commissioners. Therefore the reference to the appointed councillors must go out. What would be necessary is to omit those words and not to ask that these appointed and elected commissioners should remain in office for the first two years and then the whole number of them should go out in three years. So far as the appointed and institutional commissioners are concerned, they hold office for three years under clause 60. It is only the thirty divisional commissioners who hold office for three years from 1st November to 1st November, and it is only in respect of the divisional commissioners clause (b) of section 413 proposes this annual partial election instead of a general election once every three years. Therefore the amendment is out of order in that it asks that the appointed councillors should be in office only for two years."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" There is no difficulty. If you introduce the words 'and section 60', it would be all right. They hold office up to the November of the second year; then their office will terminate, and then they will be appointed and then they will hold office for three years. So also the elected commissioners. There is really no difficulty at all. All the people who come in under the new law: their office will terminate on the first day of the month of November following the completion of two years of office."

His Excellency the PRESIDENT :—" The Honourable Gentleman has been dealing with the words; we are settling the words. We have been debating on the principle, let us settle the principle and then deal with the words."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" The drafting may be considered. But so far as the issue on the merits is concerned, this question has been under the very careful consideration both of the Government and of the Select Committee."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" We voted against it, myself and the Hon'ble Sir Gordon Fraser."

The Hon'ble Sir GORDON FRASER :—" It was carried by one vote."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" I shall not now say who was right or who was wrong, I will come to it later. I only say it was considered very carefully. I can quite see the point put forward by the Hon'ble Sir Gordon Fraser, the Hon'ble Mr. Ranga Achariyar and the Hon'ble Dr. Nayar that what they propose will have an educative influence. What they aim at is that when there is any particular policy which the corporation is pursuing, the general rate-payers should have an opportunity of showing their disapproval by one fine morning dislodging all the thirty councillors and putting in a new set of people, this idea, along with the framers of the Bill and the majority of the Select Committee, thought was that there is also the other need for maintaining some sort of continuity of administration. Suppose the corporation or the commissioner at any time had to do something which was necessary though temporarily unpopular. There is a chance of the whole lot of them having to face the rate-payers and at one stroke being turned out and then a completely new set of men will come in. There is that danger. It is not a wholly imaginary one. I will now take the other policy which we favour. If only ten men go out, twenty will be there and the fresh people will be represented by one-third of the strength of the divisional commissioners. I rather think, without in any way deprecating the point of view put forward by the other

14TH FEBRUARY 1919.]

(*Mr. Rajagopala Achariyar; Mr. Yaqub Hasan;
Sir Gordon Fraser; the Advocate-General.*)

side, in the case of a local body especially in the present condition of affairs when the rate-payers have yet to be educated to a high sense of their responsibility, and when we are going to lower the franchise and going to bring in a much larger number of voters on the register, whatever one may hope of them later on, for some time at any rate they will be apt to be swayed by the passing cries of the moment, passing passions, and it is as well that the machinery should not be liable to be turned upside down by a single election. That was what we had in view. I may say that Sir P. S. Sivaswami Ayyar who framed this Bill and the District Municipalities Bill attached great importance to providing some safeguard against any very sudden changes taking place in the constitution of the local body. That is what we had in view, and while I can quite understand the general principles upon which Honourable Members who think otherwise proceed, I think in our country just now, in the present conditions of the local bodies, the balance of advantage is in favour of this system by which one-third of the councillors go out in one year and another one-third the next year and so on. My Hon'ble Friend the Advocate-General points out that the same principle is in force under section 23 of the Local Government Act and I would on the whole advise the Council to leave it there and not to make any change."

The Hon'ble YAQUB HASAN SAHIB Bahadur :—" When Your Excellency was about to put this thing to the vote without giving an opportunity to the Members of the Government to speak on it, I thought that the Government were prepared to accept it. But now I find that they are not going to accept it. If the Hon'ble Mr. Rajagopala Achariyar had only given his first reason for opposing it, that it was well considered by the Select Committee and therefore it ought not to be changed, that is of course the reason which has prompted the Government to stick to the Bill throughout and that reason is good enough in throwing this away also. But when he went to the other reasons he has only given himself away, because the other reasons brought forward are not such as to strengthen his hand in the rejection of this amendment, if his rejection is to depend on reasons. One reason given by him is that if this amendment is adopted the whole corporation will at one stroke be sent out and a new set of members will come in and they will not be able to keep up the continuity of policy."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" I spoke of the thirty divisional commissioners."

The Hon'ble YAQUB HASAN SAHIB Bahadur :—" Yes. So far as the appointed councillors are concerned, we want them also to go out. There is greater reason for their going out than in the case of elected commissioners. No body is ever constituted at the end of its term entirely anew. Always some members do come back and there are some new members, some fresh blood. He said suppose the commissioner wanted to do something really harmful to the corporation, he would just wait for this opportunity for the whole commissioners to go out and the new councillors to come in. I think he will find that he is disappointed. Some of the old commissioners will come in. Even if they do not, he will find his disappointment will be greater, because fresh blood will come in and he will find that the councillors will be able to bring fresh energy into the matter as it is the custom that a new broom sweeps well. The new councillors will be able to tackle the question better than the old fossilised councillors who would have been used to the ways of the commissioner."

" I feel there is another additional advantage in these triennial elections in addition to the advantages mentioned by the Hon'ble Sir Gordon Fraser, the Hon'ble Mr. Ranga Achariyar and the Hon'ble Dr. Nayar. That is, in a partial election the councillors sometimes exert their influence on behalf of the candidates who present themselves for the partial election; and that influence is not always good. They wish to bring into the council councillors who they think will be useful to them in the corporation and whom they wish to add to their party. The clique of twenty persons in the corporation will always try to bring other ten councillors who are likely to join them in the council. Their authority and influence is very effective and it will be exerted in these elections. If all the thirty councillors are to be elected at one time, they will be busy with their own elections and they will not meddle with the other elections. That is a strong point in favour of triennial elections proposed by the Hon'ble Sir Gordon Fraser. I hope the amendment will not be thrown out. The reasons given for throwing it out are not such as to commend themselves to me."

The Hon'ble Sir GORDON FRASER :—" If it is acceptable, I should like to make a small amendment. I would suggest the omission of the words 'and appointed.' This will meet the objection put forward by the Hon'ble Mr. Rajagopala Achariyar and also probably the legal objection put forward by the Hon'ble the Advocate-General."

The Hon'ble the ADVOCATE-GENERAL :—" If the point is carried all that is necessary is to omit all the eight lines and the amendment will be made. All that is necessary is to omit all the words from 'and for ascertainment by lot.' If you omit those words, every councillor goes out of office every three years, because section 55 dealing with the divisional commissioners says the first of November and section 60 which deals with the appointed commissioners says three years from the date of appointment. This is an exception in the case of divisional commissioners only. I think no amendment is necessary. The only thing necessary is the deletion of the last eight lines beginning with the words 'and for ascertainment by lot' up to the end."

THE MADRAS CITY MUNICIPAL BILL, 1918.

(Sir Gordon Fraser; the President;
Mr. Ranga Achariyar; the Advocate-General.)

[14TH FEBRUARY 1919.]

The Hon'ble Sir GORDON FRASER:—"Your Excellency, if I am in order I will propose the deletion of the last eight lines, all the words after the words 'under this Act' except the last word 'and'."

His Excellency the PRESIDENT:—"There is really an amendment in the earlier part of this clause which we must not cut out by settling anything in regard to sub-clause (b). We are discussing the merits. On the merits I have listened to the debate, and if you will allow me to say so it will be a great pity that the Council should commit itself to this proposal. It is a general provision which applies to local authorities in England. It is a most common procedure, and so far as I have followed the remarks of the Honourable Member responsible for the Bill, this was put in as a natural advance in the development of municipal government for the City of Madras. If I may say so, a municipal body like the corporation is really an administrative body, it is not a legislative body. It is an administrative body administering the powers which it gets from the statute. It is of the highest importance that the machinery should work smoothly and that it should have at its disposal such fund of experience and knowledge as the city can provide. Though it is quite fair to bring in the analogy of general elections to legislative bodies, these analogies are not precise, because they are not dealing with the same material. The municipal corporation has not got a very wide view of policy. It is really an administrative body which has to carry out the duties, as I have already said, imposed on it by statute. Merely as a matter of convenience it has been found elsewhere that it is a wise provision that the elected commissioners should go out by instalments. Thereby you acquire and maintain at the disposal of this Council that fund of experience and information which contributes to the smooth working of the machinery. We are developing under this Bill the system of standing committees. You will have to recollect these standing committees have to be manned. We must give them the best chance of working and I doubt very greatly whether this Council is very wise in rejecting the scheme of the Bill. I have not been able to get all the statutes in England to refer to and to quote to the Council. But I have the Local Government Act of 1894 which establishes urban councils and rural district councils all over England and under this the term of the council shall be three years, and if the district is divided into wards one-third of the councillors shall go out every succeeding year. That is just the principle we have here. I have a doubt—I do not wish to pledge myself unless I have chapter and verse to quote—that is the general municipal practice, and really this was put into the Bill as an instalment of that advance in municipal development, development in municipal government which the Bill represents as a whole. I should be inclined very much to urge the Council to adhere to the proposal in the Bill. As a matter of fact questions of impulse come up in elections. There is not much to choose between electing councillors every three years, the whole of them, and electing one-third each year, because it can always be said that electing one-third gives an opportunity for the expression of opinion every year on municipal government as conducted by the municipal authorities. I would not attach a great deal of weight to the other argument on the other side for the reason I have already given, that the corporation is a business administrative body. It has to carry out and discharge the responsibility imposed upon it by statute, and it has very little to do with questions of a legislative character. Here is the Municipal Corporations Act of 1882, and here I find a similar provision. I was confident that it was so but I did not want to give it without chapter and verse. It is the main Act on the question which applies to the municipal corporations in England. Here we have the term of office of councillors shall be three years, the ordinary election of councillors, and every year one-third of the whole number of councillors shall go out of office and their places shall be filled by election."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"There we have no system of appointed and institutional commissioners."

His Excellency the PRESIDENT:—"It is quite true."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Here so far as appointed councillors are concerned—"

His Excellency the PRESIDENT:—"That is what we are advancing to in this country, when there will be a larger proportion of election. It is a pure matter of experience. The original Municipal Corporations Act was passed in the year 1834 or 1836 and from that date to the year 1882, here is the fruit of fifty years' experience in this Act. I cannot help advising the Council that they would be wise in accepting the Bill as it is at present in this respect."

The Hon'ble Sir GORDON FRASER:—"I am sorry I cannot withdraw the amendment. It is the unanimous opinion of the corporation put forward on three separate occasions."

His Excellency the PRESIDENT:—"I quite see there are two different views."

The amendment was put to the Council and lost.

The Hon'ble the ADVOCATE-GENERAL:—"I beg to move the following amendment:—"

"In sub-clause (a) add at the end after the word 'and' the words 'until they so come into office the president, the commissioners, and the standing committee appointed or elected under the Madras City Municipal Act, 1904, shall have all the powers and be subject to all the duties respectively of the commissioner, the councillors, and the standing committees under this Act.'"

"Clause 413 (a) contemplates that the president and the existing commissioners and the members of the standing committee may hold office after the commencement of this Act."

[14TH FEBRUARY 1919.]

(The Advocate-General; the President;
Mr. Rajagopala Achariyar; Mr. Krishna Rao;
Sir Gordon Fraser; Mr. Ranga Achariyar.)

After the Act comes into force, all the powers and duties are expressed with reference to the commissioner, with reference to the four standing committees and with reference to the council. Therefore it is necessary to continue to invest the existing officers of the corporation with the new powers under this Bill, and for that purpose these words are sought to be added. They are merely consequential. They are merely an attempt to carry out what is expressed at the beginning of that clause, namely, that the president, the commissioners and the members of the standing committee shall continue in office after the commencement of the Act, till the new council, members of the standing committee and the commissioner come into office."

The Hon'ble Mr. H. G. Stokes seconded the amendment.
The amendment was put and agreed to.

The Hon'ble the ADVOCATE-GENERAL:—"I beg to move an amendment to sub-clause (b):—"

"In sub-clause (b) omit the whole of the clause following the words 'on the first day of November' firstly occurring and substitute the following figures and words:—"

"1920 and of ten more such seats to be vacated on the first day of November 1921 and the councillors elected for the twenty seats so ascertained or the councillors elected in their places in casual vacancies shall hold office until the first day of November 1920 or the first day of November 1921 as the case may be, and the remaining ten divisional councillors shall continue in office until the first day of November 1922 and."

"This is to make it perfectly clear what is proposed to be done. As the clause stands, there may be some difficulty in case the Act comes into operation and the new council is constituted before the 1st November 1920 or soon after the first November 1920. There may be some difficulty in understanding what is meant by the word 'year'. 'Year' is defined to be the financial year. Therefore it is proposed to make it perfectly clear that the first ten out of the divisional commissioners should go out of office in 1920, and the second ten in November 1921, and the remaining ten go out of office in November 1922. What is abstrusely expressed is put in concrete form, and it removes the ambiguity. It does not matter whether the Act is brought into force on the first November or afterwards."

The Hon'ble Mr. H. G. Stokes seconded the amendment.

The amendment was put and agreed to.

Clause 413 as amended was allowed to stand part of the Bill.

Schedule I.

Schedule I was allowed to stand part of the Bill.

Schedule II.

His Excellency the PRESIDENT:—"In regard to schedule II the Hon'ble the Advocate-General has an amendment and there is also an amendment standing in the name of the Hon'ble Mr. Ramanuja Achariyar."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The Hon'ble Mr. Ramanuja Achariyar's amendment is a verbal amendment and I accept it. I formally propose it."

"The amendment ran as follows:—"

"114. In rule 9 (1) for the word 'their' in the first line, read 'its'."

The Hon'ble the Advocate-General seconded the amendment.
The amendment was put and agreed to.

The Hon'ble Mr. A. S. KRISHNA RAO:—"I beg to move amendment No. 115—"

"115. In rule 7 (2) substitute 'twelve' for 'fifteen' and 'fifteen' for 'twenty'."

"This is a question affecting the quorum in the meetings of the Council. According to the rule as amended by the Select Committee, 15 shall form a quorum for the general meeting and 20 for a special meeting. It will be seen that the number is unnecessarily high when compared with the present Municipal Act and also other Municipal Acts. According to the present Act, section 78, in a corporation consisting of 36 commissioners including the president, 7 is the quorum for a general meeting and 10 for a special meeting. I find that in the original Bill of 1918, the quorum was 10 out of 43 for a general meeting, and 12 out of 43 for a special meeting. Even if it is reduced in the manner suggested from 15 to 12 and from 20 to 15, it will be found that the percentage is much higher than that provided for in the original Bill of 1918 of in the existing Municipal Act. I have worked it out so far as the question of proportion is concerned. Twelve out of fifty is certainly more than 7 out of 36."

The Hon'ble Sir GORDON FRASER:—"I second the amendment proposed by the Hon'ble Mr. Krishna Rao. In doing so I would point out that 20 seems to be an unnecessarily high figure."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"For a special meeting."

The Hon'ble Sir GORDON FRASER:—"You may have a meeting of 25 and a majority of 19 and a minority of 6. It is possible that six members may leave the meeting and then the meeting will have to be adjourned. I certainly think that 15 and 20 are too high."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I am sorry I have to disagree with my Honourable Friend. I think the proposal of the Select Committee is sound, especially in a body of fifty in the City of Madras. We have never found any difficulty for want of a quorum."

(Mr. Ranga Achariyar; Mr. Rajagopala Achariyar; [14TH FEBRUARY 1919.
the Advocate-General; the President; Mr. Krishna Rao;
Mr. M. Ramachandra Rao; Rev. Pittendrigh.)

and the figure fixed by the Select Committee will suit very well. It is a necessary safeguard when we are entrusting responsible affairs—although the responsibility conferred is very little all the same we ought to have this quorum, otherwise there will be danger. I therefore strongly support the Select Committee's recommendation."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I agree with the Hon'ble Mr. Ranga Achariyar and oppose the amendment."

The amendment was put and lost.

The following amendment which stood in the name of the Hon'ble Sir Gordon Fraser was not moved:—

'In rule 7 (2) substitute "twelve" and "fifteen" in lieu of "fifteen" and "twenty" respectively.

The Hon'ble the ADVOCATE-GENERAL:—"I move amendment No. 116-A. It runs thus—

'In schedule II, rule 15, for the first sixteen words substitute the following:—

"In any case in which two or more standing committees have passed conflicting decisions, and such conflict has not been adjusted or otherwise dealt with by a conference of such committees or a joint committee as provided in sub-section (1) to section 20, the commissioners shall."

"It is merely consequential on the amendment which was made to section 20 (1) and by which power was taken by regulations to appoint a conference or joint committees. It is only a change in the wording of this clause so as to bring it in consonance with that."

The amendment was put and agreed to.

Schedule II as amended was allowed to stand part of the Bill.

Schedule III.

Schedule III was allowed to stand part of the Bill.

Schedule IV.

His Excellency the PRESIDENT:—"The Hon'ble Mr. Ramanuja Achariyar's amendments are merely formal, mere matter of drafting."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"He does not press them."

The following are the amendments of which notice had been given by the Hon'ble Mr. Ramanuja Achariyar and which were not moved:—

117. In rule 23, omit the words "in writing" in the first line.

118. In rule 28, clause (e), omit the words "in writing" in the first and fourth lines.

The Hon'ble the ADVOCATE-GENERAL:—"I beg to move amendment No. 116 (B)—

'In schedule IV, part III, between "every" and "motor bus" insert "tramcar"."

The Hon'ble Mr. H. G. Stokes seconded the amendment.

The amendment was put and agreed to.

Amendments Nos. 119 and 120 which were as follows were not moved:—

The Hon'ble Mr. A. S. KRISHNA RAO:—

119. After Part IV, add the following as Part IV-A:—

The terminal tax on railway passengers shall be levied on their tickets at rates not exceeding those shown in the following table:—

For first-class tickets, single	...	...	2 annas.
For second or intermediate class, single	...	...	1 anna.
For third-class tickets, single	...	...	6 pies.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—

120. After Part IV, add the following as Part IV-A:—

The terminal tax on railway passengers shall be levied on their tickets at rates not exceeding those shown in the following table:—

For first-class tickets, single	...	...	2 annas.
For second or intermediate class, single	...	...	1 anna.
For third-class tickets, single	...	...	6 pies.

The Hon'ble the Rev. G. PITTENDRIGH:—"I beg to move amendment No. 121—

'In class VI under rule 8 of Part II, alter "30" and "20" into "15" and "10" respectively; in class VII, "12" and "8" into "6" and "4"; and in class VIII "5" and "4" into "3" and "2"."

"In the lower salaries the incidence of this tax is extremely heavy. Here on a salary above Rs. 500 and less than Rs. 750 the professional tax is a minimum of Rs. 20 for a half-year. It will be an extremely heavy tax on such salaries. It is felt still more in the salaries lower than this. The figures I propose are the figures that are paid to-day. If you go to the higher salaries the taxes may rise in proportion. But it seems to me in the lower salaries these taxes are too heavy."

The Hon'ble Mr. A. S. Krishna Rao seconded the amendment.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I oppose it. It will upset the whole scheme. The value of the rupee has gone down from what it was in 1904. We want money very badly. I strongly oppose the amendment."

14TH FEBRUARY 1919.] (Mr. Ranga Achariyar; Mr. Rajagopala Achariyar;
Mr. M. Ramachandra Rao; the President;
Sir Gordon Fraser; Mr. Molony; the Advocate-General.)

The amendment was put and lost.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I beg to move amendment No. 122—

'To rule 13 of Part V add the following proviso:—

"Provided that in cases where the half-yearly instalment of a tax does not exceed Rs. 15, it shall be always open to the commissioner to exempt the applicant before admitting the application from the prepayment of the tax as required in clause (b)."

"This relates to the prepayment of tax before a man can appeal against the enhancement. The law requires that he has to pay the tax before he can appeal. It has been felt a great hardship in several cases. I propose to give power to the commissioner to exempt people when the amount of the tax does not exceed Rs. 15 from prepayment. In such cases it will be hard to compel the assesses to prepay the tax. It often causes hardship in the case of poor widows and poverty-stricken people. To compel them to prepay the tax is really to deprive them of the right of appeal. I therefore propose to entrust this discretion to the commissioner."

The Hon'ble Mr. K. Chidambaranatha Mudaliyar seconded the amendment.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I would accept it; it is only giving a discretion to the commissioner."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"In the mufassal municipalities considerable objection is taken by the auditors. There must be some discretion. The rule must be certainly prepayment, but the commissioner must have power to relax it where it is not advisable to insist on it. Especially when there is a period of limitation, I have felt it hard to reject the appeal on the ground that the tax is not prepared. I would strongly support this amendment."

His Excellency the PRESIDENT:—"My Honourable Friend is quite willing to accept it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The word 'always' may be omitted."

The amendment with the word 'always' omitted was agreed to.

The Hon'ble Sir GORDON FRASER:—"I beg to move amendment No. 123:—

In rule 13 (a) (i) of Part V, substitute 'thirty days' for 'fifteen days' in first and fourth lines.

"The rule is any assessee who is dissatisfied with the assessment of any tax under this Act other than the transfer duty and the tax on timber and firewood may make an application in writing to the commissioner for the revision of such assessment stating the grounds of his objection thereto; and the time allowed is 15 days. I do not think that the time given is sufficient. Rule 13 (a) (i) and 13 (a) (ii) go together. Amendment No. 124 is with regard to the latter, I should like to speak on both at once. In Madras we have sometimes long periods of holidays and I take it that they would count in the period of notice. That is one of the reasons why I think the time is short. Therefore I move these two amendments."

The Hon'ble Mr. A. S. Krishna Rao seconded the amendment.

The Hon'ble Mr. J. C. MOLONY:—"I beg to oppose it, My Lord. The present Act allows only 15 days. I think really for a person who takes a sufficient interest in or who is sufficiently aggrieved by the professional tax 15 days is quite sufficient. If he will not bestir himself within 15 days he will not bestir himself within 30 days. There has been no complaint."

The Hon'ble Sir GORDON FRASER:—"Your Excellency, the Hon'ble Mr. Molony has referred to the demand for the tax, but under rule 13 I do not think it is the case of demand. Demand will come later. It refers to rule 2 (i) of schedule IV. 'When the registers are complete in respect of any division or part of a division, the commissioner shall give public notice stating where, and between what hours, such registers may be inspected'. The demand may be quite a different matter. In the case of personal demand I think the time would be sufficient, but in the case of public notice I do not think the time is enough."

Amendment No. 123 was put and lost.

Amendment No. 124 which ran as follows:—

In rule 13 (a) (ii) of Part V substitute 'ten days' in lieu of 'seven days' was put and lost.

The Hon'ble the ADVOCATE-GENERAL:—"I beg to move that the reference to firewood be omitted in this schedule."

The Hon'ble Mr. H. G. Stokes seconded the amendment.

The amendment was put and agreed to.

The Hon'ble Sir GORDON FRASER:—"Part of my amendment No. 125 has already been accepted. The Government have gone further than my amendment. I fix the amount as five, the Government have fixed Rs. 15. I think my amendment is included in the amendment which has been accepted. I withdraw the amendment."

(Sir Gordon Fraser; Mr. Ranga Achariyar; Mr. Molony; Mr. Krishna Rao; Mr. Rajagopala Achariyar; Mr. M. Ramachandra Rao.) [14TH FEBRUARY 1919.]

With the permission of His Excellency the President, the Hon'ble Sir Gordon Fraser withdrew amendment No. 125 which was as follows:—

In rule 13 (b) of Part V after sub-clause (b) and before 'Explanation' add the following proviso:—

'Provided that the commissioner may at his discretion admit any application without prepayment of the tax and shall do so when the amount of the tax does not exceed Rs. 5.'

The Hon'ble Sir GORDON FRASER:—"I move amendment No. 126."

In rule 15 (a) (ii) of Part V substitute 'twenty days' in lieu of 'fourteen days'.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I second the amendment."

The Hon'ble Mr. J. C. MOLONY:—"I beg to oppose it, Your Excellency. First of all I submit 14 days is sufficient. Again this will cause delay in the presentation of the appeal."

The amendment was put and lost.

Schedule IV as amended was allowed to stand part of the Bill.

Schedule V.

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I have the honour to move amendment No. 127 which is 'omit sub-rule (c) of rule 5'. I draw the attention of the Council to page 94 in the draft Bill. This is not found there. The Select Committee newly introduced this clause. The Select Committee say 'we have included in the category of incidental objects of expenditure the payment of out-of-pocket expenses incurred bona fide by Councillors in the discharge of any special duties entrusted to them'. I wish that the policy which has hitherto been pursued by Municipal Councillors with the idea that they have been doing honorary work is continued and that this new system is not introduced. It is not in the original Bill, but the Select Committee thought it fit to introduce this provision. There is no necessity for it and there are difficulties in working it."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"May I explain why it was introduced? Here councillors are sent to inspect houses in respect of the payment of tax and other things. Sometimes they have to go to the Red Hills and there are various other cases where they incur out-of-pocket expenses. It is purely out-of-pocket expenses which will be covered. The Corporation motor car is sent but sometimes it is not available. For such purposes only this is intended."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"As one of the members of the Select Committee responsible for putting it in, I quite see the point; at the same time there is danger as pointed out by the Hon'ble Mr. Krishna Rao in a provision like this."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"This will be necessary because several times Municipal Corporation's representatives will have to go to conferences as happened last time in the case of the Municipal Conference here. At that time several municipalities asked the Government to permit their representatives to come here travelling at the expense of these bodies. Assuming that any representative of the Madras Corporation is invited to conference in Bombay or Calcutta for the study of municipal questions, I should like to know under what head any expenditure such as that would be inserted here. What happened last time was, as Your Excellency is well aware, that several municipalities asked that their representatives should come to Madras and attend the conference. I had to make a special reference to validate the expenditure incurred in travelling, as it was considered a matter of policy, and that expenditure was not validated. The corporations should be permitted to send their representatives to go and attend conferences or study municipal questions, and I would rather keep it than do away with it. There is a qualification that it should be in the discharge of special duties entrusted to them."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I may be permitted to say that on the whole the balance of advantage is in favour of omitting the provision. I say that all the more readily, because I was one of those who had a part in putting it in. After all any small expenditure in doing public work can be provided for by rules elsewhere."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Where?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Why do you want to put it in the Act?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Under what rule can it be done? All the purposes for which municipal funds will be spent are set out here."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"It must be out-of-pocket expenses and it must be bona fide actually incurred and it must be a special duty. Personally I would vote for the deletion of this provision."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Since some of my non-official friends are under misapprehension about it, I may say that I do not say that councillors who are called upon to go and attend municipal conferences should not be paid travelling allowances. For that there is a provision, though the special sanction of the Government is necessary. Why put in a

14TH FEBRUARY 1919.] (Mr. Krishna Rao; Mr. Ranga Achariyar; the President; Mr. Rajagopala Achariyar; Sir Gordon Fraser.)

provision which is calculated to effect that object in an indirect manner? If it is the object of the Council to allow members of the municipal corporation to have a carriage allowance, it is desirable to put it in direct form. We know that under the District Municipalities Act the Secretary may draw some allowances. If it is intended that for the purpose of inspection, they should be in a position to draw some allowance, it is desirable that some specific provision is made; but to bring it indirectly under out-of-pocket expenses is not correct. These have to be defined carefully and subjected to various restrictions. This is not direct. While I agree with the Hon'ble Mr. Ranga Achariyar that councillors who are expected to do honorary work and who in the discharge of their duty incur expenses for the purpose of inspection should be paid remuneration, I have objection to this form of providing for it. If that is an object of expenditure let us say that municipal councillors should be paid some sort of allowance for inspection and other work. So long as this provision is not calculated to attain that object, I am not for it."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"One word, Your Excellency. It appears to me we are pushing Puritanism with a vengeance. I quite recognise the value of voluntary work, but at the same time I do not understand this objection to a very limited provision made carefully and in a guarded way for out-of-pocket expenses incurred bona fide in the discharge of special duties. What is the use of travelling out of the clause and suggesting that under the guise of this they may recover this expense and that? It is protesting too much. I am strongly for retaining this clause. Occasions really arise when we have to put people on special duty. People might refuse to take that special duty on account of the cost involved on it. I do not think it will do any harm, on the other hand it will be a useful provision. I do not think any mischief is done by retaining this clause."

His Excellency the PRESIDENT:—"We may continue the existing provision."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"We all vote for the amendment."

The amendment was put and agreed to.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The consequential arrangements will be made by the Secretary."

Schedule V as amended was allowed to stand part of the Bill.

Schedule VI.

The Hon'ble Sir GORDON FRASER:—"Your Excellency, I have the honour to move amendment No. 128:—

Omit the following:—

'packing, pressing, cleansing, preparing or manufacturing by any process whatever—pottery, candles, cement, dyes, leather, soap, sugar, sugarcandy, clothes, flour, silk, paper'; and add to the list shown under the heading of 'storing, packing, pressing, cleansing, preparing or manufacturing by any process whatever'—"pottery", "candles", "cement", "dyes", "leather", "soap", "sugar", "sugarcandy", "clothes", "flour", "silk", "paper".

Add the following proviso:—

"Provided that no licence shall be necessary for storage only of the above commodities in limited quantities as fixed by the Commissioner from time to time."

"Schedule VI gives a list of purposes for which premises may not be used without a licence. There are two lists and the difference between the two lists is simply the omission of the word 'storage' in the second list. I think it is a great mistake, because the corporation should have the right of saying where any commodity of any kind should be stored in bulk in the city. There are many reasons. The main reason is one of health. It would be a mistake to allow any private individual to store sugar or sugarcandy or flour in any part of the city he likes. He may have godowns built in parts where they are not desirable. The proviso at the end of my amendment says 'provided that no licence shall be necessary for storage only of the above commodities in limited quantities as fixed by the commissioner from time to time.' That gets over the difficulty of small quantities stored by retail traders for sale and also by private individuals for their own consumption. The Hon'ble Mr. Narasimha Ayyar yesterday mentioned the point of plans being submitted for a house and the building being used for storing grain. The objection would be taken later on if it were used only for storing grain. It is evident that there are objections to it and I think it would be advisable if the word storage were added. My amendment is that the second list should also be included in the first list."

The Hon'ble Mr. A. S. Krishna Rao seconded the amendment.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Your Excellency, I am sorry I have to oppose the amendment. The object of the amendment will be to compel a licence to be taken out for the storing of pottery, candles, cement, dyes, leather, soap, sugar, sugarcandy, clothes, flour, silk and paper. Really there is no harm done except in the case of, even according to the Hon'ble Sir Gordon Fraser, sugar and sugarcandy and flour. I think he mentioned only those instances. I know his objection relates to all but he illustrated his objection by reference to sugar, sugarcandy and flour. In the case of sugar and sugarcandy, as Your Excellency knows, there are many petty shops scattered all over the city where they have to sell it and therefore to store it for that purpose. It would be a hardship upon these

(Mr. Ranga Achariyar; the President; Mr. Molony; Sir Gordon Fraser; Mr. Yaqub Hasan.) [14TH FEBRUARY 1919.]

retail dealers to compel them to take out a licence. So also in the case of flour. In remote places like Royapetta, or Teynampet and such other places these shopkeepers have to store these things for their daily vending. It is a departure which the Honourable Member is proposing. I have not heard of any complaint arising from the present practice and it would not be right to accept this proposal.

"I quite agree that so far as leather is concerned, in the case of storing leather there may be necessity for a licence and leather may be included in the first portion. But with regard to all the rest, I oppose the amendment as it would interfere with petty dealers and it would interfere with the convenience of the people. I do not think any licence is necessary for storing them. Therefore, Your Excellency, I shall move an amendment so far as this is concerned to omit 'leather' in the second portion and include it in the first portion."

His Excellency the PRESIDENT:—"I think it will be wise before he moves the amendment—it will be for the convenience of the Council and the progress of the debate that the attitude of the Government on the main amendment should be known before he moves another amendment."

The Hon'ble Mr. J. C. MOLONY:—"Your Excellency, I beg to oppose the Hon'ble Sir Gordon Fraser's amendment. The chief reason is these items do not form a whole in which you can lay down abstract principles, but you have to consider them separately from the point of view of practical convenience. They were considered very carefully in the Select Committee and we have passed the Schedule in this way from such experience as we have gained. We do not want to extend this licence system. I do not want to do anything which involves the extending of licences to premises which will be so numerous as to result in an oppression to the people and a worry to the municipality. Nobody could say that this is a perfect category, but it is the best we can get now. There is one slight alteration which the Hon'ble Mr. Ranga Achariyar would propose and which I would support. The Hon'ble Sir Gordon Fraser's proposal is to add all these items *en bloc* to the first portion. I would oppose it from the experience gained in licensing."

The Hon'ble Sir GORDON FRASER:—"In reply to the criticism on my amendment I would just like to say that I specially referred in my opening remarks to the petty traders and pointed out that the proviso in my amendment gave ample protection in that respect and that it was open to the commissioner to declare from time to time what limited quantities of these commodities could be stored without a licence. I again say that I consider that the corporation should have complete power in deciding where any article—I do not care what it is—in bulk should be stored. I say in bulk and not in small quantities. I would ask your Excellency to put them separately."

The first portion of the amendment, i.e., the whole of it except the proviso, was put and lost.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I want to include 'leather' in the first portion and to omit it in the latter."

The Hon'ble Sir GORDON FRASER:—"Actually tanned leather is the least harmful."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I propose that in schedule VI in the first portion after the word 'horns' and before the words 'lime shells' the word 'leather' be inserted, and that the word 'leather' be omitted in the second portion."

The Hon'ble Mr. J. C. MOLONY seconded the amendment.

The Hon'ble Yaqub Hasan Sahib Bahadur:—"I beg to oppose it."

The Hon'ble Mr. J. C. MOLONY:—"If there is to be opposition, I may be allowed to state my reasons. It is a matter in which the standing committee and the corporation have expressed a strong opinion. What we hold is the leather trade is profitable. What we find is there has been a strong move in turning residential quarters into leather godowns, and the standing committee have expressed a strong opinion on it. We are constantly beholding people being driven out for storing leather."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"The Hon'ble Mr. Molony is entirely wrong. This second clause says that packing, pressing, cleansing, preparing or manufacturing cannot be done as far as leather is concerned without a licence. The only question is with regard to storage. If this amendment is carried, it will mean that leather cannot be stored. As far as manufacturing is concerned, it cannot be manufactured as the clause stands. The difference between these two lists is that storing is omitted in the second case and it is included in the first. There is no harm in storing leather in the city. Leather is tanned skin or tanned hide. Raw skin and hides according to the first list cannot be stored without a licence, but in the second list leather can be stored. There is no harm in storing it. If this amendment is carried it would mean that even in a shop like Messrs. Spencer & Co., or Oakes & Co., or Chambers & Co., leather and other kinds of leather goods will not be allowed to be stored. It may be said that in the raw state skins and hides are a nuisance in one way or other and their storage may affect the health of the locality. But by no stretch of imagination can it be said that skin or hide, when it is prepared, manufactured and turned into leather, is dangerous to health. Therefore I oppose this amendment."

14TH FEBRUARY 1919.] (Sir Gordon Fraser; Mr. Molony; Mr. Narasimha Ayyar; Mr. Thonger; Mr. Ranga Achariyar; the President; Mr. Rajagopala Achariyar.)

The Hon'ble Sir GORDON FRASER:—"The Hon'ble Mr. Molony fully confirms my view and supports me in the reasons that actuated me in putting forward this amendment. He states that there have been considerable complaints from residents against leather godowns being erected in residential quarters for storage of leather."

The Hon'ble Mr. J. C. MOLONY:—"The Hon'ble Sir Gordon Fraser has not correctly stated what I said. I stated that residences are being evacuated by landlords and these residential quarters are being turned into leather godowns."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"This seems to be a totally irrelevant consideration now."

The Hon'ble Sir GORDON FRASER:—"I misunderstood the Hon'ble Mr. Molony. I thought the complaints were from residents, but he says the complaint is that the landlords are turning the houses into leather godowns. If that argument is of any use in the case of leather, it applies with equal force to the other articles. Really that argument has no weight."

The Hon'ble Mr. J. H. THONGER:—"I would explain that this clause was reconstructed at my suggestion. In the first instance the idea in my mind was that retail dealers should be protected from the necessity to take out licences. So far as my firm is concerned we have got a dozen licences for storage of leather, candle and other things which we stock in small quantities. If you are going to transfer it back to the first list, we will have to take out a licence for a small quantity of leather kept for making boots. If the Hon'ble Sir Gordon Fraser's proviso which protects the retail trader is accepted, I have no objection."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I do not see how anybody is affected by merely taking out a licence. It is merely to enable the corporation to know where it is stored."

His Excellency the PRESIDENT:—"The question is whether the word 'leather' should be inserted between the words 'horns' and 'lime shells.'"

The amendment was put and agreed to.

The consequential amendment to omit 'leather' in the second portion was put and agreed to.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I propose that the word 'cloths' be omitted in the second category. It has got in by mistake."

The Hon'ble Mr. B. V. NARASIMHA AYYAR seconded the amendment.

The Hon'ble Mr. J. C. MOLONY:—"I wish to explain that what we want to put in is cloth-dyers and not those who weave cloths. The Hon'ble Mr. Ranga Achariyar will subsequently propose an amendment for that purpose."

The Hon'ble Sir GORDON FRASER:—"I oppose it, Your Excellency, I think the corporation should have power to license the premises where the packing, pressing, cleansing, preparing or manufacturing of cloths is done."

The amendment was put and agreed to.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"With Your Excellency's permission I propose that the words 'dyeing cloths' be introduced in the schedule after 'casting metals, gilding, electro-plating.'"

The amendment was put and agreed to.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I would suggest a small matter for the consideration of the Government. In respect of the spread of plague, it has been discovered that it is a great source of danger if grain is stored on a large scale. Infection remains there for a long time. We must have some means of licensing and regulating such places. So in the Madras Municipal Act we should have some means of checking the storing of grain beyond a certain quantity. There will be no attempt to check the storage of small quantities of grain. I would suggest the word 'grain' be added after the word 'fish.'"

The Hon'ble Mr. J. H. Thonger seconded the amendment.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The whole of this list is revisable by notification from time to time."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Is this unimportant?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"This particular thing was considered and we thought it would be difficult to work it."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Then I do not press it further."

The Hon'ble Sir GORDON FRASER:—"I beg to move the proviso formally. I may be permitted to substitute the words 'Standing Committee' for 'Commissioner'."

His Excellency the PRESIDENT:—"I think the word 'only' there goes out as consequential on the previous amendment."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Should not some one say who is to control the limited quantities?"

His Excellency the PRESIDENT:—"The same people who issue the licences."

(Mr. Ranga Achariyar; Mr. Molony; the President; [14TH FEBRUARY 1919.
Mr. Yaqub Hasan; the Advocate-General;
Mr. Rajagopala Achariyar.]

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"It may be fixed by the standing committee."

The Hon'ble Mr. J. C. MOLONY:—"It is better to have one person."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"That will be settled by the by-laws and regulations."

His Excellency the PRESIDENT:—"I do not think it is a matter with which the Council need concern itself. It is intended to safeguard the petty dealers."

The proviso in the Hon'ble Sir Gordon Fraser's amendment was put and agreed to.

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"I move that the word 'packing' be omitted."

His Excellency the PRESIDENT:—"Where does the Honourable Gentlemen want to omit it?"

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"In the second portion. First there is 'storing, packing, pressing, etc.' At the bottom of the page there is 'packing, pressing, cleansing, etc.' I want the word 'packing' to be omitted in the second portion for this reason. The pottery, candle and other things will be for sale in the shops in the city in unlicensed places; licence is wanted only for places where these are manufactured. Where they are for sale they will sometimes have to be packed. Packing sugar and candles should not be subjected to the licence, nor paper nor silk. Packing of any of these things is not dangerous. Why should licence be taken simply for the sake of packing in the shops? A shop which is selling candles now would have to take a licence for that place simply to pack candles there. I think it was not the intention and the word has crept in by mistake. I think no harm will be done by omitting the word 'packing'."

The amendment fell through for want of a seconder.

Schedule VI as amended was allowed to stand part of the Bill.

Schedule VII.

The Hon'ble the ADVOCATE-GENERAL:—"Reference to firewood wherever it occurs may be omitted in this schedule."

This amendment was put and agreed to.

Schedule VII as amended was allowed to stand part of the Bill.

Schedule VIII.

Schedule VIII was allowed to stand part of the Bill.

The Preamble.

The Preamble was allowed to stand part of the Bill.

His Excellency the PRESIDENT:—"The Bill is now complete except in one matter which the Government have undertaken to consider and should they deem necessary the attention of the Council at the next meeting will be drawn to it. That is the question of the Island and the Cocum in clause 101 (d). That sub-clause may have to be brought before the attention of the Council. That is the only question that will be left."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Liquor shops?"

His Excellency the PRESIDENT:—"The undertaking in regard to the licence fee was that the Government of India would be addressed. There is no alteration in the Bill. Therefore it will not come before the Council. The only other point that may have to be brought before the Council is what I mention. The Bill will be before the next meeting on the motion that it be passed into law. I think that concludes our business. I think we ought to express our acknowledgments to the Hon'ble Mr. Rajagopala Achariyar and the Hon'ble the Advocate-General for their labours in this matter. I cordially thank them and the Council too. It has been really a little bit of heavy work and I should like to say how much indebted the Government are for the careful examination and attention which has been given by the Honourable Members to the details of this very heavy and long piece of legislation."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"May I be permitted to say a word about the labours of the select committee? They met almost from day to day for two or three months, and I have no hesitation in saying, at considerable inconvenience and sacrifice of time. Many of them are business men. The Government and the Council are much obliged to them for the way in which they have contributed to the Bill."

The Council then adjourned *sine die*.

H. G. STOKES,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

Proceedings of a Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council assembled at the Council Chamber, Fort St. George, at 11 a.m. on Tuesday, the 11th day of March 1919.

PRESENT:

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.S.I., G.C.I.E., Governor of Madras—Presiding.

The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O., O.B.E.

The Hon'ble Mr. L. E. BUCKLEY, C.S.I.

The Hon'ble Mr. A. Y. G. CAMPBELL, C.I.E.

The Hon'ble Mr. W. J. J. HOWLEY.

The Hon'ble Mr. W. HUTTON.

The Hon'ble Mr. R. LITTLEHAILES.

The Hon'ble Mr. N. E. MARJORIBANKS.

The Hon'ble Mr. J. C. MOLONY.

The Hon'ble Lieut.-Col. W. J. NIBLOCK, I.M.S.

The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.

The Hon'ble Mr. S. SRINIVASA AYYANGAR (Advocate-General).

The Hon'ble Mr. H. G. STOKES, C.I.E.

The Hon'ble Mr. C. G. TODHUNTER.

The Hon'ble Mr. M. YOUNG.

The Hon'ble Mr. R. B. WOOD.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR Avargal.

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO PANTULU Garu.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.

(Mr. Annamalai Chettiyar.)

[11TH MARCH 1919.]

The Hon'ble Mr. P. SIVA RAO.
 The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.
 The Hon'ble Mr. B. V. NARASIMHA AYYAR.
 The Hon'ble Mr. K. SADASIVA BHAT.
 The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.
 The Hon'ble Mr. K. RAMA AYYANGAR.
 The Hon'ble Sri RAJA RAO VENKATA KUMARA MAHIPATI SURYA RAO Bahadur,
 Raja of Pithapuram.
 The Hon'ble B. RAJA RAJESWARA SETUPATI alias MUTTIRAMALINGA SETUPATI
 Avargal, Raja of Ramnad.
 The Hon'ble Mr. B. VENKATAPATI RAJU.
 The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.
 The Hon'ble YAQUB HASAN SAHIB Bahadur.
 The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR SAHIB
 Bahadur.
 The Hon'ble Sir GORDON FRASER, Kt.
 The Hon'ble Mr. J. H. THONGER.
 The Hon'ble Sir FAIRLESS BARBER, Kt.
 The Hon'ble Sir GHULAM MUHAMMAD ALI SAHIB Bahadur, Khan Bahadur, G.C.I.E.,
 Amir-i-Arcot or Prince of Arcot.
 The Hon'ble the Most Rev. JOHN ALEN, D.D.
 The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR Avargal.
 The Hon'ble Mr. T. RICHMOND.
 The Hon'ble Sir FRANCIS SPRING, K.C.I.E.
 The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.
 The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO
 Bahadur, of Bobbili.
 The Hon'ble Dr. T. M. NAYAR.

NEW MEMBER.

The Honourable Lieut.-Col. WILLIAM JAMES NIBLOCK, I.M.S., took the prescribed oath or affirmation of allegiance to the Crown and then took his seat.

QUESTIONS AND ANSWERS.

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

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

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

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

1 Q.—Referring to the answer given to my question No. 137 appearing in the Agenda of the meeting of this Council held on the 19th November 1918 regarding the names and addresses of accountants approved by Government for income-tax purposes, will the Government be pleased to furnish me now with the information I required?

1 A.—(a) The names and addresses of the accountants who have been approved under rules 14 and 15 of the Income-tax Rules are published on pages 362-363 of Part II of the Fort St. George Gazette, dated the 18th February 1919.

(b) Twenty applications for approval under rule 15 were received up to the 4th February 1919. The Committee have approved seven of the applicants. Four more applications have since been received and these will be placed before the Committee at its next meeting.

2 Q.—Now that hostilities have ceased and peace is in sight, will the Government be pleased to take the necessary steps for the total abolition of the passport system and for the restoration of the original freedom to persons desiring to voyage to places in the Straits Settlements, the Federated Malay States and French Cochinchina for business or for other purposes?

Accountants approved by Government for income-tax purposes.

Abolition of passports for travellers to the Straits Settlements, etc.

11TH MARCH 1919.]

(Mr. Annamalai Chettiyar; Mr. Davidson; Sir Alexander Cardew.)

2 A.—The Honourable Member is referred to the answer given to his question No. 138 at the Legislative Council meeting of the 19th November 1918. It is understood that the Government of India have now under consideration the general question of the future of the passport system.

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR :—"With reference to question No. 2, will the Government be pleased to instruct the Collectors to issue passports more freely than they are doing at present?"

The Hon'ble Mr. L. DAVIDSON :—"I do not quite know what the Honourable Member wants. Collectors have already been instructed that passports are to be given as freely as possible."

3 Q.—(a) Will the Government be pleased to name the district municipalities to which they intend granting in the near future the privilege of electing their chairmen?
 (b) Is the municipality of Palni in the Madura district one to which the above privilege will shortly be granted?

Municipalities in which the privilege of electing chairmen is to be granted.

3 A.—(a) The Government are unable to forecast the future. Sixty-one out of the 72 municipal councils of the Presidency now elect the chairman.
 (b) The matter of allowing the Palni Council to elect its chairman is under correspondence.

4 Q.—Will the Government be pleased to name the taluk boards to which they intend granting in the near future the privilege of electing their presidents?

Taluk boards in which the privilege of electing presidents is to be granted.

4 A.—The Government are unable to forecast the future in this matter, even the near future. The question of substituting non-official for official presidents and elected for nominated non-official presidents is under continuous consideration.

5 Q.—Now that the cessation of hostilities is freeing more steamers for their normal purposes, will the Government be pleased to take the necessary steps to get restored as early as possible the Madras-Rangoon weekly steamer service for passengers, cargo and mails?

Restoration of the Madras-Rangoon weekly steamer service.

5 A.—This Government have no control over the movements of shipping and are unable to give any indication of the prospects of an early resumption of the weekly mail service to Rangoon, having in view the fact that the strain of demobilization on the world's shipping resources is almost equal to the strain imposed by war conditions.

6 Q.—(a) For the convenience of a large number of suitors, will the Government be pleased to order the retransfer from Chidambaram and the permanent location in Mannargudi itself as before the Mannargudi District Munsif's Court, now located at Chidambaram?

Retransfer of the District Munsif's Court from Chidambaram to Mannargudi

(b) If the answer to the above is in the negative, will the Government be pleased to give its reasons for the same?

6 A.—Under section 5 of the Madras Civil Courts Act, 1873, the location of District Munsifs' courts is determined by the High Court to whom a copy of the question will be communicated.

7 Q.—Will the Government be pleased to place on the table of this house a complete list of all Hindu, Muhammadan and Christian religious and charitable institutions to which an annual Mohini or Cash grant is given by the Government, with the respective amounts of such grants shown against each institution?

Religious and charitable institutions that receive grants from Government.

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

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR :—"Will the Government be pleased to issue orders to the District Collectors to furnish a complete list of religious and charitable institutions which receive grants from the Government?"

The Hon'ble Sir ALEXANDER CARDEW :—"No, sir, I am not prepared to issue such orders."

8 Q.—(a) Has Government perused a letter from Rao Bahadur K. S. Venkatarama Ayyar of Negapatam appearing in the correspondence column of the Madras Mail of the 24th December 1918 assigning reasons for running at present goods trains at least on the Tiruturai-pundi-Vedaranniyam railway line for the transport of food-grains, salt and other commodities necessary for popular consumption?

Reopening of the Tiruturai-pundi-Vedaranniyam railway line for traffic.

(b) Will the Government be pleased to say whether and when arrangements could be made for the transport of goods and for passenger traffic?

8 A.—(a) Yes.

(b) The Government are addressing the Agent, South Indian Railway, with a view to the line being opened for traffic at the earliest possible date, but are not in a position at present to say when this will be practicable.

(Mr. Ahmad Tambi Marakkayar ; Mr. M. Ramachandra Rao.) [11TH MARCH 1919.

Appointments of Presidency Port Officer and Deputy Port Conservator.

19 Q.—Will Government be pleased to state if there are any special reasons, and the nature of such, for preferring a Royal Indian Marine Officer for the post of Presidency Port Officer and Deputy Port Conservator at Madras?

19 A.—The Government of India have reserved the two appointments for officers of the Royal Indian Marine.

Status of the Deputy Port Conservator, Madras.

20 Q.—Will the Government be pleased to state why the Deputy Port Conservator, Madras, is not under the administrative control of the Presidency Port Officer who is the Marine Adviser to Government and the Administrative Head of the Department?

20 A.—The Deputy Conservator of the Port of Madras is under the administrative control of the Madras Port Trust Board, because that body is entrusted with the management of the port. The Presidency Port Officer is a member of the Port Trust Board.

Harbour improvements at Tuticorin.

21 Q.—With reference to the question of harbour improvements at the port of Tuticorin (1) will the Government be pleased to state at what stage the matter now is; (2) are the Government aware of the recent visit to Tuticorin of the Hon'ble Sir George Buchanan, K.C.I.E., and of the interest that he evinced in studying the existing facilities for harbour developments at that port; (3) will the Government be pleased to depute that officer in preference to any other for thorough investigation of the proposals with a view to a definite scheme being formulated for early action as desired by the merchant population at Tuticorin?

21 A.—(1) The Government are in correspondence with the Government of India with a view to secure the services of an expert to advise regarding the development of the harbour.

(2) Yes.

(3) The Government will consider the suggestion.

Withdrawal of passport regulations to Straits Settlements and Federated Malay States.

22 Q.—In view of the termination of the war and of the great inconvenience that the travelling public are put to, will Government be pleased to consider the desirability of withdrawing the passport regulations now in force for those proceeding to the Straits Settlements and Federated Malay States?

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

Increased salary to Port officers.

23 Q.—(a) Are Government aware that the Commanders and officers of the B.I.S.N. Company's steamers were given handsome increases in their salaries recently?

(b) If so, will the Government be pleased to consider the desirability of increasing the salaries of the Port officers in this Presidency as memorialized by them?

23 A.—(a) Yes.

(b) The matter is under consideration.

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

Grant to the Masulipatam Municipality to improve drainage.

24 Q.—Is it a fact that the Municipal Council, Masulipatam, has asked for a grant of Rs. 60,000 for the improvement of drainage? Will the Government be pleased to state in what state the proposals are and to consider the request favourably?

24 A.—In February 1917 the Masulipatam Municipal Council applied for a grant of Rs. 60,000 for the improvement of certain storm water drains. The Council was asked to renew the application after revising the plans and estimates as recommended by the Sanitary Board in their Resolution No. 514 S, dated 31st August 1917. The Council has not yet renewed its application for a grant.

Water-supply scheme for Narasaraopet and Peddapuram.

25 Q.—Will the Government be pleased to state in what state of progress the schemes for the improvement of the water-supply for Narasaraopet and Peddapuram are and when they are likely to be finally sanctioned?

25 A.—The scheme for the water-supply of Narasaraopet is under execution by the Public Works Department. A full-power test is now being made. A sum of Rupees 14,000 has been spent on the works, and a sum of Rs. 24,800 has been provided for expenditure in 1919-20. The scheme for Peddapuram is still under investigation by the Sanitary Engineer.

Programme of sanitary works under investigation and ready for execution for 1919-20.

26 Q.—Will the Government be pleased to place a statement on the table (1) containing the programme of work of the Sanitary Engineer for the year 1919-0; (2) showing the scheme of water-supply and drainage that are now under investigation by the Sanitary Engineer and which may not be ready in the year 1919-20; (3) the water-supply and the drainage schemes that are likely to be ready in the year 1919-20 for execution?

11TH MARCH 1919.] (Mr. M. Ramachandra Rao ; Mr. Narasimha Ayyar ; Mr. Davidson.)

26 A.—(1) The annual programme is under preparation and will be published in due course.
(2) & (3) A statement will be prepared and laid on the Editors' Table.

27 Q.—Will the Government be pleased to publish, before passing final orders, Mr. Tampoe's reports in 1916 and 1917 and the Special Officer's report in 1918 on the agricultural practices in the Godavari Western delta? Publication of Mr. Tampoe's reports on the agricultural practices in the Godavari Western delta.

27 A.—The Government have not yet received the Special Officer's report and are not in a position to decide whether it will be expedient to publish the papers before orders are passed. The inquiries made in 1916 and 1917 were inconclusive owing to the nature of the seasons in issue and it was therefore found necessary to continue the investigation in 1918.

28 Q.—Will the Government be pleased to state when legislation for the improvement of the elementary education is likely to be introduced? Introduction of the Elementary Education Bill.

28 A.—The draft Elementary Education Bill prepared by the Local Government is now under the consideration of the Government of India.

29 Q.—Will the Government be pleased to state (1) whether the committee appointed to revise the Agency rules made its recommendations; (2) the date on which the recommendations were made and when the orders of the Government are likely to be passed; and (3) whether the Government will publish the recommendations for criticism before passing final orders? Recommendations by the Committee to revise the Agency rules.

29 A.—(1) Yes.
(2) The recommendations reached the Government on the 17th August 1918. They are under correspondence with the Government Agents and the Government are not in a position to say when orders will be passed.
(3) The Government will consider the suggestion when the Agents' reports are received.

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

30 Q.—(a) Is the Government aware that Mr. Srinivasa Rao, District Judge, has issued a new edition of his book "Crisis in India" with addition of new matter? Publication of a book by a District Judge.

(b) Did he apply for any permission for this issue; if so, to whom and when?

(c) Was permission granted? If so, when and by whom?

30 A.—(a) Yes.
(b) No.
(c) No.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"With regard to question No. 30, the answer is 'No permission was asked for or granted.' May I know whether any explanation was called for?"

The Hon'ble Mr. L. DAVIDSON:—"Yes, an explanation was called for."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Will the Government be pleased to give us any information on that point?"

The Hon'ble Mr. L. DAVIDSON:—"The Government do not consider it desirable to give any information on that point."

31 Q.—Will the Government be pleased to state (a) whether they have received a memorial from the Mount Road Government Press employees dated February 1919; (b) what action has been taken thereon; and (c) whether they will be pleased to consider the same favourably? Memorial from the employees in the Government Press, Mount Road.

31 A.—The memorial in question has been received and is under the consideration of the Government.

32 Q.—(a) Will the Government be pleased to state whether they have received petitions for extension of the Malabar Tenants Improvement Act to the Nilgiri district? From whom? (b) What is the action, if any, taken or proposed to be taken thereupon? Extension of the Malabar Tenants Improvement Act to the Nilgiri district.

32 A.—(a) The Government have received a petition from some tenants of the Gudalur taluk for the extension of the Malabar Compensation for Tenants Improvement Act to that taluk.

(b) A report has been called for from the Collector of The Nilgiris.

(Mr. Annamalai Chettiyar; Mr. Ahmad Tambi Marakkayar.) [11TH MARCH 1919.]

Economic distress and steps to alleviate it.

9 Q.—(a) Have the Government perused the editorial article under the head-line 'Economic Distress' which appears in the *Hindu* of the 15th February 1919, giving important particulars of the rising prices of certain necessary commodities of consumption and their scarcity in the city of Madras and several mufassal centres and requesting Government to take prompt and effective steps to alleviate public suffering?

(b) Will the Government be pleased to state what steps they have already taken or intend to take for the alleviation of the distress particularly in the matter of supplies and prices of rice, dholl, pulses, chillies, vegetable-oils and kerosene oil?

9 A.—(a) Yes.

(b) It is impossible to include in the answer to a question any adequate account of the steps taken and proposed to be taken on a matter of such complexity, but a statement will be made on these points in the Council in connexion with a resolution on the agenda.

Requests of the Ryotwari Landholders' Association to relieve distress.

10 Q.—(a) Have the Government perused the proceedings of a meeting of the Ryotwari Landholders' Association held in Madras on the 10th February 1919 under the presidency of the Hon'ble Mr. Chidambaranatha Mudaliyar published in the morning edition of the *Madras Times* of the 17th February 1919 embodying resolutions requesting Government—

(1) to start test relief works in various places, particularly in the dry tracts,
(2) to remove the inter-district restrictions to the export of grain,
(3) to fix the maximum prices of food-grains in suitable areas and to open in urban and rural centres grain shops for selling grain to the poor, and
(4) to suspend collection of kist in dry and wet tracts where there has been a failure of rain or water-supply and consequent non-cultivation or serious failure of crops, with a view to eventual remission after inquiry?

(b) Will the Government be pleased to state what steps they intend to take for granting the requests of the above Association?

10 A.—(a) The Government have now perused the proceedings of the meeting of the Association referred to.

(b) (1) Test works have been started in areas where it appears probable that it will be necessary for the State to provide employment under the Famine Code.
(2) & (3) The Government do not consider it desirable to take action in the manner suggested.
(4) In areas adversely affected by the monsoon, action is being taken as regards suspension or remission of revenue in accordance with the rules contained in Board's Standing Orders Nos. 13 and 14.

Scarcity of kerosene oil.

11 Q.—Are the Government aware of the great inflation in the price of kerosene oil in many localities, and will the Government be pleased to state the causes that have led to this distress and the steps they intend to take to remedy the same?

11 A.—Yes. The chief cause that has led to the shortage of the stocks of kerosene oil is the reduction owing to the war in the amount of shipping available for the transport of oil to this Presidency. This cause has been lately made serious by one of the few available steamers having been temporarily put out of use by an accident. It is, however, believed that improved shipping arrangements will shortly enable the transport of kerosene oil to India in total quantities nearly equal to those of 1916-17.

Rules for the regulation and control of the sale of kerosene oil were issued in the Kerosene oil order which was published in notification No. 36, dated 24th August 1918, at page 913 of the *Fort St. George Gazette*, dated 27th August 1918.

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

Shooting of eight Mappillas by the Police.

12 Q.—(a) Are the Government aware that Special Police Force and a section of Anglo-Indian Force from Malappuram (Malabar) shot and killed eight Mappillas and wounded one at a Kalam recently?

(b) Will the Government be pleased to make inquiries and place on the table information as to the killing of these men?

12 A.—The preliminary reports received by the Government show that the Mappilla outbreak referred to commenced on the early morning of the 7th February not far from Malappuram. The fanatics, who were nine in number, were led by an ex-convict actuated by feelings of strong personal enmity against certain Nambudris and others whom he believed to have done him injustice. They set out with guns, knives and other weapons including dynamite and began by murdering five Nambudris, wounding a sixth person and burning

11TH MARCH 1919.]

(Mr. Ahmad Tambi Marakkayar.)

part of a temple. Proceeding in the direction of Pandalur they committed two more murders and burnt a number of houses and at least one more temple, after which they took up a strong position in a farm-house, where by the evening of the same day they were rounded up by a small cycle section from the Malappuram Special Police. Reinforcements arrived during the night including a detachment brought from Calicut by the District Magistrate and the District Superintendent of Police and early next morning the District Magistrate decided to send to Malappuram for a field-gun to dislodge the fanatics from their stronghold as it could not have been rushed without risk of heavy loss of life to the police and all endeavours to bring about a surrender had proved useless. The District Magistrate warned the Mappillas that the gun had been sent for and would be used against them if they did not come out and give themselves up, but they refused to entertain the idea of surrender and announced their intention to meet their adversaries face to face and die fighting. The gun arrived about 3 p.m. in charge of a section of the Anglo-Indian Force and a few shells induced the fanatics to throw open the doors of the gate house in which they were crowded together: simultaneously they burst into the customary chant and discharged a volley. After a brief exchange of rifle-fire the farm-house was stormed and it was found that of the nine occupants eight had been killed and the ninth was wounded so severely that on the following day he died.

The formal inquiry into this outbreak is not yet complete but when the final official report has been received the Government will consider the question of publishing papers.

13 Q.—Will the Government be pleased to inquire of the Presidency Port Officer the reasons that prompted him to import outsiders in preference to the clerks already in office and duly qualified?

Recruitment of clerks in the Presidency Port Office.

13 A.—No.

14 Q.—With reference to the answer to question No. 41 put by the Hon'ble Mr. K. Rama Ayyangar at the meeting of the Council, dated 3rd April 1918, will the Government be pleased to state if Indians were at all recruited and admitted to Coast Light Service since 1904, and how many now serve in the several coast lighthouses and at what rates of pay?

Recruitment of Indians for the Coast Light Service and their pay.

14 A.—Yes. Two Indians are at present serving in the Coast Light Service, drawing salaries of Rs. 50 and Rs. 65 per mensem. Promotion to the Coast Light Service was also offered recently to another Indian who is a member of the Port Light Service, but the transfer was declined.

15 Q.—With reference to the answer to question No. 42 put by the said Honourable Member in the same meeting, will the Government be pleased to state if they are aware (1) that the grading and distribution now obtaining in the consolidated Presidency Port Service is causing great discontent and heartburn and (2) that the transfers of the low-paid clerks from one end of the Presidency to other tells very severely on the life and comforts of these clerks and (3) will they be pleased to move early in the matter for an early revision of the scale and distribution?

Revision of pay of the staff in the Presidency Port Service.

15 A.—The Government have no information but will inquire.

16 Q.—With reference to the answer to question No. 21 put by me at the meeting of 13th August regarding the order of the Presidency Port Officer prohibiting the inspection of coast-lights by Port officers, will Government be pleased to state if the matter has been inquired into and with what result?

Inspection of coastlights by Port officers.

16 A.—The Government have inquired and have ascertained that the Presidency Port Officer has not prohibited the inspection of coast lighthouses by Port officers. Such inspections will continue to be made.

17 Q.—In view of the costliness of living due to war, will Government be pleased to extend the concession referred to in G.O. No. 16, Financial, dated 7th January 1919, to those whose pay is Rs. 75 per mensem and below that sum?

Extension of war allowance to clerks whose pay is Rs. 75 and less.

17 A.—The Government regret that the financial position renders it impracticable to adopt this suggestion.

18 Q.—(a) Will Government be pleased to state if they have recently sanctioned any increased scale of pay to the head clerk in the Deputy Port Conservator's office, Madras? and (b) Will Government be pleased, in fairness to the service as a whole, to order an adequate increase in the pay of the head clerks in some of the out-port offices?

Increase of pay of head clerks in out-port offices.

18 A.—(a) No.

(b) The pay of these head clerks is fixed in accordance with the importance of their work. In several ports the pay of the head clerk has been revised in recent years and the Government see no sufficient reason to order any general revision now.

(Mr. Narasimha Ayyar ; Mr. Ranga Achariyar.) [11TH MARCH 1919.]

Drinking water for cattle in reserved forests.

33 Q.—Will the Government be pleased to state what steps, if any, have been taken to carry out the recommendation in Resolution No. II of this Council moved by me on 19th November 1918 regarding drinking water for cattle in reserved forests?

33 A.—The attention of the Board of Revenue and of all Conservators and District Forest Officers has been drawn to the discussion that took place on the Honourable Member's resolution about the provision of drinking water for cattle-grazing in the reserved forests. A provision of about Rs. 20,000 has been made in the budget for 1919-20 for the purpose.

Scarcity of kerosene oil in the mufassal.

34 Q.—Will the Government be pleased to state

(a) whether their attention has been drawn to the grievances of the public in the mufassal by reason of vendors' refusal to supply kerosene oil and the disturbances that have taken place in some cases;

(b) whether they will make a statement as to the quantities made available for distribution in each district during the last fifteen weeks and the quantities usually supplied each corresponding week last year to each district on an average; and

(c) what steps, if any, have been taken by the Government for redressing the grievances brought to their notice?

34 A.—(a) The Government are aware of the difficulties to which the public have been exposed through the shortage of kerosene oil but they have no information as to any disturbance having been caused by the alleged refusal of vendors to supply the oil.

(b) A statement* showing the sales in each district between 1st November 1918 and 28th February 1919 and the corresponding period in the previous year is laid on the table.

(c) The Honourable Member is referred to the answer given to question No. 11.

Average price of food-grains at taluk centres.

35 Q.—Will the Government be pleased to state in tabular form the average price of food-grains in each taluk centre for the last eight months and the prices prevailing in the corresponding months of last year and the previous year?

35 A.—The average prices for each district are published monthly in the *Fort St. George Gazette*. The Government are not at present convinced that it would serve any useful purpose to publish the prices for each taluk.

Correspondence with the Government of India regarding export of food-grains from this Presidency.

36 Q.—Will the Government be pleased to place on the table their correspondence with the Government of India for preventing the export of food-grains from this Presidency within the last twelve months?

36 A.—The Government of India have sanctioned the publication of some recent correspondence which has now been laid on the Editors' Table.

Reduction of railway rates.

37 Q.—Will the Government be pleased to state

(a) whether they have calculated the extent to which the present railway rates raise the price of food-grains in the mufassal; and

(b) whether they have made or would make representations to the Government of India or the Railway Board for abolition or reduction of such rates during times of pressure like the present?

37 A.—The Government are aware that railway rates necessarily raise the price of food-grains which have to be carried by rail. Representations on the subject were made to the Railway Board in December last and as a result the rates over the Bengal-Nagpur Railway for grain were considerably reduced. The Railway Board have also directed that the railway surcharge of 2 pies per maund should not be levied in future on food-grains covered by a certificate from the Director of Civil Supplies or carried under the authority of the Foodstuffs Commissioner.

The Hon'ble Rao Bahadur T. Ranga Achariyar.

Expenditure incurred by district boards on new village roads.

38 Q.—Will the Government be pleased to lay on the table a return showing the amount spent by each district board during the financial years 1917-18 and 1918-19 in opening new village roads?

38 A.—The information has been called for and will be published when received.

Arrears of work in the High Court.

39 Q.—(a) Has the attention of the Government been drawn to a letter, dated the 20th December 1918, addressed by the Registrar of the High Court to the Vakils' Association showing the difficulty of getting enough cases ready for disposal by the Judges, published in the "Madras Weekly Notes" of the 19th January 1919?

* Printed as Appendix I on page 833 infra.

11TH MARCH 1919.] (Mr. Ranga Achariyar ; Mr. Davidson ; Sir Alexander Cardew.)

(b) Will the Government be pleased to call for and lay on the table returns showing the arrears and institutions of cases in the High Court for the years 1917 and 1918 in the form set out in the annexures to G.O. No. 2809, Judicial, dated 15th November 1915, and also at page 377 of the Proceedings of the Legislative Council dated the 6th February 1917?

(c) Will the Government be pleased to call for and lay on the table a return showing the number of cases pending disposal in the High Court on the 1st of March 1919 and the number of cases ready for hearing on that date under the different headings found in the statement furnished on page 377 of the Proceedings of the Legislative Council dated the 6th February 1917?

39 A.—(a) Yes.

(b) A statement* is laid on the table.

(c) The Government do not propose to call for the special return desired; they are already in possession of detailed figures showing the pendency at the end of December 1918.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"With regard to question No. 39, are the Government aware that monthly ready lists are prepared in the High Court?"

The Hon'ble Mr. L. DAVIDSON:—"The Government are not officially aware of the internal arrangements of the High Court. That may be the case."

40 Q.—(a) Has the attention of the Government been drawn to the draft memorandum purporting to be issued by the Indian Civil Service Association and published at page 6 of the *Hindu* of the 13th January 1919?

Memorandum of the Indian Civil Service Association.

(b) Will the Government be pleased to publish a statement explaining the actual facts in connexion therewith and the attitude of the Government in relation thereto?

(c) Will the Government be pleased to state whether there are any rules regulating the conduct of officers belonging to the Indian Civil Service in respect of such matters and, if so, will the Government be pleased to lay the same on the table?

40 A.—The Honourable Member's attention is drawn to the answer to question No. 62.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"With reference to question No. 40, I am referred to the answer to question No. 62. I do not find any answer to clause (b) of my question in that."

The Hon'ble Sir ALEXANDER CARDEW:—"I do not know whether the Honourable Member has seen the Government Order referred to in the first part of the answer to question No. 62. That Government Order shows the facts of the case and that is intended to be the reply to clause (b) of the Honourable Member's question."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I have read that Government Order only this morning. I do not know whether any memorial was sent at all."

The Hon'ble Sir ALEXANDER CARDEW:—"What is the Honourable Member's question?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Was any memorial submitted?"

The Hon'ble Sir ALEXANDER CARDEW:—"So far as I am aware, no memorial was submitted."

41 Q.—Has the Government considered the question of raising the pay of the clerks employed in Government offices in the Presidency town to make due provision for the increased cost of living? If not, will the Government be pleased to consider the same?

Increased pay of clerks in Government offices in Presidency town.

41 A.—Clerks employed in Government offices in the Presidency town are eligible for the war allowance recently sanctioned for all lower paid subordinates throughout the Presidency. The Government regret that they cannot go further.

42 Q.—(a) Will the Government be pleased to state whether there are any rules observed by it in granting extensions of service to officers in the Judicial Department, Provincial Service, after they attain the age of 55 and, if so, will the Government be pleased to state what the rules are?

Extensions of service to officers in the Judicial Department.

(b) Will the Government be pleased to state whether it is a fact that Mr. T. Srinivasa Ayyangar (Provincial Service, Judicial Department) applied for extension of service and the Government declined to grant the same?

(c) Will the Government be pleased to lay his application and the order of the Government passed thereon on the table?

(d) Will the Government be further pleased to state whether the principle or rule, if any, observed in his case was observed in similar cases which came up to the Government later? If it was not so observed, will the Government be pleased to state why it was not so observed?

42 A.—The rule governing such cases is stated in article 459 of the Civil Service Regulations. The Government must decline to discuss orders passed in particular cases.

* Printed as Appendix II on page 833 infra.

(Mr. Ranga Achariyar ; Mr. Ramanuja Achariyar.) [11TH MARCH 1919.

Prices of food-stuffs.

43 Q.—Will the Government be pleased to consider the desirability of fixing the maximum prices at which foodstuffs should be sold in retail in the bazaars in the different district centres including the Presidency town?

43 A.—The Government have considered the question and do not consider it desirable to take action in the manner suggested.

Exodus to the Hills.

44 Q.—Will the Government be pleased to state whether, in view to the economic situation of the Presidency, the Government will be pleased to consider the desirability of abandoning the usual exodus to the Hills, or at any rate to shorten its duration to two months?

44 A.—The Government do not propose to depart from the usual practice.

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

Defective irrigation of the Pallavanar, Tanjore district.

45 Q.—Will the Government be pleased to state with reference to their reply to question No. 36 put at the meeting of the Council held on 19th November 1918 regarding the defective irrigation of the Pallavanar, Tanjore district, whether the report called for has been received, and whether it will be laid on the table?

45 A.—The report called for was received on the 7th instant. A copy will be furnished to the Honourable Member.

Transfers of district munsifs.

46 Q.—Will the Government be pleased to state whether transfers of district munsifs are made with the approval of all the Judges of the High Court, or by one Judge only on behalf of the High Court, and whether there is authority for delegating the power of making the transfers to one Judge only?

46 A.—The Government have no information.

Encroachments on poramboke lands.

47 Q.—Will the Government be pleased to state whether any orders have been issued to district officers since the date of the Council meeting held on 13th March 1918 requesting them to take steps

(a) to reduce the number of encroachments on poramboke land; and
(b) to apprise landholders of the number of field stones which they have to maintain and of their position?

47 A.—(a) The Government called for a report in April 1918 from the Board of Revenue whether more effective measures can be devised for preventing encroachments on porambokes. The Board's report has been received and is under the consideration of the Government.

(b) The Honourable Member is referred to Notification No. 354, dated 10th July 1918, published on page 800 of Part I of the *Fort St. George Gazette*, dated 30th July 1918.

Recommendations of the Survey Committee in regard to revenue-paying ryotwari lands.

48 Q.—Will the Government be pleased to state whether orders have been passed on the recommendations of the Survey Committee to bring registration of revenue-paying ryotwari lands into accord with occupation?

48 A.—The Honourable Member is referred to G.O. No. 53, Revenue, dated the 7th January 1919, which has been placed on the Editors' Table.

Survey operations in the Madras City.

49 Q.—Will the Government be pleased to state, with reference to the provision of Rupees 26,000 made in the civil budget estimate for conducting survey operations in the Madras City, whether the city was surveyed previously and what is the need for a resurvey? Will the papers on the subject be placed on the table?

49 A.—The Madras City was surveyed in 1854—64 and resurveyed in 1895—97, but many defects were afterwards discovered which prevented the proper maintenance of the land records of the city and a resurvey of the city was therefore ordered in 1914.

The Government do not consider it necessary to place the papers on the table.

Experimental registration of vital statistics in certain areas.

50 Q.—Will the Government be pleased to lay on the table the papers on the subject of the experimental registration of vital statistics in selected typical areas, for which provision has been made in the civil budget estimate for 1919—1920?

50 A.—The correspondence on the subject is contained in G.O. No. 3139, Revenue, dated the 4th October 1917, which has now been placed on the Editors' Table. It is, however, observed that no such provision as is referred to by the Honourable Member has been made in the budget estimate for 1919—1920.

[11TH MARCH 1919.] (Mr. Ramanuja Achariyar ; the Raja of Bobbili.)

51 Q.—Will the Government be pleased to state whether they have received a memorial of the non-Brahmana Mahrattas of Tanjore City for the establishment of a free boarding school exclusively for the benefit of their children and whether orders have been passed thereon?

51 A.—The memorial has been received and referred to the Tanjore District Board for remarks.

52 Q.—Will the Government be pleased to state whether any memorial has been received from the ryots of Tanjore complaining of the defective irrigation of the Pettarasarnar and what action has been taken on the same?

52 A.—A memorial on the subject was received in November last and referred to the Superintending Engineer, whose report thereon is awaited.

The Hon'ble the Raja of Bobbili.

53 Q.—Will the Government be pleased to consider the desirability of including in the Secondary School-Leaving Certificate syllabus an elementary course on Ambulance and First-aid?

53 A.—An elementary course in First-aid is included in the syllabus in elementary science under the Secondary School-Leaving Certificate scheme which was published in 1917 and is still in force.

54 Q.—(a) Is it a fact that the district co-operative banking unions are now required to keep in hand cash equivalent to half the deposits to be paid during the year?

(b) If so, will the Government be pleased to reconsider their orders in view of the fact that unions have to finance societies which depend greatly on them for their needs?

(c) Will the Government be pleased to at least modify the rule so as to require that district co-operative banking unions should keep in hand cash equivalent to the deposits to be paid by them during the month?

54 A.—(a) No. Central banks are required to keep available in an easily realizable form a sum sufficient to meet half the fixed deposits falling due during the ensuing year, but this sum need not be in cash.

(b) & (c) The question of the standard of fluid resources will be considered on receipt of the final orders of the Government of India on the recommendations of the Imperial Committee on Co-operation.

55 Q.—Will the Government be pleased to consider the desirability of advising the presidents of district boards to place the deposits made by the toll-gate contractors in the district banking unions, a step which was recently taken by the Collector of Nellore?

55 A.—The Government will inquire.

56 Q.—Considering the vast difference in the modes of cultivation in the Agency tracts and in the plains, will the Government be pleased to start an experimental agricultural farm at a suitable place in the Vizagapatam Agency?

56 A.—A similar proposal made by the Collector of Vizagapatam has been recently investigated by the Government, but owing to want of trained staff it was found impracticable to adopt it.

57 Q.—Will the Government be pleased to consult the Collector of Vizagapatam and the Divisional Officer of Koraput in view to reducing the arrack shops in parts of the Vizagapatam Agency where people are averse to their existence?

57 A.—The Board of Revenue consults the Collector every year before approving the list of arrack shops to be opened. The number of arrack shops in the Vizagapatam Agency has been reduced from 1,063 in 1901—1902 to 218 in 1918—19, and it is proposed to open only 123 shops for 1919—20. The Government have no reason to think that shops exist in places where people do not want them.

58 Q.—Will the Government be pleased to state what steps have been taken by the Educational Department to check the spread of cigarette or bidi smoking among school boys?

58 A.—In 1914 the Director of Public Instruction issued a circular to all Inspectors and heads of secondary and training schools requesting the heads of educational institutions to prohibit boys from smoking in the school premises or in the playgrounds.

Establishment of a free boarding school for the children of non-Brahmana Mahrattas of Tanjore.

Defective irrigation of the Pettarasarnar, Tanjore.

Inclusion in Secondary School-Leaving Certificate syllabus an elementary course on Ambulance and First-aid.

Cash to be kept on hand by the district co-operative banking unions.

Investment of the deposits of toll-gate contractors in district banking unions.

An agricultural farm for the Vizagapatam Agency.

Reduction of arrack shops in the Vizagapatam Agency.

Juvenile smoking.

(Mr. Siva Rao.)

[11TH MARCH 1919.]

The Hon'ble Mr. P. Siva Rao.

Investigation of the Kinnivattam channel project, Chingleput.

59 Q.—With reference to the question No. 70 put by me at the meeting held on the 19th of November 1918 and the reply given thereto, will the Government be pleased to state whether the plans and estimates and the report regarding the Kinnivattam channel in the Kallianpundi and other villages have been received from the Executive Engineer, Chingleput division; if so, will the Government be pleased to consider the scheme favourably?

59 A.—The plans and estimates are expected to reach the Government shortly. They were received by the Superintending Engineer on the 1st February last.

Report on the condition of Indian refreshment rooms on railways.

60 Q.—With reference to the question No. 73 put by me at the meeting held on 19th of November last, will the Government be pleased to state what action has been taken on the Senior Government Inspector's report to the Railway Board on the question of the Indian refreshment rooms and whether the report will be published?

60 A.—The Government have as yet heard nothing from the Railway Board but will make inquiries.

On the Indian Civil Service Association, its objects and aims.

61 Q.—Will the Government be pleased to state
(i) whether they are aware of the existence of the 'Indian Civil Service Association' in this Presidency; and
(ii) if so, will the Government be pleased to state its objects and aims?

61 A.—The Honourable Member's attention is drawn to G.O. No. 115, Public, dated the 6th March 1919, which is laid on the Editors' Table.

Memorandum of the Indian Civil Service officers on the Reform scheme.

62 Q.—(i) Has the attention of the Government been drawn to a memorandum recently published in the columns of *New India* and purporting to have been sent up by the members of the Indian Civil Service in this Presidency to the Government of India and the Secretary of State for India regarding the Reform scheme?

(ii) Will the Government be pleased to state

(a) whether any such memorandum was really sent up; and

(b) if so, whether the transmission of the memorandum is not opposed to the regulations governing the conduct of the public servants in this Presidency?

(iii) Will the Government be pleased to lay the said regulations on the table and also to take such action as it deems necessary in order to prevent the members of the said service joining in an agitation against the Reform scheme?

62 A.—(i) The attention of the Honourable Member is drawn to G.O. No. 115, Public, dated 6th March 1919, which has been placed on the Editors' Table. From the papers therein recorded, the Honourable Member will observe that the draft memorandum in question did not purport to have been sent up by the members of the Indian Civil Service in this Presidency to the Government of India and the Secretary of State but was headed 'A rough draft intended as the basis of a memorial' and was circulated in a letter marked confidential which expressly stated that 'the document enclosed had not yet been cast in the form of a memorial but was intended only as a rough draft.' The memorandum was not published by the Indian Civil Service Association but published by *New India* without permission or authority of the association. The covering letter was not published.

(ii) (a) & (b) The draft memorial has not been sent in by the Indian Civil Service Association or by any member thereof.

(iii) There is no rule prohibiting Government officers from forming an association for the protection of the interests of their service nor is there any rule prohibiting them from consulting together regarding the preparation of a memorial to the Government, but by rule 5 of the Petition Rules every officer in civil employ wishing to petition the Government should do so separately.

Pension to teachers and other servants of local bodies not benefited by the Provident fund scheme.

63 Q.—(a) Are the Government aware that the Provident fund scheme does not benefit old teachers or other servants of local bodies who were about 35 years of age at the time of starting it?

(b) Will the Government be pleased to sanction some scheme of pension in their case?

63 A.—(a) The Government do not consider that the Provident fund fails to benefit servants of the kind referred to.

(b) The Government do not propose to take the action suggested.

Import of rice into Kurnool from Kistna.

64 Q.—(i) Are the Government aware that there is a great shortage of rice in the town of Kurnool?

(ii) Will the Government be pleased to instruct the Director of Civil Supplies to allow the export of rice from the Kistna district to licensed dealers in the Kurnool town?

11TH MARCH 1919.] (Mr. Siva Rao; the Zamindar of Serugada.)

(iii) (a) Is it a fact that the Kurnool merchants purchased large stocks of rice in Ellore between the 1st and the 25th of January last for import into the town of Kurnool and that the application for wagons made to the Director of Civil Supplies for the purpose was refused by him?

(b) If so, will the Government be pleased to instruct the Director to sanction the requisite number of wagons for the purpose?

64 A.—(i) The Government do not possess special information regarding the town of Kurnool but are aware that the price of rice is very high there, as in many other places.

(ii) The export of rice from the Kistna district to licensed dealers in Kurnool town is already permitted up to 5,000 bags a month and 1,600 bags have been actually certificated for the Kurnool district since 2nd February.

(iii) (a) & (b) The Government are not aware of the circumstances under which the purchases referred to were made and therefore cannot undertake to interfere with the orders of the Director of Civil Supplies.

65 Q.—(a) Will the Government be pleased to state what amounts have been sanctioned or spent in the current and in the previous three years for removing the silt from and otherwise repairing the Tungabhadra channels in the Hospet taluk in the Bellary district, and how much has been sanctioned in the coming year?

(b) Will the Government be pleased to sanction liberal allotments for the purpose in view of the large amount of silt to be removed from the said channels?

65 A.—The Government are not in possession of the information desired. The channels in question are controlled partly by the Public Works Department and partly by the Revenue Department, and so far as the Government are aware, there is no reason to suppose that the provision made for the purpose is inadequate. If any application for additional grants should be made by the local officers, it will receive full consideration.

The Hon'ble the Zamindar of Serugada.

66 Q.—The Oriya District Association, Ganjam, and Hitaishini Samaj, Parlakimedi, waited on and placed the grievances of the Oriyas before His Excellency the Governor during his recent tour in Ganjam. Have the representations received the consideration of Government as promised?

66 A.—The representations made on the occasion in question are under consideration.

67 Q.—Considering the paucity of Oriyas in the public service and that vacancies in Government appointments are few and far between, will Government be pleased to reserve certain higher posts in all departments for Oriyas in the district of Ganjam and Jeypore Agency?

67 A.—It is a rule of long standing that educated Oriyas should be employed as much as possible in the Oriya-speaking parts of Ganjam and the same principle is applicable to Jeypore, but its application is necessarily limited by the fact that an Oriya cannot be employed in any post unless he possesses the qualifications required for it. No reservation of particular posts for Oriyas can be sanctioned.

68 Q.—Considering the absence of Oriyas in the higher posts of the Salt Department, Ganjam, will the Government be pleased to appoint a qualified Oriya as Assistant Inspector of Salt in Ganjam?

68 A.—Appointments of Assistant Inspectors in the Salt, Akbari and Customs Department are made by the Commissioner who will consider the claims of Oriyas if qualified men are forthcoming.

69 Q.—Considering the language difficulty at present experienced in the administration of Oriya girls' school, will Government be pleased to place all the Oriya girls' schools of Ganjam and Vizagapatam districts under one Oriya Assistant Inspector of Schools?

69 A.—The Government do not see their way to entertain the proposal.

70 Q.—Considering the paucity of Oriya deputy tahsildars in Ganjam and Jeypore Agency, will the Government be pleased to appoint a few Oriya graduates as deputy tahsildars in the Oriya tracts?

70 A.—One Oriya graduate has recently been appointed a probationary deputy tahsildar and if suitable candidates appear on future occasions, their claims will be carefully considered. Promotion to the grade of deputy tahsildars from lower grades is in the hands of the Collectors.

(The Zamindar of Seruguda.)

[11TH MARCH 1919.]

Measures for the relief of distress in Goomsur.

71 Q.—Are the Government aware of the total failure of paddy, ragi and greengram crops in Goomsur division of Ganjam district by reason of the past drought and present destructive rains?

Will Government be pleased to grant

- (i) remission in case of wet, rainfed and dry lands in the division; and
- (ii) takkavi loans on a large scale so as to enable ryots to buy seed grain and other agricultural equipments for the next paddy crop and overcome the widespread distress due to the very high prices of foodstuffs and the scarcity of grains?

71 A.—The Government are aware that there has been considerable failure of rainfed crops in Goomsur and the Collector is taking action in the matter. The grant of remission will be regulated by Board's Standing Orders Nos. 13 and 14 and any sums that may be required for takkavi loans will be made available. A special establishment for promoting the grant of loans has already been sanctioned for the Goomsur taluk. Further measures will be taken when necessity arises.

Grant for the construction of a bridge on the Mahanadi near Aska.

72 Q.—(1) Are the Government aware that the Government grant sanctioned for the construction of a bridge on the Mahanadi near Aska (Ganjam district) has not been utilized by the District Board, Ganjam, owing to war?

(2) Considering the famine conditions prevailing in Ganjam, will the Government be pleased to order the immediate commencement of the work as a remedial measure against famine?

72 A.—(1) Yes.

(2) No. The work would not be suitable for famine relief and is not included in the list of works selected for that purpose.

Opening of an experimental farm and school for Oriyas in Ganjam.

73 Q.—Will the Government be pleased to open an experimental farm and a school for agricultural training of the Oriyas at some convenient Oriya centre in Ganjam?

73 A.—The Government intend to open a farm in Ganjam as soon as possible and the needs of the Oriyas will be considered in selecting its site. Until the farm has been started and an adequate district staff has been employed, it will not be practicable to open a school for Oriyas.

Constitution of Jeypore as an Oriya district.

74 Q.—Will the Government be pleased to state what steps have been taken to constitute Jeypore as a separate Oriya district?

74 A.—The Government have under consideration proposals for the constitution of the agency tracts of Vizagapatam into a separate district to be called the Jeypore district but, as at present advised, they do not contemplate forming a separate Oriya district out of the Jeypore estate.

Transfer of certain zamindaris from the Chicacole Taluk Board to the Parlakimedi Taluk Board.

75 Q.—Will the Government be pleased to take away the Oriya zamindaris of Nandigam, Tekkali and Tarala from Chicacole Taluk Board and include them in the proposed Parlakimedi Taluk Board for the sake of administrative convenience?

75 A.—The Honourable Member's suggestion will be considered when the area of the Chicacole Taluk Board is re-constituted.

Oriya to be the court language of the Chatrapur division.

76 Q.—Will the Government be pleased to declare Oriya the sole court language of the Chatrapur division?

76 A.—The Honourable Member is referred to the answer to question No. 104 at the meeting of the 13th August 1918.

Reservation of certain elective seats on the Berhampur Municipal Council for Oriyas.

77 Q.—Will the Government be pleased to reserve a certain number of elective seats in the municipality of Berhampur for the Oriyas in proportion to the Oriya population of the town?

77 A.—The Government regret that they cannot take action in the manner suggested.

Provision of a special subsidy for the Oriya middle school at Berhampur.

78 Q.—Will the Government be pleased to make provision of a special subsidy for the Oriya middle school at Berhampur now started and maintained by private enterprise so that the municipality might assume its management?

78 A.—The question will be considered if and when the Berhampur Municipal Council moves in the matter.

The temporary secondary school for Oriyas at Berhampur to be made permanent.

79 Q.—(1) Are the Government aware

(a) that the strength of the temporary secondary classes at Berhampur is never below the sanctioned strength for the three years, 1916, 1917 and 1918,

(b) that this is the only secondary grade training school for the Oriyas in the Presidency, and

(c) that during the recent years owing to the opening of new high schools the number of matriculates or school final men requiring secondary training is increasing,

(The Zamindar of Seruguda.)

[11TH MARCH 1919.]

(d) that since the school is intended solely for the Oriyas it requires only a small staff as at present and get on with the same cost of contingencies of the permanent elementary school now attached to the secondary section, and

(e) that the school in its present condition with its manual work class recently sanctioned by the Director of Public Instruction is complete and needs only permanent retention without any extra expenditure?

(2) In consideration of the above facts will the Government be pleased to convert the temporary secondary school into a permanent institution for the benefit of the Oriyas?

79 A.—The strength of the secondary training class, which has decreased from 23 in 1916 to 10 in 1918, does not at present justify the consideration of the suggestion made in the question. The higher elementary training class in the school has, however, recently been made permanent.

80 Q.—At the informal conference held during His Excellency the Governor's recent visit to Berhampur, regarding the proposal to raise the local college to a first-grade college it was represented to His Excellency that what the Oriyas urgently needed was the ear-marking for them a few of the scholarships now allotted for the general education of the backward classes. His Excellency then promised consideration of the suggestion. Will the Government be pleased to state whether the matter has received the favourable consideration of Government and with what result?

80 A.—The suggestion will be remitted in due course to the Director of Public Instruction for examination.

81 Q.—(a) Are the Government aware of the absence of the technically qualified Oriyas in the Presidency?

(b) With a view to supply the want, will the Government be pleased

(i) to institute half a dozen scholarships in the Engineering school, Vizagapatam, for the benefit of the Oriyas irrespective of their age,

(ii) to institute half a dozen scholarships in the Medical school, Vizagapatam, for the Oriyas, the value of such scholarships being increased as in the case of students of Ceded districts?

81 A.—(a) The Government are aware of the fact.

(b) (i) Out of nine scholarships awarded in the School of Engineering, Vizagapatam, three are reserved for Oriya students. The question of increasing the number now awarded and of modifying the rules governing the grant of the scholarships will be considered after some experience has been gained of the working of the present system.

(ii) The Honourable Member's attention is drawn to the answer to question No. 108 asked at the meeting of the Legislative Council held on the 13th August 1918. The Government will consider whether the provision for Oriya students can advantageously be increased.

82 Q.—(a) Are the Government aware that students not knowing a word of Oriya are enjoying the concession rate of school fee?

(b) Will Government be pleased to restrict the concession to Oriya students who have taken up Oriya or Sanskrit in their school course?

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

(b) The Government are not prepared to impose such restrictions in the case of Oriya students.

83 Q.—Will Government be pleased to institute two scholarships of Rs. 15 each tenable in the School of Arts, Madras, as an encouragement to the Oriyas who have hitherto not joined the school for want of any facilities for them?

83 A.—There are now 80 open scholarships available in the School of Arts. The Government are not prepared to reserve any of these scholarships as suggested but reasonable consideration will be given to qualified Oriyas in allotting them.

84 Q.—Are the Government aware of the difficulties of training Oriya vaccinators required for service in Ganjam and Jeypore districts?

Will the Government be pleased to ask the Sanitary Commissioner to permit such men being trained in the local hospitals and dispensaries of Ganjam as a special case?

84 A.—The Honourable Member is referred to G.O. No. 1843 L., dated 22nd December 1916, which deals with the points referred to by him. The Government Order has been placed on the Editors' Table.

85 Q.—In view of the utter want of Oriya munsifs in Ganjam, will the Government be pleased to suggest to the High Court the desirability of appointing one or two qualified Oriyas to meet the wants of the community?

85 A.—The Honourable Member's suggestion will be remitted to the High Court for consideration.

Scholarships for Oriyas in the Berhampur College

Scholarships for Oriyas in the Engineering and Medical schools, Vizagapatam.

Concession rate of school fee to Oriya students.

Scholarships for Oriya students joining the School of Arts.

Training of Oriya vaccinators.

Appointment of Oriya munsifs in Ganjam.

(The Zamindar of Serugada; Mr. Rama Ayyangar.) [11TH MARCH 1919.]

Transfer of the Additional Munsif's Court at Berhampur to Aska.

86 Q.—(a) Are the Government aware there has been an appreciable decrease in the number of cases filed in the several Munsifs' courts in Ganjam rendering retention of the Additional Court at Berhampur scarcely necessary?

(b) That in consideration of the additional trouble and expense involved in attending the Additional Munsif's Court, Berhampur, for the people of Aska Munsif's jurisdiction specially and those of other jurisdictions generally will the Government be pleased to transfer the Additional Court to Aska or else abolish it altogether?

86 A.—(a) The Government sanctioned the retention of the Additional District Munsif's Court at Berhampur in December last after a full consideration of the statistics of institutions and pendency.

(b) Under section 5 of the Madras Civil Courts Act, 1873, the location of District Munsifs' courts is a matter for determination by the High Court to whom a copy of the question will be communicated.

Appointment of an Oriya Prosecuting Inspector of Police for Ganjam district.

87 Q.—(a) Are the Government aware that after representations in this Council by the Hon'ble Raja of Dharakota, Government were pleased to appoint an Oriya Prosecuting Inspector of Police for Ganjam district?

(b) Now that that officer is under orders of transfer to Vizagapatam agency, will Government be pleased to appoint another Oriya Inspector in his place?

87 A.—(a) Yes.

(b) The officer who has taken the place of the late incumbent knows Oriya.

The Hon'ble Mr. K. Rama Ayyangar.

Arrangements for the cheap supply of food-stuffs.

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

(i) where in India or in this province the following articles sell cheapest:—

- | | | |
|--------------|---------------|-------------------|
| 1. Rice | 5. Bengalgram | 9. Tamarind |
| 2. Gingelly | 6. Horsegram | 10. Cotton seeds; |
| 3. Blackgram | 7. Dholl | |
| 4. Greengram | 8. Chillies | |

(ii) what the rate is at which it sells per rupee in Madras measures or weights; and

(iii) what steps may be taken to procure them to the districts of Madura, Ramnad and Tinnevely?

(b) Will the Government be pleased to state whether the Director of Civil Supplies has made any arrangements within the last six months to send to the abovementioned districts all these articles from places at which they sell cheaper than in the said districts and, if so, how much of such articles have been so sent and where?

(c) Will the Government be pleased to arrange that the Collectors of districts do get information from the Director of Civil Supplies from time to time in respect of the prices of the said articles and make them publish the same once a month in some public places as also the steps to be taken to procure them?

88 A.—(a) & (b) The Honourable Member's attention is drawn to the weekly price lists published in the Fort St. George Gazette and other official gazettes which show the prices for certain of the articles mentioned. Information regarding the others is not available. The Director of Civil Supplies has made extensive arrangements during the last six months for the import into the Presidency of some of these articles, especially rice, from Burma, Bengal and elsewhere, and large quantities have been imported; but it is impossible to say how much has been sent to the three districts named because such import is in private hands and goes on by road as well as rail.

(c) As prices fluctuate from day to day, the Government do not consider that the publication of prices once a month as proposed would be of much practical advantage.

Particulars regarding the organisation of the Police force.

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

(1) the total number of police stations and outposts now opened in the Presidency outside the metropolis;

(2) the number of sub-inspectors employed;

(3) the highest number of sub-inspectors attached to the big stations;

(4) the number of deputy superintendents and assistant superintendents now in service for the mufassal;

(5) the number of them who are in charge of subdivisions?

(b) Will the Government be pleased to state if finally it is proposed to place sub-inspectors directly in charge of subdivisional officers or under circle inspectors?

(c) Is there any proposal to create a separate prosecuting staff, investigating staff and staff to attend the other police duties?

11TH MARCH 1919.]

(Mr. Rama Ayyangar.)

(d) What is the total number of constables proposed to be allotted to each station and what extra staff of head constables and constables is proposed to be kept in the mufassal in the Presidency over and above those in the police stations?

89 A.—(a) (1) & (2) The Honourable Member is referred to columns 7, 22 and 23 of Statement D appended to the Police Administration Report for 1917.

(3) The Government are not in possession of precise information. Every police station is placed in charge of a sub-inspector who, if necessary, is assisted by additional sub-inspectors, and the general principle underlying the allocation of sub-inspectors is that, if the number of investigations in a police station exceeds 100 per annum, there should ordinarily be an additional sub-inspector for each 100 in excess.

(4) & (5) The information asked for is available in the 'Monthly List of Gazetted Officers of the Police Department.'

(b) The Government are not yet in a position to make any definite pronouncement on the point.

(c) & (d) There is already a separate police prosecuting staff which has been strengthened in some measure recently. No proposals such as those referred to by the Honourable Member are under the consideration of the Government.

90 Q.—Will the Government be pleased to reduce the cost of taking encumbrance certificates from Registration offices, in view of the fact that recently the Civil Rules of Practice have been modified so as to require encumbrance certificates even for cases of sales of immovable properties in execution when the amount to be realized is only Rs. 100?

Reduction in the cost of encumbrance certificates.

90 A.—The Government will inquire.

91 Q.—Will the Government be pleased to order a change in the jurisdiction of the Srivaikuntam Munsif's Court, Tinnevely district, so as to include all the villages near it within a radius of five miles such as Pudukudi, etc., on the southern side of the river?

Jurisdiction of the Srivaikuntam Munsif's Court, Tinnevely.

91 A.—Under section 11 of the Madras Civil Courts Act, 1873, the power to modify the local jurisdiction of District Munsifs is vested in the High Court to whom a copy of this question will be communicated.

92 Q.—(a) Will the Government be pleased to state at what stage the proposal to construct the anicut across the Chittar river near Gangaikondan in the Tinnevely district and excavate a channel to irrigate Sivalaleri and other villages, stands at present?

Construction of an anicut across the Chittar river, Tinnevely district.

(b) Have plans and estimates been prepared?

(c) Will the Government be pleased to expedite the work?

92 A.—The Government are not aware of any such proposal.

93 Q.—(a) Is it a fact that the Public Works Department in the Tinnevely district demand that the works of constructing bathing ghats in the river Tambraparni and its branches by the union panchayats should be entrusted to them for execution and want 25 per cent of the cost of construction for the supervision charges called "centage charges" even in cases where the local boards have efficient engineering staff?

Local boards to be permitted to carry out certain works instead of the Public Works Department.

(b) Will the Government be pleased to order that such works may be left to the local boards themselves?

93 A.—The Government have no information on the subject, but if the Honourable Member will furnish particulars of the case or cases to which his question refers, they will ascertain the facts and consider whether any relaxation of the existing rules relating to contribution works is feasible and expedient.

94 Q.—Will the Government be pleased to extend the appointment of non-official presidents to the taluk boards in the districts of Madura, Ramnad and Tinnevely?

More non-official presidents of taluk boards to be appointed in the districts of Madura, Tinnevely and Ramnad.

94 A.—The Government have carefully considered the question and do not propose to extend the system further at present.

95 Q.—(a) Are the Government aware that the District Board of Ramnad propose to give effect to the following by-law from the 1st May 1919?—

Suspension of a by-law passed by the Ramnad District Board.

"From and after the date which the District Board of Ramnad may notify in the district gazette, no bandy or other vehicle shall carry logs of timber, out-stone or cotton, on any road in the district maintained from the local fund unless it has tyres of at least 3" width"

and that there is no similar by-law in the neighbouring districts?

(Mr. Rama Ayyangar ; Mr. Rajagopala Achariyar.) [11TH MARCH 1919.]

(b) In view of the extreme hardship that this rule may cause to the poorer population in that and in neighbouring districts in these days of high prices of foodstuffs and iron materials, will the Government be pleased at least to put off by a year or two, the date on which the by-law is to come into force?

95 A.—In February 1917 the Government approved and confirmed a by-law adopted by the Ramnad District Board to regulate the width of tyres of carts carrying logs of timber, cut-stone or cotton on local fund roads. If, as understood from the question, the district board contemplates bringing the by-law into effect from the 1st May 1919, the Government are not prepared to interfere with the local body's discretion in the matter. There is no similar by-law in the districts of Madura and Tinnevely.

96 Q.—(a) Is it a fact that the readings observed of the water-supply in the Arakulam Odai near the Periyakulam tank in Ottapidaram taluk, Tinnevely district, are sufficient for the supply of that tank without detriment to the other ayacut?

(b) Will the Government be pleased to issue immediate orders to improve the water-supply of the Periyakulam tank by the proposed channel?

96 A.—The question whether the Periyakulam tank can be supplied without prejudice to vested interests awaits the results of the gauging observations for 1918 which are due from the Superintending Engineer. If on an examination of these observations it is found that there is sufficient supply for the tank, orders will be issued for the preparation of an estimate for the work.

97 Q.—(a) Is it a fact that in the village of Perungulam in the Tinnevely district it is proposed to levy a tax on pandals put up for protection from the sun and rain in front of the houses?

(b) Is it a fact that they (the people) have been allowed putting up pandals for a long time past and the same recognized as such in 1905 by the Tahsildar of Srivakuntam in his R. Dis. No. 355 of 1905?

(c) Will the Government be pleased in the circumstances to issue orders that no tax shall be levied against the mamul in respect of the said pandals in that village?

97 A.—The Government have no information.

The Hon'ble Mr. K. RAMA AYYANGAR:—"With respect to question No. 97, will the Government be pleased to send for information?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Is not that a matter for the local board? It does not seem to be a matter of sufficient importance to justify our calling for the information unless the Honourable Member has got any specific reasons for thinking that it is necessary that we should intervene. If he can write to us and tell us the reasons why he wants that, I will gladly consider the matter."

98 Q.—(a) Is it a fact that the chairman of Rajapalaiyam union invariably refuses to permit the public to attend the union meetings?

(b) Is it a fact that the Ramnad District Board President has not interfered in such action of the union chairman in spite of that being brought to his notice?

(c) Will the Government be pleased to issue orders that the public must have free access ordinarily to all meetings of the union?

98 A.—(a) & (b) The Government have no information.

(c) The Government see no reason to intervene.

99 Q.—Will the Government be pleased to state what steps have been taken in regard to the copy of the petition forwarded by me with my letter No. 14, dated 24th January 1919, to the Chief Secretary, Government of Madras, regarding cow-killing in the reserved forest limits near the municipality of Tuticorin in Tinnevely district?

99 A.—The original petition was returned under rule II (1) of the Memorial rules governing the case, because it did not appear that the signatories had made any application for redress to the local authorities.

100 Q.—(a) Is it a fact that more than twenty appointments in the various grades of the subordinate collegiate service have remained unfilled since July last?

(b) In view of the fact that the Government of India and the Local Government have repeatedly recognized that the status of the collegiate staffs needs to be improved materially, will the Government, for the present, be pleased to insist at least on timely promotions that may be possible to be given them?

(c) In view of the recommendations in the Public Service Commission Report will the Government be pleased to take immediate steps to raise the minimum salary in the collegiate service to at least Rs. 125 as in the case of Bengal?

Improvement of the water-supply of the Periyakulam tank, Tinnevely district.

Tax on pandals in the Perungulam village, Tinnevely district.

Meetings of the Rajapalaiyam union panchayat to be public.

Cattle-shooting in the reserved forests near Tuticorin.

Promotions in the Educational service.

11TH MARCH 1919.] (Mr. Rama Ayyangar ; Mr. Suryanarayanamurti Nayudu.)

(d) Is it a fact that where vacancies in the Indian Educational Service have occurred and members of the provincial service have been thought fit to act therein, they have done so without receiving any additional allowances at all? Will the Government be pleased to sanction allowances where the acting appointments have entailed additional arduous duties as in the case of Principalships?

100 A.—(a) There have been some vacancies but not as many as stated in the question.

(b) No vacancy remains unfilled longer than is necessary in the public interest.

(c) & (d) The questions herein raised will be considered on receipt of orders in regard to the reorganization of the Educational Services in India.

The Hon'ble Diwan Bahadur K. Suryanarayanamurti Nayudu.

101 Q.—(a) Will the Government be pleased to state the number and mileage of irrigation channels in the zamindari areas of the Godavari delta to which ancient water is supplied for wet cultivation?

(b) Are there proposals before Government to acquire some of them from the zamindars in order to improve them and to introduce the pipe system for better regulation of water; if so at what state does the matter lie?

101 A.—(a) The information is not available.

(b) The Chief Engineer has under consideration certain proposals for remodelling the Dugguduru channel, Godavari Eastern division, belonging to the Raja of Pithapuram, which involve the acquisition of the channel and the provision of pipe sluices.

102 Q.—Will the Government be pleased to state whether estimates for improving the drains in the Godavari Eastern and Central deltas have been sanctioned by the Government of India and if so what allotments are made for expenditure during the working season of the current fasli?

102 A.—The Government of India have sanctioned three estimates which contain provision for the improvement of drains in the Godavari Eastern and Central deltas, viz.—

(i) improvements to the Kovvur-Manjair junction canal,

(ii) improvements to the Ainapur drain, and

(iii) improvements to the Tuliabhaga drain.

The allotments provided in the budget of the current financial year ending on the 31st March 1919 were respectively Rs. 40,000, Rs. 50,000 and Rs. 6,000 while for the first item a further provision of Rs. 22,000 has been included in the budget estimates for 1919-20. As item (ii) was not considered to be of imperative urgency, the current year's grant was surrendered in compliance with a request from the Government of India to postpone expenditure on such public works as were not of an absolutely urgent character, especially new works not yet commenced.

103 Q.—(1) Will the Government be pleased to state (a) whether it is true that the Superintending Engineer, II Circle, has submitted proposals for the closure of canals of the Godavari Western delta for three months or more instead of one month as at present;

(b) whether the Collector of Kistna and the Agricultural Department have been consulted in the matter and whether they are agreeable to the proposal;

(c) whether opportunities have been given to the ryots, merchants and public associations of that delta to express their views on the desirability or otherwise of the proposal?

(2) If so will the Government be pleased to lay the correspondence on the table?

103 A.—(1) (a) & (b) No definite proposals for the closure of the canals of the Godavari Western division for three months or more have been received by the Government; but it is understood that the Superintending Engineer, II Circle, has proposed to the Collector that, from and after the year 1920, one-fourth of the canals in the delta should be closed each year to second crop, all the canals and channels in the remaining three subdivisions remaining open to second crop.

(c) A number of memorials have been received from ryots in the delta advocating the system of closure referred to in the previous paragraph.

(2) There is no correspondence to be laid on the table now. It is understood that the Collector has not yet given his opinion on the Superintending Engineer's proposal.

104 Q.—Will the Government be pleased to state the number of Public Works Department Subdivisional officers in Godavari, Kistna and Guntur districts in charge of irrigation works, and the area of jurisdiction of each of these officers?

104 A.—A statement * giving the information asked for is placed on the table.

Irrigation channels in the zamindari areas of the Godavari delta.

Improvement of drains in the Godavari Eastern and Central deltas.

Closure of canals of the Godavari Western delta.

Number and jurisdiction of subdivisional officers in charge of irrigation works in certain districts.

(Mr. Suryanarayanamurti Nayudu.) [11TH MARCH 1919.]

Transfer of the office of the Superintending Engineer, I Circle, from Dowlaisweram to Vizagapatam.

105 Q.—(a) When and for what reasons was the office of the Superintending Engineer, I Circle, transferred from Dowlaisweram to Vizagapatam?

(b) Has the attention of Government been drawn to resolution No. VI passed at the Ramachandrapur Taluk Conference held on 15th December 1918 in which the necessity of placing the three Gōdāvari deltas under one Superintending Engineer and to this end of re-transferring the headquarters of the Superintending Engineer to Dowlaisweram has been urged?

(c) Will the Government be pleased to give due consideration to that important suggestion made in the interests of delta irrigation?

105 A.—(a) The transfer was directed in 1895 on the joint recommendation of the two Chief Engineers, Colonels Pennycuik and Drake Brockman, who considered that on administrative grounds Waltair was the more suitable headquarters.

(b) & (c) The Government received and examined a copy of the resolution referred to, but did not consider that there were sufficient reasons to take the action suggested.

Modification of rules for the supply of water for the crops in the Gōdāvari deltas.

106 Q.—With reference to paragraph 5 of G.O. No. 3248, Revenue, dated 14th September 1918, will Government be pleased to state whether the Public Works Department (Irrigation Branch) have been directed to suitably modify the rules regarding the supply and distribution of water for first crop so as to facilitate early transplantation in the Gōdāvari deltas? If not, will they be pleased to do so now?

106 A.—The advantage of early transplantation of first crop is fully recognized, but the Government are not aware of any modification of the rules for the supply and distribution of water for first crop in the Gōdāvari delta which would in any way facilitate earlier transplantation than at present. To ensure earlier transplantation, the monsoon must set in earlier and the river begin to rise earlier.

Devarapalli irrigation project.

107 Q.—Is it a fact that an irrigation scheme called the Devarapalli project was investigated by the Public Works Department a few years ago in the Gōdāvari Central delta to bring about 1,000 acres of dry land under wet cultivation and estimates got prepared for Rs. 70,000? If so, what delays the project being taken on hand yet?

107 A.—A scheme known as the Devarapalli project underwent preliminary investigation some years ago. The Chief Engineer doubted the practicability of the proposals then formulated and they remained in abeyance pending completion of the remodelling of the delta channels. The Superintending Engineer was subsequently authorized to resume the investigation in general orders directing that preference should be given to those schemes which presented the best prospects of success. The Government have no information what progress has been made with this particular project but will inquire.

Creation of a separate taluk board for Razole taluk.

108 Q.—(a) Will the Government be pleased to state whether representations have been made to them by the people of Razole taluk protesting against the resolution of the Gōdāvari district board which decided, in recommending the reconstitution of the Rajahmundry taluk board into two units, that the revenue taluk of Razole should be divided into two portions for local fund purposes, one portion of it being added to the new Rajahmundry taluk board and the other to the new Amalapur taluk board?

(b) If so, will they be pleased to sanction the creation of a separate taluk board for the Razole taluk as prayed for by the people?

108 A.—(a) Yes.

(b) The request will be considered before final orders are passed.

Restricting the possession of country spirits by private persons.

109 Q.—With reference to rule 2 of the rules for the transport and possession of liquor framed under section 55 of the Madras Abkari Act, will Government be pleased, in order to minimise temptations to drink, to reduce the quantity of country spirits which one person can possess at a time from 8 to 3 drams?

109 A.—The Government will inquire.

Amendment of section 88 of the Indian Registration Act.

110 Q.—Will the Government be pleased to state what orders have been passed on the suggestion of the Gōdāvari District Association contained in its letter No. 8, dated 16th January 1918, to Government to the effect that rule 184 framed under section 88 of the Indian Registration Act be so amended as to operate in the case of non-official presidents of district boards who stepped into the place of Collectors of districts who were hitherto ex officio presidents of those boards?

110 A.—The Gōdāvari District Association was informed that, with reference to section 88 of the Indian Registration Act, rule 184 could not be so amended as to exempt non-official presidents of district boards from personal appearance in registration offices.

[11TH MARCH 1919.]

(Mr. Chidambaranatha Mudaliyar.)

The Hon'ble Mr. K. Chidambaranatha Mudaliyar.

111 Q.—Will the Government be pleased to state in what stage the proposals for improvements to the Ayyavayyanar in the Mayavaram taluk of the Tanjore district stand at present and how and when they may be expected to be carried out?

Improvements to the Ayyavayyanar in the Mayavaram taluk, Tanjore district.

111 A.—An estimate amounting to Rs. 1,12,000 for improvements to the Ayyavayyanar is under scrutiny in the office of the Chief Engineer for Irrigation. The Government are not at present in a position to say whether, and if so when, the project is likely to admit of execution.

112 Q.—Will the Government be pleased to state in what stage the proposals for improvements to the Cauvery from below the Mayavaram bridge to the sea stand at present and how and when they may be expected to be carried out?

Improvements to the Cauvery from below the Mayavaram bridge.

112 A.—An estimate amounting to Rs. 1,92,000 for improving the Cauvery from the Ayyavayyanar infall to the sea is now under scrutiny in the office of the Chief Engineer for Irrigation. The work cannot be put in hand until it has received the sanction of the Government of India.

113 Q.—Will the Government be pleased to state in what stage the proposals for improvements to the Pokku vaikkal in the Canvery delta stand at present and how and when they may be expected to be carried out?

Improvements to the Pokku vaikkal in the Canvery delta.

113 A.—An estimate for this work was sanctioned in May 1916, but execution has been postponed because it is not of an urgent nature and at present rates the cost of making the iron shutters required would be excessive.

114 Q.—Will the Government be pleased to state to what extent improvements to the Vettangudi drainage, Shiyali taluk, have been carried out and, if anything remains, how and when they may be expected to be carried out?

Improvements to the Vettangudi drainage, Shiyali taluk.

114 A.—The proposals made in connexion with the Vettangudi drainage comprise improvements to (1) the Vali odai, (2) the Sithanaiperumal drain and (3) the Mudavanar drain. The first item has been practically completed. An estimate for the second was sanctioned by the Government in December 1917, but the work has not been started, as the necessary land has not yet been acquired. The proposals relating to the Mudavanar drain [item (3)] will be considered after the results of the improvements to the other drains are known.

115 Q.—Will the Government be pleased to state the steps, if any, taken by them to ascertain public opinion regarding the indigenous systems of medicine, the placing of them on a scientific basis and of adding to their usefulness, and lay on the table papers giving the views of the public and the Government on the matter?

Placing the indigenous systems of medicine on a scientific basis.

115 A.—The Honourable Member's attention is drawn to the debates on resolution No. IV moved by the Hon'ble Mr. T. Ranga Acharyar at the meeting of the Legislative Council held on the 13th August 1918, which contain the views of the Government on the subject of the encouragement of indigenous systems of medicine. The special duty of Doctor Koman for the investigation of drugs has since been extended up to the end of 1919.

116 Q.—Will the Government be pleased to lay on the table statistics regarding the area under cultivation during 1918-19 up till now and the normal area under cultivation for the period and the estimated outturn therefrom with the normal outturn under the principal foodgrains (a) dry and (b) wet in each district of the Presidency?

Area under cultivation and the normal outturn under the principal foodgrains.

116 A.—The Government are not in possession of the statistics asked for.

117 Q.—Will the Government be pleased to state what steps, if any, they have taken or propose to take to check the general rise in prices now prevailing?

Steps to control prices.

117 A.—A statement on the subject will be made in connexion with a resolution on the agenda paper.

118 Q.—(a) Is it a fact that the merchants of Tirumulavāsal, Tanjore district, petitioned to Government praying for the cancellation of the agreement existing between the South Indian Railway and the British India Steam Navigation Company and in reply were informed that no benefit would be secured to them by the cancellation and that the Government cannot issue orders compelling steamers to call at the port of Tirumulavāsal?

Cancellation of the agreement between the South Indian Railway and British India Steam Navigation Company.

(b) If so, will the Government be pleased to insist on the cancellation?

118 A.—(a) Yes.

(b) The Government have more than once considered the question and they are not prepared to move in the matter.

(Mr. Chidambaranatha Mudaliyar.)

[11TH MARCH 1919.]

Scarcity of
kerosene oil.

119 Q.—(a) Is the Government aware of the serious hardship the general public and particularly the poorer among them are put to on account of the scarcity of kerosene oil?

(b) Has the Government ascertained the real causes of this scarcity and what steps, if any, have they taken to relieve the situation and to restore normal conditions?

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

(b) The Honourable Member is referred to the answer to question No. 11.

Price of oil-
seeds and
restriction
of their
export.

120 Q.—Is the Government aware that the price of oil-seeds is prohibitive and people find it hard to procure them, and if so will the Government consider the desirability of restricting the export of oil-seeds at least till the supply of kerosene oil resumes its normal proportions?

120 A.—Under the Import and Export of Goods Act, 1916, this Government have no power to restrict the export of goods from India, and the control is in the hands of the Government of India. It is doubtful whether, in the interests of the ryot population, the prohibition of the export of oil-seeds which the Honourable Member advocates, is advisable.

Steps taken in
consequence of
failure of the
season.

121 Q.—Will the Government be pleased to state what steps, if any, they have taken, or propose to take, to face the situation caused by the abnormal failure of the season during 1918-19 in the affected areas?

121 A.—While it cannot be said that the monsoons in 1918 were a complete failure there was a very considerable deficiency in the rainfall of some districts more especially in the districts of Ganjam, Gōdāvari, Kistna, Guntūr, Kurnool, Bellary, Anantapur, Cuddapah and Salem. As soon as it was evident that the position was such as to give cause for anxiety the Government ordered very careful inquiries to be made with a view to starting relief operations where necessary. The result of these inquiries can be briefly summarized as follows:—

In Gōdāvari district it was for a time apprehended that famine operations would have to be instituted in the Nugur and Bhadrachalam taluks and arrangements were made for the necessary establishment and funds. But recently the Collector has reported that conditions are not as bad as they were thought to be and that famine operations are not at present necessary. The position in other parts of the district is under consideration. In Bellary the failure of crops was reported to be limited to parts of three taluks and the Collector does not apprehend that even in these taluks there is sufficient distress to make relief operations necessary at present. The situation is being met by an expansion of departmental works. In a small portion of Salem district it was reported that famine operations were urgently necessary and orders were actually issued for the opening of test works, but the situation improved considerably as the result of the rains which fell in December and on the recommendation of the local officers famine-relief operations have been postponed for the present. There was some anxiety in the Chittoor district but recent reports show that special measures are not necessary for the present. The situation is being watched. The Collector of Vizagapatam has reported that relief measures may be necessary in one portion of the district and inquiries are being made as to the degree of distress which prevails and the likelihood of operations under the Famine Code being required. The only district in which famine relief is actually in operation is Ganjam. Test works have been opened in the Chokkapad khandam and in the Goomsur taluk and a considerable number of people are either attending the test works or are in receipt of gratuitous relief. The Government are making very careful inquiries into the situation in those districts where anxiety is felt and famine relief will at once be provided wherever it is found necessary.

Arrangements have also been made for the extension of operations under the Agriculturists' Loans Act and a special establishment for this purpose has been sanctioned for the Goomsur taluk in the Ganjam district. The Board of Revenue is also calling for reports as to the necessity for suspension or remission of dry assessment in those districts which have been adversely affected by the season.

Special
committees for
the supply of
foodgrains.

122 Q.—Will the Government be pleased to consider the desirability of suggesting to local boards and municipalities the formation of special committees of officials and non-officials to ascertain the needs of their respective areas in foodgrains and other chief commodities and suggest the best means of supplying them?

122 A.—The Honourable Member's attention is drawn to G.O. No. 2258, Revenue, dated 13th June 1918, directing the constitution of emergency committees in each district. One of the functions of these committees is to advise the Collector, and through him the Director of Civil Supplies, as to the state of supplies in the various parts of the district and the need for priority over the railways for the replenishment of depleted stocks. These committees already serve the purpose mentioned in the question and the Government consider it unnecessary to form any fresh committees.

11TH MARCH 1919.]

(The Raja of Ramnad; Mr. Davidson;
Sir Alexander Cardew.)

The Hon'ble the Raja of Ramnad.

123 Q.—With reference to my resolution moved in the Council on 4th April 1918 regarding the publication of the proposals relating to the location of the headquarters of the Ramnad district, and accepted by Government, will the Government kindly state when they propose to publish the same?

Headquarters
of the Ramnad
district.

123 A.—The Government have received various proposals but have not yet arrived at a decision regarding their publication.

The Hon'ble the RAJA OF RAMNAD:—"With reference to question No. 123, am I to understand that the Government will eventually publish the proposals about the headquarters of the Ramnad district?"

The Hon'ble Mr. L. DAVIDSON:—"The answer says it has not yet been decided when the proposals will be published. It is not every proposal that will be published, but the proposals which the Government consider *prima facie* to deserve consideration will be published."

124 Q.—With reference to the resolution moved by the Hon'ble Mr. A. S. Krishna Rao in the Council on 4th April 1918 recommending an economic inquiry in selected areas, and adopted by the Council, will the Government kindly state what steps they have taken in the matter?

Economic
inquiry in
selected areas.

124 A.—The Government consider that the present time is not appropriate and that the present circumstances are not suitable for the inquiry contemplated. No steps have therefore been taken in the matter.

125 Q.—With reference to the statement made by the Hon'ble Sir Alexander Cardew at the last meeting of the Council, that the plans and estimates for the Ramnad hospital are not ready, will the Government kindly state when they propose to have them ready and start the building work?

Plans and
estimates for
the Ramnad
hospital.

125 A.—The plans and estimates for the hospital will be dealt with as soon as the Surgeon-General is in a position to forward them to Government. Their submission has been delayed by Major-General Giffard's deputation to the Medical Committee and the Government regret therefore that they are unable to say definitely when the building work will be started.

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

(1) whether they have, since the assumption of the zamindari from the lessees of Sivaganga, leased or propose leasing any ayan or devasthanam village; and

Lease of
villages in the
zamindari of
Sivaganga.

(2) if so, for what period?

(b) Will they kindly give the names of such villages as they propose to lease, and also state if such leases will be publicly auctioned?

126 A.—The management of the estate is in the hands of the Court of Wards and the Government are not in possession of the information asked for.

The Hon'ble the RAJA OF RAMNAD:—"May I know if the Government will kindly call for information from the Board of Revenue, the Court of Wards, and publish it?"

The Hon'ble Sir ALEXANDER CARDEW:—"Yes, I have no objection to call for information."

127 Q.—Will the Government kindly take early steps to reduce railway fares and freight, now that the demand of the Army Department on the railways must have been considerably decreased?

Reduction of
railway fares
and freight.

127 A.—As stated in the answer to question No. 37, steps have already been taken to reduce railway rates and some reduction has been effected, while considerable reduction has been effected in steamer freights. It is not possible at present to go further, nor is the Honourable Member correct in assuming that the demands of the Army on the railways have diminished so far as to have any appreciable effect on the available supply of wagons which is still very short. It should be remembered that the demands in connexion with demobilization are still heavy.

128 Q.—Will the Government kindly arrange with the South Indian Railway to increase railway service by running a few more trains for passengers and goods at least in the main line on the South Indian Railway?

Increase of
railway service
in the main
line of the
South Indian
Railway.

128 A.—A copy of the question will be communicated to the Agent of the South Indian Railway, but the Government fear that no substantial improvement in the train service can be effected until material for repairs and additions to rolling-stock are received, which they believe is being arranged for as rapidly as circumstances permit.

(The Raja of Ramnad; Sir Alexander Cardew; Mr. Krishna Rao.) [11TH MARCH 1919.

Completion of water-works at Ramēsvaram. 129 Q.—Will the Government kindly state when they expect to complete the water-works at Ramēsvaram, what the total amount of the estimate is, and what portion of it has been spent till now?

129 A.—The Government hope it will be possible to complete the water-works at Ramēsvaram during the year 1920. The total amount of the estimate at present stands at Rs. 1,99,892 and an expenditure of Rs. 1,28,232 had been incurred to end of January 1919.

Management of the Sivaganga zamindari. 130 Q.—Will the Government kindly state if the District Collector gave notice to the Zamindar of Sivaganga and thus afforded him a reasonable opportunity to prove his fitness for the management of the Sivaganga zamindari as required under section 13 (i) of the Court of Wards Act, Act I of 1902?

130 A.—Yes.

Appointment of a Government officer as manager of trust institutions in the Sivaganga zamindari. 131 Q.—Will the Government kindly state how the Government or the Court of Wards have appointed a Government officer to be the manager for the direct and personal management of trust institutions in the Sivaganga zamindari?

131 A.—Section 63 of the Court of Wards Act precludes officers of Government from being entrusted with the direct and personal management of the religious affairs of any temple, mosque or other religious establishment or endowment. The Government officer who has been appointed manager of the trust institutions in the Sivaganga zamindari is not entrusted with such duties.

The Hon'ble the RAJA OF RAMNAD:—"Are the Government quite certain that the Government officer appointed by Government is not exercising control over the religious establishment or the endowment?"

The Hon'ble Sir ALEXANDER CARDEW:—"The Honourable Member's attention is drawn to the answer. I cannot give further information."

Scarcity of kerosene oil. 132 Q.—Will the Government kindly state what steps they propose to take to afford relief to the people in the matter of the much prevailing scarcity of kerosene oil?

132 A.—The Honourable Member is referred to the answer given to question No. 11.

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

To control the transport and price of paddy and other food-stuffs. 133 Q.—Will the Government be pleased to state what steps have been taken during the last twelve months

(a) to regulate the transport of paddy and other foodstuffs, and
(b) to control the prices of paddy and other foodstuffs?

133 A.—A statement will be made on these points in the Council in connexion with the resolutions on the agenda.

Shortage in the supply of kerosene oil. 134 Q.—(a) Has the attention of the Government been drawn to the inconvenience and hardship caused to the public owing to the shortage in the supply of kerosene oil in this Presidency?

(b) Will the Government be pleased to state the reasons that have led to such short supply of kerosene oil?

(c) Will the Government be pleased to state what steps were taken to improve the supply of kerosene oil?

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

(b) & (c) The Honourable Member is referred to the answer to question No. 11.

Posting of four additional inspectors and twelve additional sub-assistant inspectors of schools. 135 Q.—Will the Government be pleased to state for what district or districts the four additional inspectors of schools and the twelve additional sub-assistant inspectors of schools have been sanctioned?

135 A.—The Government are considering the proposals on the subject.

Publication of the draft District Municipalities Bill. 136 Q.—(a) Will the Government be pleased to state whether the draft Madras District Municipalities Bill has been revised in the light of the recent resolution of the Government of India on local self-government?

(b) Will the Government be pleased to publish the Bill, before it is introduced into the Council?

136 A.—(a) The Bill has been revised to the extent necessary to give effect to the conclusions arrived at by this Government on the subjects dealt with in the resolution.

(b) Yes.

11TH MARCH 1919.] (Mr. Krishna Rao; Mr. Suryanarayana Rao.)

137 Q.—(a) Will the Government be pleased to state whether the draft Madras Local Boards Bill has been revised in the light of the recent resolution of the Government of India on local self-government? Publication of the draft Local Boards Bill.

(b) Will the Government be pleased to publish the Bill, before it is introduced into the Council?

137 A.—(a) The Bill has been revised to the extent necessary to give effect to the conclusions arrived at by this Government on the subjects dealt with in the resolution.

(b) Yes.

138 Q.—Will the Government be pleased to state if there are any, and if so what, proposals for the reconstitution of the Board of Revenue? Reconstitution of the Board of Revenue.

138 A.—The subject is under consideration.

139 Q.—(a) Will the Government be pleased to state how many of the Deputy Superintendents of Police in the Presidency have been promoted from the rank of Inspectors and how many of them have been appointed by direct recruitment? Appointment of Deputy Superintendents of Police.

(b) Will the Government be pleased to state whether they intend to appoint any, and if so how many, Deputy Superintendents of Police by direct recruitment during the next three years?

139 A.—(a) Out of 41 permanent appointments, 21 are now held by promoted Inspectors, 6 by officers transferred from other departments and 14 by officers directly recruited for the posts.

(b) It is impossible to make any forecast, but as the rules at present stand not less than half the total number of appointments must be held by promoted Inspectors.

140 Q.—(a) Is it a fact that the Government of India have called for the proposals of the Local Government on the recommendations of the Indian Industrial Commission? Representatives of Indian commerce to be consulted regarding the recommendations of the Industrial Commission.

(b) Will the Government be pleased to consult the representatives of Indian commerce and Indian trade before submitting their proposals to the Government of India?

140 A.—(a) The Government of India have called for the views of this Government only on the proposals made in the Report of the Indian Industrial Commission for the establishment of Imperial and Provincial departments of Industries.

(b) In answering the above reference, the Government do not consider it desirable to delay action further by again consulting the representatives of Indian commerce and trade on the proposals, having in view the fact that the Commission itself conducted an exhaustive inquiry before formulating its views.

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

141 Q.—Will the Government be pleased to supply the members of the Council copies of scheme reports regarding resettlement of districts, when they are published in vernacular in the district gazette? Supply to Council members of vernacular copies of scheme resettlement reports.

141 A.—The Government will make the supply suggested to any Honourable Member who may apply for it.

142 Q.—Will the Government be pleased to state what arrangements have been made for the supply of foodstuffs and kerosene oil? Arrangements for the supply of foodstuffs and kerosene oil.

142 A.—The Honourable Member's attention is invited to the answers to questions Nos. 11 and 117.

143 Q.—Will the Government be pleased to state whether they propose to extend the system of trial by jury to offences other than those punishable with death? Extension of the system of trial by jury to offences not punishable with death.

143 A.—As at present advised the Government have no such intention.

144 Q.—Will the Government be pleased to state when the Government propose to order the construction of a suitable building

(a) for Queen Mary High school in Vizagapatam; and

(b) whether they propose to construct a hostel also along with it?

144 A.—The question of acquiring a site for the school is now under consideration and that of constructing a hostel will be duly considered.

(Mr. Suryanarayana Rao; Mr. Yaqub Hasan.)

[11TH MARCH 1919.]

Making
permanent the
Sub-Court at
Vizagapatam.

145 Q.—Will the Government be pleased to state when they propose to make permanent the Sub-Court at Vizagapatam?

145 A.—No decision has yet been arrived at regarding the question whether any, and if so which, of the temporary sub-courts in the Presidency should be made permanent.

The Hon'ble Yaqub Hasan Sahib Bahadur.

Shooting of
Mappillas
in the
Walavanad
taluk, Malabar
district.

146 Q.—Will the Government be pleased to state (a) whether it is a fact that nine Mappillas were surrounded in a kalam in the Walavanad taluk by Special Police Force and a section of Anglo-Indian Force and because they refused to surrender they were shot?

(b) Was it at the order of the District Magistrate that the firing was done?

(c) Was any attempt made to arrest them or compel them to surrender or at worst to disable them?

(d) Had the Mappillas any firearms with them at the time they were surrounded and how many?

(e) Is it a fact that when "six shells were fired against the house" in which the Mappillas were hiding, it "induced the men to come out" and as soon as they came out "a volley was fired" at them?

(f) Is it a fact that "the injured fanatic captured alive died in the local hospital" and "his body also was burnt in the taluk cutcherry" with those of his companions?

(g) By whose orders were the dead bodies of Mussalmans burnt instead of being buried?

(h) Is it a fact that the authorities were informed previously of the trouble that was brewing there but no notice was taken?

(i) What was the real cause of the outbreak?

(j) Is it true that there has been agrarian discontent and misery in the taluk due to the paddy being held up and other aggravating causes?

(k) Is it a fact that a resolution of a public meeting held at Manjeri about the prices of foodstuff was returned by the District Magistrate "without even noting it"?

(l) Is the outbreak attributed to religious fanaticism and, if so, what was the immediate cause of provocation?

146 A.—(a) to (j) & (l) The Honourable Member is referred to the answer to question No. 12. Pending completion of the inquiry the Government are not prepared to give any further information on the subject except that the bodies of all the slain Mappillas were burnt in pursuance of magisterial orders authorized by the Mappilla Outrages Act, 1839, and in accordance with the practice usually followed on such occasions.

(k) The Honourable Member's attention is invited to a letter published in the *Hindu* of the 10th February. The Government have no other information on the subject.

Scarcity of
kerosene oil.

147 Q.—Will the Government be pleased to state the cause of the kerosene oil scarcity in the City and the Presidency, what steps they have taken or propose to take to secure an adequate supply, and when is the supply expected to come?

147 A.—The Honourable Member is referred to the answer given to question No. 11. The control of shipping is not in the hands of this Government who are therefore unable to secure increased supplies of kerosene oil but can only represent to the Government of India the serious difficulties caused by the existing shortage.

Scarcity of
gram.

148 Q.—Is it a fact that there is a scarcity of gram in the Presidency, is there any arrangement with the Government of Mysore for the supply of the same, and when and what stocks are expected to arrive in the near future?

148 A.—Shortage of gram exists in some parts of the Presidency. The Mysore Darbar undertook to supply 1,400 tons of pulses including gram in each of the months of January and February but the full quantity promised has not been received. The stocks expected to arrive in the near future cannot be stated with certainty as the matter is under correspondence with the Darbar.

Price of rice
and export of
grain to Mesopotamia.

149 Q.—Will the Government be pleased to place on the table a statement showing (a) the ruling prices of rice and other commodities in the headquarters of each district and how they compare with those prevailing at this time last year, (b) the quantity of Burma rice imported into the Presidency since the control was established, (c) whether any difficulty is still felt in transporting the commodities from place to place and what is it due to, (d) whether any rice is still going to the neighbouring provinces and (e) whether any grain is being exported to Mesopotamia from this Presidency?

[11TH MARCH 1919.]

(Mr. Yaqub Hasan; Mr. Venkatapati Raju;
Sir Alexander Cardew.)

149 A.—(a) The Honourable Member is referred to the statements showing the average prices of the principal food grains and salt published in the Supplement to Part II of the *Fort St. George Gazette* every month.

(b) The quantity of Burma rice imported into the Presidency since the beginning of December last when the system of licensing imports was introduced is as follows:—

	TONS.
Not covered by licence	10,368
Covered by licence	66,823
Total	77,191

(c) Yes, owing to the shortage of wagons.

(d) No rice is being exported by rail to neighbouring provinces except—

(1) 1,825 tons a month allotted to Mysore and Kolar Gold Fields in return for an equivalent quantity of grain mostly ragi for the Nilgiri plateau and Wynad.

(2) 300 tons a month allotted to Hyderabad in accordance with an agreement intended to stop smuggling into Hyderabad.

(3) 600 tons of Burma rice imported on a licence for the Singareni Collieries in Hyderabad and

(4) 800 tons a month from Tanjore to Travancore.

(e) No grain is exported from this Presidency to Mesopotamia.

150 Q.—Is it a fact that the Private Secretary to His Excellency the Governor wired to the Stationary Sub-Magistrate, Poonamallee, on the 9th September 1918 asking him to adjourn a case against one Parthasarathi Nayudu, the Superintendent of his office?

Adjournment
of a criminal
case.

150 A.—The Superintendent was the complainant, not the accused. Owing to the great inconvenience which would be caused by his being absent in Madras the Sub-Magistrate was asked if the case could conveniently be postponed till the return of the office to Madras.

The Hon'ble Mr. B. Venkatapati Raju.

151 Q.—Will the Government be pleased to state

(a) whether the Government expressed an opinion on the Indian Constitutional Reform proposals of the Secretary of State and His Excellency the Viceroy;

(b) whether the Government was requested to communicate that opinion to the Council and to the public for criticism;

(c) whether the Government has done so; and

(d) whether it would be placed on the Editors' Table even now?

Publication of
the opinion of
this Govern-
ment on the
Reform pro-
posals.

151 A.—(a) Yes.

(b) & (c) No.

(d) The decision as to publication does not lie with the Government.

The Hon'ble Mr. B. VENKATAPATI RAJU:—"With reference to question No. 151, may I know whether that answer would apply to the opinion expressed on the franchise and the transferred subjects before the Functional and Franchise Committees came to Madras, whether the Government have expressed their opinions on constitutional reforms, not only on the reforms, but also on the franchise and transferred subjects? I want to know whether this answer would apply to that portion of the question also."

The Hon'ble Sir ALEXANDER CARDEW:—"Yes."

152 Q.—Will the Government be pleased to state

(a) whether the Government is in possession of information regarding the sanitary requirements of villages in the Presidency, village per village, and the amount required for the sanitary improvement of the same; and

(b) whether such information will be made available to the public?

Information
regarding
sanitary
improvements
of villages in
the Presidency.

152 A.—The Government are not in possession of such information.

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

(i) whether the Government is in possession of reports made by the Public Works Department regarding the drainage conditions of delta tracts and the improvement to be effected and cost thereof; and

(ii) what was the total amount that is proposed to be spent in 1919-20 for the repairs and improvement of drainage in deltas?

(b) Will the Government be pleased to place the reports on the Editors' Table?

Reports of the
Public Works
Department on
the drainage
conditions of
delta tracts.

153 A.—(a) (i) & (b) The Government are in possession of a number of such reports but are not prepared to give any general undertaking to publish them.

(a) (ii) A sum of Rs. 1,97,000 is proposed for expenditure on repairs and improvements to drainage works in the Gōdāvari, Kistna and Cauvery deltas.

(Mr. Venkatapati Raju.)

[11TH MARCH 1919.]

To expedite progress in Tank Restoration Scheme.

- 154 Q.—Will the Government be pleased to state
(a) whether the Tank Restoration Scheme works will be pushed through to complete the works in the area completely investigated already but awaiting execution; and
(b) whether investigation be made in the rest of the area under the Tank Restoration Scheme and what arrangements have been made therefor?

154 A.—(a) The repairs to the works referred to are being carried out as rapidly as practicable.

(b) The Tank Restoration Scheme covers the investigation and execution of the necessary works in the whole Presidency and particulars of the works done are published in the annual administration reports. Investigation is now in progress in nine districts and will shortly be resumed in a tenth. Four special divisions have been constituted for the purpose and investigation is also in progress in two ordinary divisions.

Delay in the revision of the plans and estimates for the Kistna reservoir project.

155 Q.—Will the Government be pleased to state why the revision of the plans and estimates for Kistna reservoir project was kept in abeyance pending the decision of the Secretary of State as regards the Cauvery reservoir project?

155 A.—The Kistna project is in abeyance because it is less promising than the Cauvery project and because it would not be possible simultaneously to finance and provide staff for two works of such magnitude.

Appointment of Indians to the new posts of Circle Inspectors of Schools.

156 Q.—Will the Government be pleased to state whether Indians will be appointed to the newly-formed circles of Inspectors of Schools?

156 A.—The claims of all duly qualified candidates will be considered.

Extension of the term of the present Legislative Council.

157 Q.—Will the Government be pleased to state whether the term of the present members of the local Legislative Council will be extended for another year as indicated by the Government of India?

157 A.—The Government have decided to allow the term of office of the members to expire in the usual course.

Technical schools for the Telugu districts.

158 Q.—Will the Government be pleased to state whether the Government propose to start an agricultural school, weaving institute, technological institute, school for commerce, school for co-operation in the Telugu districts?

158 A.—Not at present.

Persons who have benefited by the grant of war allowance.

159 Q.—Will the Government be pleased to state approximately the number of persons drawing Rs. 50 or less who will be benefited by the recent grant of war allowance in the presidency and the proportionate police men among them?

159 A.—Information is not readily available as to the exact number of subordinates benefited by the war allowance scheme recently introduced, but it is estimated at about 95,000. The number of Police included in this figure is roughly 32,000.

Publication of Mr. Phillips' report on the Civil Courts Reorganization Scheme.

160 Q.—Will the Government be pleased to state whether they propose to place the report of Mr. Phillips on the Reorganization Scheme of Civil Courts on the Editors' Table?

160 A.—The report cannot yet be published as the recommendations arising out of it have not yet been sanctioned by the higher authorities addressed on the subject.

Production of higher grade staple cotton.

161 Q.—Will the Government be pleased to state whether any arrangements have been made for the investigation of the production of higher grade staple cotton, either Egyptian or American, suitable for counts above forty in our Presidency and state whether any and what facilities, irrigation or otherwise, are proposed to be given to the ryots for the same?

161 A.—Experiments in the cultivation of Egyptian cotton have been tried with little or no success and have consequently been abandoned. Of the American cottons, Cambodia has given good results and, with a view to devoting special attention to the improvement of this crop, the Government have recently sanctioned the establishment of a farm in the Coimbatore district. The Government do not consider it necessary to grant any facilities to ryots for the cultivation of this cotton, other than the help now being given by the Agricultural department.

Expert advice for sugarcane growers.

162 Q.—Will the Government be pleased to state what arrangements have been made in our Presidency to supply freely the advice of the sugar experts in localities where sugarcane is largely grown?

11TH MARCH 1919.]

(Mr. Venkatapati Raju; Mr. Sadasiva Bhat.)

162 A.—Investigations into the possibility of improving the methods of sugarcane cultivation are made at Coimbatore and other stations by officers of the Agricultural Department. The results of these investigations are available in the various departmental publications and all possible steps are taken to popularise the knowledge contained in these publications. Advice is freely given to all ryots who apply for it. The Government have not so far employed any special organization for the study of the industrial side of sugar production, but in connexion with the recommendations of the Industrial Commission the question will receive consideration.

163 Q.—Will the Government be pleased to state

(a) whether the Government Experimental Tannery Work is in full swing; and
(b) whether there is provision for technically trained men qualified to deal with the local problems and capable of modifying European and American methods of tanning to suit local conditions to help the expanse of leather trade?

Appointment of technically trained men in the Government experimental tannery.

163 A.—(a) The Government maintain a leather trade school with which a small model tannery and leather finishing shop are combined. This institution is in full work.

(b) The school is mainly an educational institution but certain experiments with new tanstuffs have been carried out. The suggestions of the Indian Industrial Commission for the improvement of tanning in India will be considered in due course.

164 Q.—Will the Government be pleased to state whether a weaving expert is appointed at Madura Technical Institute and whether his services would be available to investigate and report upon the feasibility and desirability of starting a weaving institute at Ponduru?

A weaving institute for Ponduru.

164 A.—A weaving expert has been appointed to the Madura Technical Institute. He is expected to join his duties about the middle of this year. The Government are unable to say just now whether his services would be available for investigating the feasibility and desirability of starting a weaving institute at Ponduru in the Vizagapatam district.

165 Q.—Will the Government be pleased to state whether they propose to consider the desirability of establishing silk filatures, twisting mills and dye houses, with the silk yarn and silk weaving establishments attached thereto in Madura and Berhampur?

Establishment of silk filatures, twisting mills and dye houses.

165 A.—The subject will be considered along with the other recommendations of the Industrial Commission.

The Hon'ble Mr. K. Sadasiva Bhat.

166 Q.—(a) Has the Government held an inquiry into the causes of the Mappilla outbreak last month near Mankada? If so, will the Government be pleased to make a statement?

Mappilla outbreak and progress made in the matter of a railway through the Mappilla zone.

(b) Will the Government be pleased also to state what progress has been made in the matter of a railway through the Mappilla zone?

166 A.—(a) The Honourable Member is referred to the answer given to Question No. 12.

(b) With reference to the answer given to Question No. 129 at the Legislative Council meeting of the 13th of August, which relates to this subject, the attention of the Agent of the South Indian Railway Company was invited to the suggestion that the proposed railway from Shoranur to Manantoddy should be taken through the headquarters of the Ernad and Walavanad taluks and the Mappilla outbreak zone of Pandikad and Melatur. The reconnaissance survey is in progress and the Government understand that a survey party is now engaged in selecting the best alignment and estimating the cost and financial prospects.

167 Q.—(a) Is it a fact that Chandragiri rioting case in South Kanara which arose out of some procession past the mosque last year is still undisposed of? and that the procession-day this year comes off about the end of February?

The Chandragiri rioting case in South Kanara.

(b) Will the Government be pleased to state if the Hindus and Mappillas were not willing to come to an arrangement regarding these processions?

167 A.—The Government have no information but will inquire.

168 Q.—(a) Has the attention of Government been drawn to a report in the Malabar papers of an alleged assault by some police subordinates on the sub-magistrate of Chowghat in South Malabar? Has an inquiry been held into the circumstances of the alleged assault?

Assault by the police on the Sub-Magistrate of Chowghat, South Malabar.

(b) If so, will Government be pleased to state what action has been taken in the matter and the facts as elicited in the inquiry?

H

(Mr. Sadasiva Bhat; Mr. Rajagopala Achariyar.) [11TH MARCH 1919.]

168 A.—Yes. The District Magistrate inquired into the matter and effected a satisfactory settlement. The newspaper report was exaggerated and inaccurate and no useful purpose would be served by publishing the details of the occurrence.

Remission and suspension of revenue in South Kanara and other districts.

169 Q.—Will the Government be pleased to state under each district the approximate amount of revenue that will be remitted in each district including South Kanara and the amount to be suspended in South Kanara owing to the failure of the monsoon?

169 A.—The amount of revenue that will be remitted in each district will not be known till jamabandi has been conducted, but the Board of Revenue's forecast for the whole Presidency in January 1919 was 32.73 lakhs. The amount of revenue the collection of which has been suspended during the current fasli in South Kanara district is Rs. 25,628.

Discharge of peons in the Salt and Abkari department in South Kanara and Malabar districts.

170 Q.—(a) Is it a fact that a large number of subordinates—peons—in the Salt and Abkari department in South Kanara and Malabar have been discharged from service without even previous notice and that many others have been served with orders to return their kits and move to other districts for employment?

(b) In view of their low pay and the language difficulty, will the Government be pleased not to give effect to these orders and grant these men leave on loss of pay till they could be found places in the local force?

170 A.—The Government have no information but will inquire.

The Hon'ble Mr. K. SADASIVA BHAT:—"With reference to Question No. 170, will the Government be pleased to see that the services of these men are not dispensed with till the information is called for and considered by the Government?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I am unable to give any answer to that. We are inquiring and, till we learn what the facts are, I cannot commit the Government to any definite course. But I will do it as expeditiously as possible."

Introduction of the Mulgeni Rent Enhancement Bill.

171 Q.—Will the Government be pleased to state when it will be possible to introduce the Mulgeni Rent Enhancement Bill into the Council?

171 A.—The matter is under consideration.

Revision of the Sandalwood rules in South Kanara.

172 Q.—Will the Government be pleased to state if any orders have been passed revising the Sandalwood rules for South Kanara and, if so, place them on the table?

172 A.—Final orders have not yet been passed. The Government await a further report from the Board of Revenue.

APPENDIX I.

[Vide answer to question No. 34 asked by the Hon'ble Mr. B. V. Narasimha Ayyar at the meeting of the Legislative Council held on the 11th March 1919, page 810 supra.]

Statement showing sales of kerosene oil in each district between 1st November 1918 and 28th February 1919 in units of eight gallons compared with the sales of the corresponding period in 1917-18.

	1917-18.				1918-19.			
	Novem-ber.	Decem-ber.	January.	February.	Novem-ber.	Decem-ber.	January.	February.
Ganjam	2,308	2,983	2,897	2,254½	1,391	2,425	1,353	1,641
Visagapatam	6,440½	6,051	7,395	4,794½	4,727½	5,847	4,279	3,909
Godavari	14,814	16,986	18,189½	12,145	9,808	13,454½	9,838½	6,747
Kistna	18,395	17,881	17,639	14,835½	11,948	16,314½	13,076½	8,410½
Guntur	14,648½	14,292½	15,610½	10,296	8,848	11,557½	11,864	5,297½
Kurnool	3,707	3,086	3,420	1,142	1,833	2,549	3,428	800
Bellary	1,811	1,713	2,998	1,963	1,496	1,709	1,299	777
Anantapur	3,954½	3,144	3,142	3,917	2,428½	2,894½	1,890½	1,095
Cuddapah	2,668	2,596½	4,931	3,358½	3,519	3,783	2,915½	1,631½
Nellore	5,930	5,258	5,404½	4,685½	4,193½	5,457	4,432	3,052½
Chittoor	3,215½	3,636½	3,091	2,559½	2,198	2,744	2,042½	1,409
North Arcot	13,821	16,054	13,754	11,933	12,045	13,611	10,031½	6,252½
Chingleput	5,075	5,353	5,446½	4,203	4,554	6,777½	4,554	3,402
South Arcot	7,893½	9,348	10,728½	8,667½	8,527½	8,30½	7,797½	4,183
Madras	18,941	19,577	18,012	17,027	17,169½	18,090	18,090	13,927½
Balem	8,379½	9,520	8,332	5,760	5,961½	6,22½	6,622	2,469½
Coimbatore	16,065	19,309½	14,679	8,408	13,064	16,68½	10,745½	6,037½
Trichinopoly	5,972	9,403	8,760	7,899½	1,788½	7,620	3,924½	3,081
Tanjore	25,450	28,702½	30,042½	23,740	14,256	14,834	13,575½	9,188
Madura	14,583	12,973	14,407	10,843½	11,186	10,085	9,721	5,141
Ramnad	6,882	7,696	8,967	6,975½	5,989	6,795½	6,411½	3,321½
Tinnevely	6,684	8,479	6,762	6,612½	5,008½	5,779½	3,632	3,352
Malabar	20,675	19,609	22,138	14,612½	12,994½	14,054½	11,895½	6,558
South Kanara	7,292	6,169	5,723½	3,185½	3,465	4,108½	3,641	1,443
The Nilgiris	200	200	179	300	2,460	75	12	135

APPENDIX II.

[Vide answer to question No. 39 asked by the Hon'ble Rao Bahadur T. Ranga Achariyar Avargal at the meeting of the Legislative Council held on the 11th March 1919, page 811 supra.]

State of files in the High Court.

	1917.		1918.	
	Institutions.	Disposals.	Institutions.	Disposals.
<i>Original Side.</i>				
Suits	508	475	685	455
Insolvent petitions	264	266	230	244
Execution cases	38	38	43	39
<i>Appellate Side (Civil).</i>				
First appeals from mufassal	431	532	441	465
Do. from Original Side	93	97	70	108
Do. from City Civil Court	21	15	19	21
Letters patent appeals	193	232	110	158
Second appeals	2,546	2,519	2,173	2,400
Appeals against orders under section 47, Civil Procedure Code	121	134	120	127
Other appeals against orders	290	319	242	275
Appeals against appellate orders	139	163	110	126
Civil revision petitions	1,320	1,378	1,381	1,166
Civil miscellaneous petitions	3,650	3,574	3,333	3,560
Referred cases	8	7	10	14
<i>Appellate Side (Criminal).</i>				
Referred trials	83	85	85	81
Appeals	721	736	820	776
Revision cases	869	848	761	812
Miscellaneous petitions	544	543	595	594
References under section 307, Criminal Procedure Code	19	21	29	24
Total	11,858	11,972	11,368	11,405

APPENDIX III.

[Vide answer to question No. 104 asked by the Hon'ble Diwan Bahadur K. Suryanarayana-murti Nayudu at the meeting of the Legislative Council held on the 11th March 1919, page 821 supra.]

Statement showing the subdivisions in the Gōdāvari, Kistna and Guntūr districts having charge of irrigation works and the area comprised in each.

GODAVARI DISTRICT.

Taluku comprised.

Gōdāvari Head Works division—	
(1) Gōdāvari Head Works and Supplies sub-division.	Has charge of the Gōdāvari anicut and head works.
Gōdāvari Northern division—	
(2) Rajahmundry subdivision	Peddapuram, Rajahmundry (portion) and Agency.
(3) Dumagudiem subdivision	Bhadrachalam taluk.
Tank Restoration Scheme division—	
(4) Tank subdivision (Rajahmundry) ..	Execution of Tank Restoration Scheme works in Rajahmundry and Peddapuram taluks.
Gōdāvari Eastern division—	
(5) Northern subdivision (Dowlaisheram).	Portions of Cocanada, Ramachandrapuram and Rajahmundry taluks.
(6) Southern subdivision (Ramachandrapuram).	Ramachandrapuram (portion) and Cocanada (portion) taluks.
(7) No. I subdivision (Gannavaram) ..	Portions of Razole and Amalapuram taluks.
(8) No. II subdivision (Amalapuram) ..	Portions of Amalapuram and Razole taluks.

KISTNA DISTRICT.

Gōdāvari Western division—	
(9) No. I subdivision (Ellore)	Portions of Tanuku, Yernagudem and Ellore taluks.
(10) No. II subdivision (Undi)	Portions of Bhimavaram, Yernagudem and Tanuku taluks.
(11) No. III subdivision (Tanuku)	Portions of Tanuku, Bhimavaram and Narasapur taluks.
(12) No. IV subdivision (Narasapur) ..	Portions of Narasapur and Tanuku taluks.
Kistna Eastern division—	
(13) Northern subdivision (Bezwada) ..	Portions of Bezwada, Ellore, Nuzvid, Kaikalur and Gudivāda taluks.
(14) Southern subdivision (Masulipatam) ..	Portions of Baudar, Gudivāda, Nuzvid and Bezwada taluks, and also portion of Divi taluk.
(15) Gudivāda subdivision	Portions of Gudivāda, Kaikalur, Nuzvid and Bezwada taluks.
(16) Cowtaram subdivision	Portions of Kaikalur, Bandar and Gudivāda taluks.
Kistna Central division—	
(17) Headquarters subdivision (Bezwada) ..	Has charge of the Kistna anicut and head works.
(18) Divi subdivision (Paligedda)	Portion of Divi taluk.
Guntūr division—	
(19) Tank and Embankment subdivision (Ellore).	Yernagudem, Ellore (portion) and Polavaram Agency.
(20) Muniyera subdivision (Bezwada) ..	Nandigama and portions of Bezwada, Nuzvid and Tiruvur division.

GUNTUR DISTRICT.

Kistna Western division—	
(21) Eastern subdivision (Repalle)	Portions of Repalle and Tenali taluks.
(22) Central subdivision (Duggirala)	Portions of Tenali, Bapatla, Repalle and Guntūr taluks.
(23) Western subdivision (Bapatla)	Portions of Bapatla, Tenali and Repalle taluks.
Guntūr division—	
(24) Guntūr subdivision (the Ongole subdivision temporary has since been merged in the Guntūr subdivision).	Guntūr, Vinukonda, Sattenapalle, Palnad, Narasaraopet and Ongole taluks and portion of Bapatla.

11TH MARCH 1919.]

(The President; the Secretary.)

ACT ASSENTED TO BY HIS EXCELLENCY THE GOVERNOR-GENERAL.

His Excellency the PRESIDENT announced that the Madras Port Trust Amendment Act, 1918, had received the assent of His Excellency the Governor-General on the 29th January 1919.

COMMUNICATIONS TO THE COUNCIL.

The SECRETARY reported the receipt of the following communications to the Council:—

(i) Regarding the Madras City Municipal Bill, 1918.

- (1) From the Secretary, Rate-payers' Association, Madras, dated the 1st February 1919.
- (2) From the Honorary Secretary, Muttialpet Moslem Anjuman, Madras, dated the 1st February 1919.
- (3) From the Chairman of a public meeting held at the Victoria Public Hall, Madras, dated the 4th February 1919.
- (4) From the Chairman of a meeting of the Muhammadan rate-payers of Madras, dated the 4th February 1919.
- (5) From the Chairman of a Moslem public meeting held at the Lawley Hall, Mount Road, Madras, dated the 4th February 1919.

(ii) Regarding the Bill to provide for the voluntary registration of Mussalman marriages and divorces.

- (1) From the Professor of Arabic, Persian and Urdu, Government Muhammadan College, Madras, dated the 27th January 1919.
- (2) From the Secretary, Tellicherry Branch of the All-India Moslem League, dated the 15th January 1919.
- (3) From the Chairman of a Moslem mass meeting held at Madras, dated the 25th January 1919.
- (4) From the President, Imdad-ul-Islam Sabha, Tellicherry, dated the 15th January 1919.
- (5) From the Secretary, Anwar-ul-Islam Sabha, Tellicherry, dated the 16th January 1919.
- (6) From Khan Sahib J. Muhi-ud-din Padsha, President, Muhammadan Educational Association, Calicut, dated the 1st February 1919.
- (7) From the Secretary to the Committee of the All-India Nadwat-ul-Ulma, dated February 1919.
- (8) From T. J. Muhammad Ismail Sahib Bahadur, Honorary Magistrate, Tindivanam, South Arcot district, dated the 30th January 1919.
- (9) From the President, Jamat-ai-Usmania, Madras, dated the 4th February 1919.
- (10) From the Arabic Professor, Madrasai Yousufia, Madras, dated the 4th February 1919.
- (11) From the Secretary, Moslem Literary Society, Trichinopoly, dated the 4th February 1919.
- (12) From Khan Bahadur Ghulam Muhammad Sahib Mohajir, Madras, dated the 3rd February 1919.
- (13) From Khan Bahadur N. Muhammad Usman Sahib Bahadur, Retired Civil Surgeon, Triplicane, dated the 4th February 1919.
- (14) From the Secretary, Anjuman-i-Mufeedai-Ahalla Islam, Chittoor, dated the 6th February 1919.
- (15) From Mr. Abdur Rahim, Assistant Inspector of Schools, Chittoor district, dated the 9th February 1919.
- (16) From the Chairman of a public meeting of the Mussalmans of Saidapet, dated the 17th February 1919.
- (17) From the President of a public meeting of the Ambur Muhammadan Jamayet, dated the 15th February 1919.
- (18) From Khan Bahadur Muhammad Anwar, Honorary Presidency Magistrate, Madras, dated the 26th February 1919.
- (19) From Mr. Mahdi Husain, Retired Deputy Collector, Bangalore, dated the 26th February 1919.
- (20) From Moulana Moulvi Kari Shah Muhammad Sulaiman Sahib Chisti Kadiri Phulwari, Madras, dated the 1st March 1919.
- (21) From Moulana Moulvi Muhammad Sharif Azam Kadiri Chisti of Behar, Madras, dated the 28th February 1919.
- (22) From the Sub-Assistant Inspector of Schools, Bangalore Muhammadan range, Bangalore, dated the 1st March 1919.

(The President; Mr. Ranga Achariyar;
Mr. Narasimha Ayyar.)

[11TH MARCH 1919.]

THE MADRAS CITY MUNICIPAL BILL, 1918.

The next item on the agenda was the further consideration of the Madras City Municipal Bill, 1918.

His Excellency the PRESIDENT:—"I have to inform the Council that it had been intended to take the business in this order, in its natural place on the agenda paper; but we have received a communication from the Government of India relating to some of the minor changes in regard to the control by the Army Department over the Esplanade and other such matters and I think it will be convenient that the Council should have the copies of the consequential amendments which will be necessary and which will be moved by the Hon'ble the Advocate-General. They are being type-written with the utmost expedition and they will be placed in the hands of the Honourable Members during this sitting. We will take the Bill as soon as possible either to-morrow or the day after, after the Honourable Members have had full opportunity of perusing the amendments. They are purely matters relating to the Army Department's control over the Esplanade. I propose now with the leave of the Council that we should proceed to discuss the resolutions. At a convenient moment we will take up this Bill."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Will your Excellency permit me to make a suggestion? I have arranged for my work in the hope that this Bill will be over to-morrow. May I request your Excellency that it may be taken up to-morrow?"

His Excellency the PRESIDENT:—"We will certainly consult the Honourable Gentleman's convenience. I am sure the whole Council will be glad to do so."

Resolutions on matters of general public interest.

RESOLUTION RE COMMITTEE TO INQUIRE REGARDING THE DISTRIBUTION OF NECESSARIES OF LIFE.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, the resolution I have the honour to move runs thus:—

"1. This Council recommends to His Excellency in Council that a committee consisting of officials and non-officials should be appointed to inquire immediately into the grievances of the public regarding the distribution or supply of kerosene oil, paddy and other necessities of life."

"As Honourable Members would notice, the subject is a very vast one. I have here specifically mentioned paddy and kerosene oil; and besides these, other necessities, by which I mean the specially important ones, are also included. Therefore it will be noticed that it is a very complicated subject that we are now dealing with. In point of fact, that is one of the reasons why I recommend the appointment of a committee instead of calling on the Council to offer their decision on the spot. I shall point out in this matter that we have a very urgent duty to perform."

"I will take the specified subjects first, namely, paddy and kerosene oil. In this Presidency, paddy is the article which is most constantly in requisition as food for the vast masses of the people, and I will take up paddy first. It has been repeatedly brought to our attention in the columns of newspapers that there is a widespread, I may say even acute distress on this question. People find that the price of rice has gone up; not only well-to-do people who use good paddy but also poor people who use only inferior Rangoon rice have begun to feel the pinch. Prices are so very high that various institutions have been obliged to think of re-arranging the rates of payment for their staff. We unfortunately notice to-day the Tramway strike which is not unconnected with the subject we are now discussing. This question therefore of relief in regard to high prices is a very important matter, and I therefore need not tender any apology for taking up the time of the Council on this subject. The feeling upper-classes of people is that there are all sorts of persons who come forward with moves with other there are few who can point out specifically the exact causes of the distress and fewer still who can point out any redress. On this matter, it is almost common knowledge that the chief causes of the trouble now felt are the failure of the monsoon and the export of paddy from places where they are wanted to various other places for various reasons. These two causes in themselves would account for our trouble. The failure of the monsoon is well known. In the several districts which usually have surplus stock, there has been less than the usual production though luckily in some districts there is a surplus. Some of the Presidencies in India are deficit provinces. Even Rangoon which is usually a surplus province has suffered slightly by the failure of the monsoon, but still there is a surplus. These causes are fairly well understood; but there are other causes about which people are not so clear; e.g., the exact extent to which the failure of the monsoon has operated. As for the export to various other places, there are various doubts entertained. For instance, it is believed that to help our brave soldiers in Mesopotamia, we have to send a good portion of our paddy. Nobody grudges that. In fact our brave men deserve it more than we do, but there is a feeling that the paddy is going away from the country."

11TH MARCH 1919.]

(Mr. Narasimha Ayyar.)

"Then comes the question as to the effect of these two causes and other similar causes. Stocks are held up in some places and popular suspicion naturally magnifies the holding up. The people believe that others are stocking their grains. Merchants even according to ordinary business habits, hold up, but there are speculators who find their opportunity in the present economic trouble and they issue vast orders. Persons who hitherto did not care to take large stocks have tried to take up large stocks in the hope that they can amass immense profits out of the necessities of the poor and the rich. These and other similar causes are roughly known to be the causes which have occasioned the trouble."

"One remedy which most people thought of was the control of prices, worked by the control of transport and a department for the control of foodstuffs generally. The Government have not accepted that, but we have a department of control established. Unfortunately that has by no means ended our troubles. The first idea was that since the prices are fixed and people are prevented from exporting paddy away from places where they are wanted, everything would be in good order. But experience points out that control is more or less satisfactory on paper, but in practical working, proves unsatisfactory. That has been forcibly brought to our attention by certain recent events. In spite of the efforts of the Control department, we find in various places prices are so high and the panic has risen so high that riots have been attempted. For instance, in Calicut the other day we read in the newspapers that there was very nearly a riot in connexion with the price of paddy. Some poor fellow went up and was told that the prices had gone high and he threatened to loot and a number of persons ran up to the beach where bags were stored up and it required all our resources of law and order to restore peace. That is one incident which shows the way in which the wind blows. I am quite sure most of the Honourable Members here know the full extent in their own locality of the grievance. For instance, I may mention that my land agent who stores my grain at Gobichettipalayam reported to me that unless I took away my grain from the place where it was stored and took great care of it, he was afraid that looting would take place. In Gobichettipalayam the people cannot be depended upon to maintain law and order. There was a man who was himself on the grain committee and he told me that the authorities to avert such troubles required that each of the landowners should make a special sacrifice and sell paddy to the grain committee for the purpose of distribution at something like 50 per cent of the proper price, so that the poor people may get rice at the proper rate. In spite of the precautions taken in that direction, there is a scare of looting which is not unfounded in view of the incidents which have happened in other places. I mention only these two cases of Gobichettipalayam and Calicut to show that the trouble is pretty widespread. Honourable Members would have noticed that about 8 or 9 questions are now on the question paper in respect of the high prices and the scarcity of kerosene oil and the other troubles that I have just now mentioned. Therefore, it is quite clear that in spite of the department of control, we have to notice the fact that there is unequal distribution and there is such a sudden rise of price and pretty sharp distinction between district and district which draws our attention naturally. Then the question arises as to what should be done. That something should be done all are agreed. What exactly is the thing to be done, I can hardly find even two or three friends talking about it can agree. That is the reason why I have asked for the appointment of a committee; but there are some matters on which there will be more or less agreement."

"Take the first question as to the exportation from the province by reason of the general shortage. I am glad to see that the correspondence has been published by this Government in answer to the request for information which I made. That shows that this Government have taken a very proper view of the needs of this Presidency. Though the Government of India may not have understood the difficulties with which we are faced in this Presidency equally with some other provinces, I am glad that this Government have asserted the importance of our controlling the transport of paddy and other food-grains from this Presidency. So far, it is a matter for congratulating this Government."

"But further, partly perhaps by reason of the Government of India's views and partly by reason of the Madras department of control and the Madras Controller, we have got inter-district restrictions, and that seems to be an eye-sore and a grievance with a certain number of people. They point to the fact that whereas you find new rice sold in one place at 3 measures for a rupee, in the next place across the border it is sold at 2½ measures. Such sharp differences naturally provoke people and cause a certain amount of dissatisfaction and they also provoke them to break the laws as to transport. Naturally they try to get the grain over surreptitiously without permit or licence. In spite of the law to the contrary, they proceed to have a surreptitious transport of grain from one district to another. This tends to demoralization, and the other restrictions imposed by the Controller are sought to be evaded with an easy conscience. I found in dealing with this question of high price of paddy and rice in Salem the late Collector, Mr. Legh, was hard put to it to see how he can satisfy the public and prevent the scare about looting. He sent for certain merchants and one of them frankly told him that he knew how to oil the wheels of the Controller's office. He said that with the expenditure of Rs. 100 he was able to get a permit on the pretence of sending it to Malabar and that he was able to induce the railway authorities to deliver it en route at Salem. The Collector was rather astonished at the ingenuity of the merchant. But the merchant was unabashed. Such demoralization is very undesirable and that is one of the things which if possible we should avoid."

"Next I may point out besides inter-district restrictions there are also restrictions in connexion with the import of paddy or rice from our chief source of supply, Rangoon. With

838 RESOLUTION RE COMMITTEE TO INQUIRE REGARDING THE
DISTRIBUTION OF NECESSARIES OF LIFE.

(Mr. Narasimha Ayyar.)

[11TH MARCH 1919.]

reference to Burma rice we have had a lot of complaints last week against the injustice of the Controller. A large number of merchants have written to the Controller and last night a telegraph peon woke me up at about 12 o'clock and put a telegram into my hands which complains of a lot of injustice by the Controller. The big European merchants are given licences and are given a large tonnage and those that applied in January and February are told that there is no space in steamers. That is one sort of complaint from the standpoint of the merchant. I am not just now concerned with the standpoint of the merchant, though we should remove the injustice rankling in the minds of any person if we can possibly do so. Then we have had complaints put forward by the consumer. The consumer has got this complaint to put forward, namely, that if a large tonnage is allowed only to a handful, then this handful wish to dispose of the paddy they get in the way most convenient for their own purposes if not for the reason of a large profit, at least in ways they find easy for disposing of the articles. The consequence is that these persons who dispose of the import largely do not sell it in retail but pass it on to others, so that, though there is the rule of the Controller that the profit should not be more than 8 annas on each bag, still what happens is the bags pass from one hand to another and when the rice reaches the consumer he has to pay the profits of two or three men at least over their transactions. That is the complaint of the consumer and he points out that it would be much better instead of allowing a small group of five or six people a share of the tonnage—I am told that Madras is allowed ten thousand tons import from Rangoon—instead of centering it in the hands of a few, if it is distributed in the hands of ten or twenty people there will be a certain amount of competition among them which will cut down the prices. Therefore the consumer is entitled to point out that the policy complained of by the traders in this telegram and in the press is really a policy which ought to be condemned in the interests of the consumers also.

"In that connexion there are persons who suggest that the redress for this is for the Controller not to trouble himself with the space but to leave it to various persons to whom he distributes the licence and let them arrange with the companies concerned reserving to himself only the issue of licences. That is a matter which has also to be considered though I am not quite sure how it would work. I have mentioned in connexion with Burma rice various grievances. There are some people who feel it so keenly that I have no hesitation in putting them forward for the consideration of the Honourable Members. They wish to cut the Gordian knot and to abolish all control. They say let us not have the Controller's department. In theory it is all right; you try to control the transport by getting information as to the stocks available for each month or fortnight from each locality. In theory it is satisfactory, but they point out what information does the Controller get as to the stocks? He depends upon the various district officers. These depend upon the taluk and firka authorities, till at last some one sends information which is not supervised. That is the way in which the information comes and is clearly defective. It may be answered that there is nothing that is not defective in this sub-lunar existence, but some contend that the unreliability of this information as to the stocks is so great that very little purpose is served by acting on it. I do not know whether you can support such a position, but it is a thing which has been put forward by men who have thought over the matter and it deserves consideration.

"With reference to other points—I have just now dealt with the figures as to stock—the machinery of control is said to be defective. For instance, the Controller controls those who apply for Burma rice and who get stocks straight from Rangoon. He issues an order that they should not sell it at more than half a rupee profit on each bag. But the control is not now effective to prevent a number of others taking the articles from those who import them in the first instance and passing them on. There is no effective control over the retail sale. It must be remembered in this connexion that the Rangoon rice imported into the port of Madras is sent to the interior and there is no control in the interior as to the exact price at which it is to be sold in the interior. In some places no control is attempted at all. They point out that there is very little good in trying to control and impose any restriction on the first purchaser; it is a waste of labour. They point out that the intended effect fails for another reason also. The Controller does not go and see how exactly the various persons who get paddy deal with it. For instance Rangoon rice is attempted to be sold for Rs. 11-8-0 according to the orders of the Collector—I am not quite sure of the correct figure. The man who imports it mixes it with other qualities of rice, Nellore rice or Bezwada rice, and passes the mixture off as Nellore rice or Bezwada rice. In that case what sort of control is possible? That is a contention put forward by those who urge the abolition of control.

"Then there is the fact which I already hinted at, namely, that the control is too expensive and too vexatious. I have heard it expressed by a very large number of persons that the department of control causes a lot of harassment and vexation, and in point of fact half a dozen persons told me that unless the wheels are thoroughly oiled in the staff which the Controller is supposed to control you cannot get anything. In respect of kerosene oil one man told me that by way of Christmas present he has had to spend a large amount, some thousands of rupees. It is said that the Controller's office is too costly a department to deal with. It is only rich people who know how exactly to oil the wheels who can get along. By reason of applying oil to the wheels freely they naturally have to raise the price; they have to profess when the Controller inquires of them that they sell at the prices laid down by him. I do not suggest that the Controller himself is to blame, I do not wish any such impression should be caused. The Controller cannot possibly control everything. So many offices are full of this very unfortunate system of tipping or extortion, whichever you may call it. If we turn round and blame those

11TH MARCH 1919.]

(Mr. Narasimha Ayyar.)

who give money that it is their vice, that they are weak people, we shall be forgetting one thing. We should take note of existing difficulties and instead of idly blaming people for defects which exist we should so arrange our institutions and proposals as to cause the least amount of hardship or inconvenience. There is no use of blaming these people. There is no use of saying: why do you people go and offer bribes? Why are you anxious to get rice? Is it possible to work this department of control without an unduly large amount of this sort of lubrication? It is not merely the demoralization that is involved in these cases but also the necessity for the man who pays the tips to raise the price and that surreptitiously for making up his loss. He cannot sell rice at the proper price.

"These are some of the reasons urged by those who contend that this department of control has no place and that it should be abolished. I am not myself of opinion that all control should be abolished. If it is possible to discover some means by which the work of the department can be controlled with some success, we should try it. I do not think at present it is an impossibility, although I find several Honourable Members with whom I have discussed it differ from me. Anyhow this is a matter which has to be considered in all its aspects. So many other reasons and so many other considerations arise. Questions of gram, cholam and ragi have got various other aspects because the information as to stocks is not quite as easily obtainable with reference to the minor food-grains as with regard to rice. Therefore there are various considerations which arise which ought to be discussed and decided by the committee which I am proposing.

"Then again there is one very important matter which I will touch upon to show what the committee should consider, and that is the extent to which the railway freight adds to the price. That is a very important matter. I have frequently heard it said that most of these railway companies are Government property and a large number of railways earn a lot of profit out of the transport of food-stuffs. The outturn, the increased price of food-stuffs therefore really goes into the pockets of Government. Is it not proper that the Government should remember what they did years back? For instance when there was a famine in the north an order was issued that fodder should be carried free or at nominal rates. Similarly in the existing pressure why should not the Government forego their share of the profits arising from the carrying of food-grains? For instance in Negapatam the railway servants complained to the railway department that a good portion of the high price they had to pay was really the profit of the department that a good portion of the high price they had to pay was really the profit of the railway company and the railway company agreed to forego their profit and to transport the food-grains for the benefit of the railway staff free of freight. Similarly the proposition has been put forward that the Government may do the same to the poor ryots who form the large majority of the people in the country. Though some rich people may also benefit, it is virtually the poor people that will be benefited largely. We should take care that the speculator does not profit. That is one of the matters to be considered by the committee.

"I have already taken a good portion of my time and I have dealt with the question of grain. With regard to kerosene oil somewhat similar considerations arise, though for various reasons there are very different considerations also existing. In respect of kerosene oil it may be pointed out that people may take to other forms of lighting, candle, gingly oil, ground-nut oil, but that is not the case with rice. A man accustomed to rice will not change it for maize or millet. With regard to kerosene oil I may point out that the trouble is felt everywhere. If you read the newspaper you will find there is trouble about kerosene oil in one place or another every day and there is breaking of heads sometimes. In Salem I saw persons who had gathered in large numbers breaking bottles in their rush for the oil and when I inquired, I was told that the agent who was selling at the controlled price did not give more than a quarter bottle. Consequently there were people buying oil at one end of the town where there is no control, at As. 8 a bottle. When I went to other places 16 miles off, Valapadi on the way to Atur, a merchant there told me he had to pay As. 8 and another had to pay As. 12 and even then he could get only one bottle. There was an impression that somehow there was something wrong. But when I sent word to the man who was supplying all the oil, I found he had stocks and he adopted some procedure which I could not understand by which he refused to sell his oil. He was selling sometimes red inferior oil and not superior oil. Just as I was leaving Salem the day before yesterday I learnt that every person who went up to him got the oil at the fixed price. I do not know if that was the effect of this resolution. If that is so I would like to move the resolution every day. But I know that on a previous day people had to wait at the door of the agent the live-long day and had to go away without taking oil. I am glad to point out that the local authorities adopted a very excellent device. The sub-magistrate was asked to supervise the sales, he sat up for an hour or two and in his presence directed the sales to go on. On one occasion in spite of the order that only half a bottle should be sold, a woman was able to get a whole bottle instead of half a bottle by passing an extra two annas. That shows the defects of control. Even directly under the nose of the sub-magistrate tipping goes on. It is not possible for the sub-magistrate to spend the whole day in that way. That is only one illustration of the problem of unequal or improper distribution, and it shows the defects of control also. Whereas the sub-magistrate could help only 500 people, out of a population of 50,000 in Salem, to get their daily supply, many others were left without any arrangement. I do not suggest that as many magistrates should be appointed as there are thousands of people in each place. This has led several of my friends to come to the conclusion that if there is to be control it should be on a socialistic basis widespread and such as might delight the heart of socialists. That is full and direct control. I do not know how many members would subscribe to such a doctrine. If that is considered impracticable, the cry is raised abolish all control in

842 RESOLUTION RE MEASURES FOR THE RELIEF OF DISTRESS
CAUSED BY HIGH PRICES.

(Mr. Rama Ayyangar.)

[11TH MARCH 1919.]

"I find in Madras both from the press, and my discussion with the merchants elicited the same information, that when Rangoon rice is supplied, some people forward it to some other district centre. For example, I met one yesterday who was sending to Kurnool and other places. There was considerable difficulty in getting transshipment. Again there are people like Binny & Co. who try their level best at Madras to sell to the best advantage of poor people. But the fact remains that most others who could do similarly to help the people in the mufassal do not get the necessary quantity of rice, owing to difficulties of transshipment from one place to another.

"Then the question naturally arises whether, when this Government have no control according to the answers given and the discussion had at the previous meeting, when this Government have no control over the tonnage available, it is possible to place restrictions so as to allow the purchase only by a few individuals. The question that I definitely raise, my Lord, is whether when we are not in complete command of the tonnage and when the whole transshipment depends upon steamers or the railway, the latter of which can be controlled only to a small extent—whether it is proper to restrict the import to a few individuals who are disposing of it. Messrs. Best & Co. explained in one of their communications that when they heard that steamers from Rangoon had space they took advantage of the occasion and tried to do what they could. But my submission is if the whole Presidency is not to be starved it cannot be left in such a condition. Two things must be done. It may be that the Government charter some steamers or get a few trucks completely under the control of the Government for the movement of food-stuffs and gram and other grains to places where there is need. This portion I confine to transshipment. As has been argued very ably in the last discussion, it will not be possible to control the prices except at the source of supply, where there is a surplus; it can be controlled there and to the extent it is controlled it may be utilized. The question of transshipping them falls mainly upon a responsible body like the Government. Applications from merchants both in the mufassal and the metropolis may be invited to be disposed of according to the needs of several areas and at certain rates. It may be a pure business in the matter of disposal of bags to the merchants and to the areas which need them. The Director of Civil Supplies or the Controller of Food-stuffs, whoever it be, will have to send enough quantity to several stations in the mufassal where there is railway communication or arrangement otherwise for transshipment. The supply should be controlled both by tonnage and railway truck.

"If then it is possible by this arrangement to see that places where there is a deficit of grain or pulses are provided with a sufficient quantity, the question arises what shall the Government do, if from mufassal stations we have not got such a demand by the wholesale purchaser and we could not send them to such places. Then the next question arises for the Government to consider what steps to take where in particular district centres there are not enough pushing merchants who will advance money and see that the articles are carried to their markets. When that question arises, my Lord, I propose a solution. The solution I suggest is this: 'a central committee be appointed with one or two members selected in each district to help the supply of grains, pulses, chillies, etc., to places where they are scarce and are selling at abnormal rates by opening shops or making other arrangements.' Continuing from the place where I left this idea the Government by their ability to transship will be able to send stock to places where there is demand. In the case of districts which have not got such merchants to take it, the Collectors of these districts will be instructed to apply for the quantity needed of each of these grains and gram, and the Collector with the help of the municipal councils or the boards may be asked to just have some funds from the banks near which will enable them to take them to several places on first demand. I do not want the Government to incur any loss in respect of the matter. I want it to be done purely as business; and the taluk boards with the assistance of the divisional officers, tahsildars and sub-magistrates may be able to place them within the easy reach of the masses, by either giving a small commission or days' wages for retail sales by merchants, or opening shops in places under the control of Government officers to distribute it at the rate fixed by the Government. These rates will vary in different places according to the distance of the locality to which the grains and other things are sent as the transshipment charges will vary. Even for that the question arises whether it can be immediately taken charge of by the department. So far as we have worked for the last six months and more, apparently whoever applies and manages to get the licence—after he has got it—it may be that his profit is limited to 8 annas per bag, but once it leaves his hands it may go to a retail seller after passing through six hands and altogether another Rs. 3 may be added and the person that takes it for vending it to the masses may put any price he pleases. That is the experience of the past. Something must be done to remedy it. Therefore I propose a central committee in Madras, not of many members—I do not think it will be useful to have a large committee—but a few members official and non-official, and the Director of Civil Supplies may be at the head of that committee and the Collectors also may choose for each district one or two members who may either directly take charge or at least learn the market and communicate with the committee in Madras for the quantity required in each article to that district. These members and the Collector must take a leading part for the mufassal stations. They together will manage to send it to the areas where they are most needed. As has been explained in the discussion in November, I have not been able to disagree with the Government and state that we should act upon any principle but that of business. So long as there is competition and there is capacity for anybody to manage transshipment without the intervention of the Government, it will not be possible to create a market which may be satisfactory and may be called satisfactorily controlled.

RESOLUTIONS RE MEASURES FOR THE RELIEF OF DISTRESS CAUSED 843
BY HIGH PRICES AND REMOVAL OF INTER-DISTRICT RESTRICTIONS
ON TRANSPORT OF FOODSTUFFS.

11TH MARCH 1919.]

(Mr. Rama Ayyangar; Mr. Venkatapati Raju.)

Therefore, it is, my Lord, the main control of the Government must come by way of chartering ships and by way of having control over the railway transshipment. The particular details I have referred to will enable every part of the province to have the benefit of such control. As it is, I may explain how it is a failure. Suppose Messrs. Best & Co. are able to take hold of 30,000 bags and sell at Madras nearly 10,000 bags and send a few thousand bags to one or two people in the mufassal. They cannot do more than that. There is no knowing whether the vendees from the mufassal will act up to their instructions, especially till it reaches the ryots. The opening of shops in Madras is quite right. It is easily controlled by them. They cannot take greater responsibility. The only body that will be able to take charge of this business and manage it properly will be the Government and they should so distribute it among the districts and leave it to so many individuals, not one or two. When it is fixed so much for Madras, it must be given to so many individuals, that the matter would work itself automatically and would not allow scope only for certain hands to work in such a big city as Madras with 7 or 8 lakhs of population. Therefore divide it into parts. The first relates to having control of stock where they are available, the second to distribution both in mufassal centres and rural areas and the metropolis. When that is divided like that, any extra quantity may be disposed of according to the needs which may arise. Anything over that may be left to the merchants for them to deal with as they please. But this committee with all the instructions that the Government may be able to give will be able to arrive at a satisfactory conclusion as to the quantities of each grain and pulses needed and the effect will be that every place will be supplied with enough quantity. Cotton seeds, gingelly seeds, black-gram and horse-gram are not available in some places either because of the badness of the season or the failure of the crops owing to the failure of the rains. There are no products in some districts. The southern districts suffer very much. Even if it is one measure per rupee they are purchasing it now. Is it not time for the Government to try and interfere? I say that funds should be allotted to relieve the distress. It has been accepted by the Government and put forth that in some places famine relief is needed. I am not referring to that at all in this resolution. I am only referring to enabling local bodies or other bodies which may be accepted by the Government to purchase these goods on allotment of funds. After all the Government may not lose much except probably half a per cent or so in the complexity of the transactions that might arise in having to pay extra establishment that may have to be entertained; the rest of it may be done on business lines. I have no doubt that every District Collector would act on it. Some of them are anxious to do it; they are willing to devote extra time for relieving this distress. They may be called upon to help the Government in this matter and the whole business will be done excellently. There is no use of leaving it in the position in which it has been till now. Four months ago probably we could have said, 'we shall wait and try'. The present condition is quite otherwise. The matter has become urgent and should be taken up by the Government at once. Though I do not specially refer to the transshipment question as a question of the first importance, I submit that the Government may take steps to alleviate the distress on the lines I have suggested."

RESOLUTION RE REMOVAL OF INTER-DISTRICT RESTRICTIONS ON
TRANSPORT OF FOODSTUFFS.

The Hon'ble Mr. B. VENKATAPATI RAJU:—"As Your Excellency has suggested I take this opportunity of moving my resolution as well—

'XVII. This Council recommends to the Governor in Council that the Government be pleased to issue instructions to the Director of Civil Supplies to remove the inter-district restrictions of transport of foodstuffs between the adjacent districts of the British territory in this Presidency.'

"My Lord, in this matter both the Government and ourselves are in the same situation. They know the seriousness of the situation; they know the dangers and difficulties, and both are helpless. The Government are helpless, because they cannot find any means whatever to bring down the prices or to supply foodstuffs where the difficulties are noticed. It is therefore the duty on the part of every one of us to co-operate with the Government and to see how best to meet the situation. Therefore we will treat it not as a controversial measure but as a matter of ventilating our grievances so that we can find out what possible light we can throw on the present conditions. We cannot overlook the fact that the present situation is brought about by exporting a large quantity of foodstuffs without considering whether our province has enough of it and they found at the last moment that we have been sending large quantities out of the country which we cannot afford so much so that even the Government of India have thought it necessary to import wheat from Australia. But they have taken no serious step and I think we must sympathise with the Local Government when they said that if every other provincial Government wants any quantity and applies for a supply to the Government of India if the Local Government are not to be consulted on that particular matter, then practically they will take away whatever is wanted without considering whether we have enough to spare. When we have not enough I think not only the Government but the people should rise and complain that no other Government should interfere with the foodstuffs in our province unless our wants are satisfied. Probably on behalf of the Government of India, their agents say they would consider the situation, but I think it is a far cry from a province like this to a

RESOLUTION RE COMMITTEE TO INQUIRE REGARDING THE DISTRIBUTION OF NECESSARIES OF LIFE.

(Mr. Narasimha Ayyar; the President; Mr. Rama Ayyangar; Mr. Suryanarayana Rao.) [11TH MARCH 1919.]

respect of kerosene oil. Both the extremes seem to be dangerous. It is for that purpose I am recommending a committee to consider what is the proper course to be adopted in regard to kerosene oil. The shortage of kerosene oil is brought about artificially in several places. There are three companies supplying kerosene oil and unfortunately they happen to be practically in the hands of one and the same man. That is the case in Salem. Several people told me there was too much of oiling the wheels going on, and it was absolutely impossible for any one to sell at the price fixed because so much had to be spent on oiling the wheels. The people have been asking me to recommend to Government that they should direct all sales to take place on stated days in the presence of a responsible officer, who should see to the distribution of a large number of tins. There are numerous suggestions put forward, but I do not wish to take up the time of the Honourable Members.

"It appears to me that the scare of looting in the case of paddy and some other food-grains has already spread to various places. Although the Government say there is no information about the breaking of bottles or the breaking of heads in answer to my question, it is a fact which Honourable Members may take from me that there have been such disturbances in connexion with kerosene oil. In order to avoid this scare of looting, it is highly necessary that there should be a committee appointed. For these reasons I would recommend the appointment of a committee consisting of officials and non-officials. My proposition is connected with Resolution No. IX which my Honourable Friend Mr. Rama Ayyangar moves and he has got some additional suggestions as to the opening of shops and having a committee with gentlemen from various districts. My resolution is in no way opposed to the resolution of the Hon'ble Mr. Rama Ayyangar or the resolution of the Hon'ble Mr. Venkatapati Raju No. XVII which also bears upon this. I have already dealt with the removal of inter-district restrictions so that sharp differences might not exist across the border. These three may be discussed together and voted upon one after another."

His Excellency the PRESIDENT :—"The Honourable Gentleman has anticipated me that these three resolutions should be discussed together though there may be different votings. Will the Hon'ble Mr. Rama Ayyangar move the second resolution?"

The Hon'ble Mr. K. RAMA AYYANGAR :—"Let somebody else second the resolution."

The Hon'ble Mr. A. SURYANARAYANA RAO :—"I second the resolution. I shall give my experience in my district. We are finding considerable difficulty in obtaining food-grains. The Hon'ble Sir Alexander Cardew has paid a visit to Vizagapatam. We feel convinced that of all the districts ours is the worst. That is the only conclusion we can come to. We find lot of difficulty. I think if all the restrictions are removed we will get on better. There is a wrong impression in the minds of several that there is not paddy sufficient to supply Ganjam district and therefore that no paddy should be allowed to come out to Vizagapatam. Similarly the Collector of Gōdāvari is under the same impression, and he does not allow paddy in very large quantities to Vizagapatam. For several years Vizagapatam was relying on the supply of paddy from Ganjam. It never produces any large quantities itself. Even now there is an abundant supply in the Ganjam district but the Ganjam Collector does not allow these supplies to come to Vizagapatam. Some time back two or three merchants were licensed to sell paddy. The consequence was that one or two men have a monopoly of selling and they dictate their own terms. The result is that the price of paddy became very high when it came to Vizagapatam. Again restrictions have gone so far that no passes are now allowed for any paddy to come from the Ganjam district to the Vizagapatam district. Have matters stopped there? No; on the other hand paddy is still coming from Tilaru and other places to Vizagapatam. The rice is being brought clandestinely by carts and the consequence is there is tipping throughout the whole of the journey in order that the bandy may go without being seized by the policeman. Eventually the burden is thrown on the consumer. By the time the rice comes to Vizianagram the first merchant who buys the grain makes his own charges and when he brings it to Vizagapatam he makes another charge and if the paddy is taken to Anakapalle he again charges an additional amount, and the consequence is that by the time the rice comes to Anakapalle he will have incurred exorbitant charges and all these fall upon the consumer. Your Excellency's Government have tried the experiment of imposing restrictions. Let us see how the problem would work during the next six months without restrictions. At Cocanada rice is selling at 6 to 7 seers. At Vizagapatam we cannot get 3½ seers. The price has gone up to 25 rupees per bag whereas in Cocanada it is Rs. 16 or Rs. 17 per bag. The prices are rising day by day at Vizagapatam, and the poor people are wholly unable to buy paddy. The experiment of getting rice from Gōdāvari was tried for some time. We are not allowed to get that beyond Yellaman-chili and the consequence is we had to bring it by bandy, unpractices have to be resorted to, and again the burden is falling upon the consumer. It is an anomaly that while rice is selling at 6 seers in Ganjam or Gōdāvari we cannot get at Vizagapatam half the quantity."

"With regard to kerosene oil my Honourable Friend Mr. Narasimha Ayyar has given a description. We are feeling the same difficulty with regard to kerosene oil, and unless the Government interfere in the matter, I do not think there is any security for anybody, and riots will take place again. We were threatened the other day that there would be riots. With these words I second the resolution."

RESOLUTION RE MEASURES FOR THE RELIEF OF DISTRESS CAUSED BY HIGH PRICES. 841

11TH MARCH 1919.]

(Mr. Rama Ayyangar; the President.)

The Hon'ble Mr. K. RAMA AYYANGAR :—"Does Your Excellency propose to have the other resolutions discussed now?"

His Excellency the PRESIDENT :—"Yes, if the Council find it convenient."

RESOLUTION RE MEASURES FOR THE RELIEF OF DISTRESS CAUSED BY HIGH PRICES.

The Hon'ble Mr. K. RAMA AYYANGAR :—"I will move my resolution. It runs as follows:

'IX. This Council recommends to the Governor in Council that immediate steps be taken by allotting funds to relieve distress caused by the high price of foodstuffs in the Presidency and to attain that end a central committee be appointed with one or two members selected in each district to help the supply of grains, pulses, chillies, etc., to places where they are scarce and are selling at abnormal rates by opening shops or making other arrangements.'

"My Lord, it will be seen from the wording of my resolution that I have not taken objection to the position as far as it has gone. Within the last one or two days we have got the correspondence between this Government and the Government of India published in the newspapers. We did not ourselves get a copy of the Government Order before we started. At least I did not get it before I started from my place. That apparently explains the difficult position that this Government occupy after the matter was particularly placed before the Government of India. Apparently the Government of India also feel that in the circumstances of the whole country the matter has to be carefully sifted and a conclusion arrived at. Under these circumstances after I read the Hon'ble Sir Alexander Cardew's statement last November in this Council—I was absent from that meeting—I felt that the whole thing was being carefully watched and I felt also that in spite of all the steps that had been taken, the position was not at all in any way improved and to the best of my powers I considered the question and I thought I could place this resolution before the Government and the Council.

"In fact it is so very difficult to decide whether to fix the price, the maximum price in all places in the province where there is a good supply of each of the articles I have referred to. Apparently the Government of India are against putting up such restrictions in respect of other articles than rice, wheat and gram. But in respect of gram as far as I have been able to gather, there has been no attempt to fix the price at the source of gram. Naturally therefore, if what my Honourable Friends have told me is correct, much of it has already been exported from the province. It is so probably with chillies also. With all that we are at a portion of the season when we could not have exhausted all our supplies. We may be able to do a little more to see that within the province as much is done as possible in respect of these three heads. Cholan and other crops—I do not know whether they will come under this or not—apparently the wording of the Government of India's order would exclude. However, I submit as the last reply by telegram of this Government shows the strong representation and feeling that is expressed that control may be necessary, it may be acceded to by the Government of India. I dare say everything will be done towards that. My submission is we should consider whether in respect of rice and other articles which have been to some extent controlled we have had the position clear and satisfactory. My Lord, I think even during the last discussion it has been pointed out by the Hon'ble Sir Alexander Cardew that he was not sure whether the benefit actually reached the masses. I can for my part say that it has certainly not reached the masses except where one or two gentlemen out of philanthropy undertook to supply as per the terms of the Government Orders and gave relief to a few persons in a number of centres. In the mufassal specially in the rural areas it has not been possible to give any relief. In fact I have been very closely observing the condition of the market in Madura and the surrounding places and in Ramnad also. Paddy was sold at 5 measures the day before yesterday in the Madura market. That means they cannot give more than 2½ measures of rice per rupee. I know there is one gentleman in Madura who has got a few bags of Rangoon rice and he sells them at four measures a rupee. In spite of that as soon as the paddy is harvested it is removed by the merchants from the thrashing floor subject to the shrinkage that might result. They have been removed at six measures per rupee. Therefore I only make the suggestion that they boldly come to purchase this, because they find that the interior is not at all touched by the arrangements made and they feel sure that they can immediately take them into the interior and dispose of them at less than what they bought at the Madura centre. The same is the position in other places also. It sells almost at the same rate in Tinnevely where we have the Tambraparni area. The yield is poor everywhere. Apart from that, that which is produced in the Periyar area or the Tambraparni area has to be disposed of. There is enough supply for the immediate needs of the field at that very high price and to take them as I have explained, to purchase them on the field at that very high price and to take them to the interior for sale. I have no doubt that they sell immediately. If they keep it they could not sell the paddy at four measures because there will be greater shrinkage. Therefore, my Lord, it completely proves one statement of mine that it has not actually reached the interior and we have not been able really to create a sense of satisfaction or of security in the minds of the people to any extent."

844 RESOLUTION RE REMOVAL OF INTER-DISTRICT RESTRICTIONS ON
TRANSPORT OF FOODSTUFFS.

(Mr. Venkatapati Raju.)

[11TH MARCH 1919.]

place like Delhi, because there are other provinces which are very near and they can bring pressure or influence sooner than we can from this distance. All the same there is this difficulty. When the Government of India's order says that the provincial restrictions should be removed when the Director of Civil Supplies wants it, it is all the more necessary that my suggestion should be given due consideration, because if we are unnecessarily placing restrictions from district to district and we are accumulating it in one district or other district, then they would take it away from that district to another province. It is just like our accumulating our balances and the Government of India taking the money away. Therefore we must first of all provide the best means of supplying foodstuffs in the districts.

"So far as Vizagapatam is concerned, I may mention to the Government that it is in a most deplorable state. We are against restrictions and even the District Collector is anxious about it. A deputation waited upon him only a few days ago, and he was pleased to state that he was appealing to the Government that some sort of permission should be given to the people of Vizagapatam to import rice from Ganjam and Gōdāvari and that the inter-district restrictions should be removed. He states that he was ordered to keep up the restrictions. But unfortunately these restrictions have got a contagion; not only between district and district but between taluk and taluk these restrictions were introduced. In taluks where there is a deficiency there is trouble. Within a short distance from the Vizagapatam district rice is selling at Rs. 6-8-0 or Rs. 8-8-0 whereas in our place it is double that price. How to meet the situation? Vizagapatam is placed in an unfortunate position because Gunupur and Palkonda, which generally give large quantities of paddy have got an opening at Amadalavalasa and Tilaru in the Ganjam district. We cannot get it. If they go to Amadalavalasa and Tilaru the Ganjam Collector says 'it is our property, you cannot take it.' There are other taluks where the crops have failed for want of timely rain. Is there any method of relieving the situation? The only method as suggested by the Hon'ble Mr. Suryanarayana Rao is to remove all restrictions, because the more restrictions you place the more trouble you are causing to the consumer without intending it. The restrictions are good in themselves but in their application they create a lot of hardship. Supposing you impose more restrictions to make it more effective, additional prices will be paid by the middleman in order to circumvent these rules and all this will be charged on the consumer. Some of the Collectors express their inability to combat that evil. They know perfectly well and I think even the Government know by this time that so much black-mailing is going on and they are unable to overcome that difficulty. When you prevent it by rail they take it by cart. If you keep half a dozen constables, the people will pay something to every one of them with the result that you will only enhance the price for the consumer. Some of these restrictions, Your Excellency, are only on paper, because they are more observed in the breach than in the observance. This Government have restricted the price in the Gōdāvari district; it must not exceed Rs. 12-8-0. That is the rule on paper, whereas if you go to Tuni you will find they are selling at Rs. 15-8-0. I do not think our Government are singular in this respect, because when our merchants went to Calcutta to purchase rice for the consumption of Vizagapatam though the price in the Government Order in Calcutta is Rs. 5-8-0 they were really selling it at Rs. 6-8-0. These merchants are required to apply to people who are supposed to have licences and these people say that they have no stock. The only way to get the stock is to increase the price and you get any amount of stock. If you stick to Government restrictions, you would not get a single bag. That is the case in Tuni. In Cocanada, locally they are selling at Rs. 8-8-0 whereas they sell it at a lower rate in certain other places. I do not think that the Government do not see all the difficulties but they find some difficulty how to meet this evil. My suggestion is, on the general question, whatever may be the view of the Government so far as the Northern Circars are concerned they should be grouped together and there should be no restriction so long as the foodstuffs are controlled within those four districts without exporting to other presidencies or other places which are not British territories. If that is done, we can more easily supply the foodstuffs to poor people.)

"The way in which the licences are being given is causing much havoc. Whatever be our intention, the actual effect is you restrict it to a few people and the necessary consequence is they will raise the price. Give it to as many people as there are applicants, provided they satisfy the local authorities that they would observe the restrictions imposed by the Government or the local authority. If you are satisfied that the man is a merchant who is prepared to obey and carry out the behests he should be given irrespective of his class whether he belongs to a particularly favoured class or not. We should give it freely to all persons who are prepared to observe the conditions.

"With regard to kerosene oil we cannot blame the companies themselves, because they are prepared to place at our disposal the necessary quantities wanted at the necessary centres. The trouble comes only with reference to the retail sale. B forms are given. Whenever a person goes, the dealer charges a high rate and sells it to him. Even when we have enough quantity, it is not properly distributed among the residents. Therefore we must combat the evil by stopping the middleman whose intervention unnecessarily increases the price. That can only be achieved by removing the inter-district restrictions.

"When the Hon'ble Sir Alexander Cardew came to Vizagapatam the difficulties were placed before him and he promised that he would consider them favourably. I respectfully submit that the District Magistrate who is responsible for the peace of the district is also of the same opinion. When all the people complain that it should be done, I hope the Government

RESOLUTION RE REMOVAL OF INTER-DISTRICT RESTRICTIONS ON 845
TRANSPORT OF FOODSTUFFS.

(Mr. Venkatapati Raju ; Sir Alexander Cardew.)

11TH MARCH 1919.]

will be ready to come to our aid and see that a proper supply is made. From Gōdāvari district a certain quantity was allowed to be imported to Vizagapatam, not to the whole district but only to two taluks. I say whatever be the quantity, let that quantity be distributed to the whole district. But that is not done.

"I want also to bring another matter to the consideration of the Government, because I say it is rather outrageous that when we have to import rice from Calcutta to Waltair we have to pay railway freight of Rs. 1-12-0 per bag. Now if we are clever enough and take it 20 miles beyond Waltair to Anakapalle, we have to pay only 14 annas per bag. What is this absurdity? When we take to a shorter distance we have to pay double. Are not the Government aware of it? Perhaps it may be due to the fact that the Bengal-Nagpur Railway has some understanding with the Madras Railway Company. The merchants are complaining that they could not bring rice to Waltair because they would be benefited if they take it anywhere else.)

"The Government made a concession with regard to the supply of fodder by railway. Why not the same concession be given for the supply of foodstuffs for human beings? It may not be in the hands of local Government but if they press on the Government of India the present hardships which the people are undergoing and which are brought about by the former action of the Government, I think the Government of India would come to our help and see something is done. They may show similar concession with reference to human beings as they did with reference to fodder for animals. Therefore, My Lord, I do not propose to take any more time, I say that this requires serious and sympathetic consideration of the Government."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, the Hon'ble Mr. Narasimha Ayyar in beginning his speech referred to this matter as one of great complication and importance, and I quite agree with him on both points. I am glad to have an opportunity of placing before this Council a statement as far as I can of the facts as known to the Government and of the position as we see it at present; and in doing so, I should like to disclaim any desire to dogmatise upon the rights and wrongs of this question because they are of great difficulty, but I merely put what seems to me to be the most reasonable inference from the facts before this Council in order that they may consider what conclusions should be drawn from them.

"The Government are quite aware of the seriousness and gravity of the present position in this Presidency and the whole matter has been and is constantly before their consideration. We know perfectly well that these immensely high prices which are unparalleled in the history of the Presidency even in the worst famines must be causing immense hardship and immense pressure to many classes of the population. Some classes have no doubt succeeded by getting larger wages in meeting to some extent these high prices; but those people who are not in a position to extract higher wages from their employers or who are on fixed incomes cannot fail to suffer very great distress, and the whole position causes us very grave apprehension. In regard to the Government employees, at any rate, the Government have endeavoured to do something to meet the position. As the Council is aware, special allowances have been given to all employees on Rs. 50 and under, and as the answer to one of the questions shows, between 90,000 and 100,000 people will benefit to some extent by that concession. But of course that is merely evidence that the Government recognize the facts of the position, know how much people must be suffering, sympathize with them and would do everything in their power to remove the suffering.

"Madras is almost always dependent upon imports; but this year the position is very much worse than it has been for a long time. The figures for cultivation are published every month in the *Fort St. George Gazette*. Roughly as far as I can see from the latest figures up to December, there was up to that date, a deficiency of no less than 660,000 acres under wet cultivation and 9 million acres under dry crops. These are enormous figures and they must represent at a rough calculation something like a couple of million tons of foodstuffs which are in deficit in the Presidency. Then in addition to that great deficiency in crops, unfortunately the same thing has occurred even in a worse form in other provinces. I believe that in the whole of India there is a shortage of something like one million tons of food. That estimate is based on the ordinary rates of consumption which no doubt will be reduced and must be reduced by the pressure of high prices; but in the whole of India there is an enormous shortage of food owing to bad season.

"It has been suggested that it is due to prior exports. But it is obvious that you cannot interfere with the exports in a good season because there may be shortage if a bad season should occur. The Government of India recognize the position and they have arranged for the import of 200,000 tons of wheat from Australia, and they hope to get a larger quantity up to half a million tons. But up to the present, they have succeeded only in securing 200,000 tons and that alone is a large quantity to move and involves the use of twenty steamers which is a serious undertaking. In the meantime, Bombay, Hyderabad and other parts of India are suffering greater distress than we; the prices are higher in Bombay than in this Presidency. As to Hyderabad, I have no figures, but I fear things are very bad indeed there. So that it is an all-India problem and every one who considers it, must consider it from the all-India standpoint.

"Now the chief source of supply is Burma; Bengal supplies a certain quantity of surplus. But our chief stand-by is Burma. Burma produces a large quantity of rice and has got probably something like 1½ million tons to give to India. But it is obvious that Madras cannot claim an undue share of that quantity. We cannot expect the Government of India to allow Madras to have more than its share while Bombay is being starved. We are obliged to recognize taking the whole conditions together, we can only claim a reasonable share of the supplies from Burma.

846 RESOLUTION RE REMOVAL OF INTER-DISTRICT RESTRICTIONS ON
TRANSPORT OF FOODSTUFFS.

(Sir Alexander Cardew.)

[11TH MARCH 1919.]

That share is determined by the Foodstuffs Commissioner and that share has, I believe, been placed at 25,000 tons a month. I do not think my figures are entirely correct; they are not quite complete because imports by rail are not available for a month or two after the month closes. There are no figures for imports by rail after December, but apparently since September a net quantity of 150,000 tons have been imported into Madras, if you deduct such exports as took place in the early months. These imports will go a little way to make up the deficiency but Honourable Members will see the position is one of short supply throughout India and in Madras it is a matter of short supply and the other considerations are minor ones, such as hoarding. The real cause of the high prices, the ultimate cause, as far as I can judge, is short supply.

"Can the Government do anything to remedy this? There are two points of view on this. One point of view would be in favour of removing all State control. It is contended that State control is ineffective, that it interferes with the usual channels of trade and checks private enterprise and that it creates—that is the chief argument against it—artificial differences in price levels in different parts of the country. State control must to some extent be ineffective. It cannot be perfect, it can only be partially effective. Now, I should like to ask the Council to look at some facts regarding State control. When we had the last discussion in November what was the price of rice in Rangoon at that time? The Burma unit is 100 baskets of 75 lb. each, that is, 7,500 lb. The price of that unit before Mr. Gubbay began his operations was Rs. 435 and it has been fixed by him at Rs. 335. As Honourable Members know from what they see in the newspapers the prices have been lower than Rs. 335, Rs. 325 and so on. So that it may be stated to be almost certain that State control in Burma has immediately reduced the price by over 20 per cent, from Rs. 435 it has come down to Rs. 335 per unit. Then take the case of freight. In November the freight was Rs. 42 per ton—the freight from Rangoon to Madras. That freight was in no sense inflated, because we are told that steamers could easily do better by leaving the Indian waters, and by either going to the Far East or to Europe they would probably earn higher freights. The only way in which reduced freight has been obtained has been by the direct exercise of official control and intervention. So long as the Controller of Shipping exercises control over shipping, the Government will be able to order them to go to certain ports and follow a certain course of business and they have been able thus to reduce this freight. The freights have been reduced from Rs. 42 to Rs. 26 per ton. This is the second instance in which official control has produced material result without which we should be much worse off than we are. But for the official control, prices would have gone to Rs. 500 per unit. The merchants in Rangoon are grumbling a great deal that they are not allowed to make the maximum profit which they would otherwise be making. The result of official interference has been to reduce the cost of Rangoon rice from Rs. 15 per bag landed in Madras to Rs. 11-11-0 which makes a difference of between three and four measures per rupee. I suggest on that statement that it is impossible to accept the attitude of those who say 'do away with all control and leave it to private enterprise'. That would be possible if private enterprise had a fair field to operate and if there were plenty of steamers to move grain and plenty of railway stock. Then no doubt those restrictions would be superfluous. But unfortunately neither of these conditions at present exist. We cannot expect in three or four months to make up for the enormous losses in steamers due to sinking by German submarines. Although all the building yards are hard at work, it will take many months before we can get normal conditions. With regard to the railways we are equally badly off. The war no doubt is over, but I may read from a letter of the Agent of the South Indian Railway, where he says:—

'It seems to be the general idea amongst the public that because the war is over normal conditions have automatically resumed. But such is far from being the case. We have not yet received any stores for repairs and maintenance of our locomotives and rolling-stock; and although under the instructions from the Railway Board we cabled Home indents some months ago, we have not yet received any intimation of when we may expect to receive materials so that we are in just the same condition as we were in during the war with the disadvantage that the engines and stock have been running longer and are therefore in more need of repairs.'

"Thus there is not really a fair field for competition. It seems to me as far as I can see that control must be maintained for the present.

"Then comes the question of control inside India as apart from the control in Burma—control over distribution in India. As Honourable Members have seen from the papers published, the Government of India would like to sweep away this control. They take the line that you have only to put in as much food as you have got and leave it to natural causes to determine who shall get it. The Madras ryotwari landholders take that sort of view. They have sent a memorial asking that all control should be removed. I see in the newspapers that some Madras merchants want the same thing. They want the removal of all control. On that matter, I want to draw the Council's attention once more to facts, because they are the only things which can hardly be doubted. Until the 25th of January the removal of dry grains, Government of India, in the letter which has been published, have cancelled that on the ground that it produced artificial and unequal distribution. By that, I understand that one province had cheaper dry grains than another province. What has been the result? We cannot yet tell what the final result will be, because it has not been in force long enough. It has been in force only for a month. But take the case of Anantapur. The price of ragi there was 9-3 annas per

RESOLUTION RE REMOVAL OF INTER-DISTRICT RESTRICTIONS ON 847
TRANSPORT OF FOODSTUFFS.

11TH MARCH 1919.]

(Sir Alexander Cardew.)

rupee a year before. On the 25th February it was 7-9. In Cuddapah the price was 8-6 and now it is 7-3. In Godavari it has gone up from 11 to 9-8. Cholan in Vizagapatam has gone up from 9-7 to 8-7; in Anantapur from 8-3 to 6-9; in Cuddapah from 8-6 to 7-4 and so on. I have got the prices of cumbu. It is to the same effect. I had a visit yesterday from the Collector of Anantapur, Mr. Raghavayya, and he says the district is swarming with Bombay merchants who are buying in all directions for export to Bombay. I submit to the Council that two conclusions follow from this. One is that this control was to some extent effective. It prevented the province from being drained of supplies by another province which was able to pay more. It is clear that it tended to do what the Government of India say, viz., to produce an artificial unequal level of prices. The result of the removal of the restriction is to level up the prices all over the country. I think there can be very little doubt that that is the effect of these restrictions whether between provinces or between districts. It simply means that they check the moving of grains from those districts which are fortunate enough to have stocks to those which have not, and consequently those which have not got stock suffer and those which have benefit. It seems to me that it is merely a question whether or not you should remove these restrictions and leave it to the wealthiest parts of the country to take as much supplies as they can buy or whether you should try by exercising control to prevent that effect. For instance, in Bombay, they have made large profits from cotton and they are able to pay higher prices than we. The man with the longest purse can buy foodstuffs. In the same way inside the province Coimbatore has done very well in cotton and the Coimbatore ryot is able to pay higher prices and to attract grain into his district. For instance, supplies are sent by rail all the way to Nilgiris; after they reach the Nilgiris by rail, they are taken down the ghat and brought by carts to Coimbatore. That produces speculative buying and an unnecessary tendency on the part of merchants to send grain to points where they can get the highest prices. They send it to one point one week, and if they can get a higher price elsewhere they send it to another point next week. That seems to me to be the objection to the removal of the restriction within the province which the Hon'ble Mr. Venkatapati Raju advocates as much as to the removal of the restriction beyond the province. The control is not perfect; it does not prevent hardship and the corruption that he refers to; but it does, on the whole, prevent speculative buying and the sending of grains to and from towns, keeping some districts better off than others. To remedy that, the Director of Civil Supplies is here. He is intended to send grain and to give larger orders for export to certain districts.

"The Hon'ble Mr. Venkatapati Raju—it is a most natural thing, I can quite understand his feeling in this matter—says that the District Magistrate of Vizagapatam complains of the high price in that district and wants to get larger supplies from Godavari. But we have letters from the District Magistrate of Godavari saying that if we do not do something to stop the export of grain from his district he will not be responsible for the peace of the district; people see grain going out, which causes the price of grain to go up in the district artificially and he cannot agree to any further reduction of his stocks. So that, one must set the feeling of one district against that of another. Very naturally each of them looks at it from its own point of view.

"Therefore, as far as I can see at present, I deprecate the removal of these restrictions because that would make matters worse than they are. Some Honourable Members have said, 'we have tried this and it has failed. Let us try something else'. We cannot make dangerous experiments in that fashion, because it may result in serious trouble. The very fact that Honourable Members are in such disagreement on the question shows how doubtful it is. The Hon'ble Mr. Rama Ayyangar is strongly in favour of control. Other Honourable Members like the Hon'ble Mr. Venkatapati Raju would like to sweep it away, and though their opinions are based upon local conditions on the whole it seems to me there are reasons for the maintenance of this measure of control over distribution and thereby indirectly over prices which are sufficient to justify us in keeping to it.

"Then the further question arises whether the Government ought to go further. The natural feeling which has been repeated to me again and again is that the Government ought to do something, that it should go further and control prices. We have been asked to fix prices in each district. Thus the Madras Ryotwari Landholders' Association with what seems to me to be slight inconsistency proposes on the one hand that we should fix prices and on the other that we should remove the control between districts. Can we fix prices? It is quite easy in Rangoon where you are dealing with only exports by sea. You can see that no ton of grain shall go out except at the price you have laid down. Is it possible to do it here? I again draw attention to the facts as far as we know them. I am going on newspaper information which unfortunately is not always reliable, but what I understand from newspapers is that the Government of Mysore attempted the control of prices of dry grains. They said no one should sell above their price. That attempt I believe has failed. The ryot when he was told that he was not to sell above a certain price, refused to sell at all. The Mysore Darnar sent people into the highways and by-ways to commandeer stocks, but they could not get it. I believe that the reason why we cannot get from them the promised supply for the Wynad is that they are not able to get stocks. Fixing the price there is quite a failure. I understand from a recent communication that the Government of Mysore are now withdrawing their attempt at control. That is a valuable piece of experience. It shows how difficult it is even in a compact area like Mysore. Again we are trying to control the price of kerosene oil here. It is a comparatively easy thing to control the price of kerosene oil because it all comes from Burma by sea and it is all in the

848 RESOLUTION RE REMOVAL OF INTER-DISTRICT RESTRICTIONS ON
TRANSPORT OF FOODSTUFFS.

(Sir Alexander Cardew; Mr. Narasimha Ayyar.)

[11TH MARCH 1919.]

hands of three or four companies in Madras which have not raised their prices, so that the supply is entirely under control at the source. Yet, when it reaches the consumers, as far as we know, there has been a complete failure—I would not go so far as to say complete failure but there has been a marked failure—in many parts of the Presidency to control the price. The machinery used by the firms in Madras is they have several agents up-country and we have fixed the prices at which the agents should sell the oil. But when other persons buy the oil they put on any price they like and the consumer is not benefited. The consumer is benefited in some parts, but at any rate it has not been so great a success as we hoped.

"In the case of grain, would not the difficulty be infinitely greater because you have got immense stocks in the country and there is no possibility of controlling at the source? There are large stocks all over the villages and it would hardly be practicable. You will have to fix different prices in every town and almost in every village, and supposing you fix it too high, what happens? The Government are then said to have been abetting profiteering and abetting the exploitation of the unfortunate consumer. If you fix the price too low, then the ryot refuses to sell and holds back his stock. It seems to me that the effect of fixing prices would be to force the Government to commandeer the stock and distribute it just as the Mysore Government did. The result would be worse than what we have got now. Last November, the Government issued a Government Order in which we suggested the possibility of municipalities buying supplies and retailing them without any profit or any loss, but at cost price. But I am not aware of any municipality which has done it except one case. I met the Chairman of the Kodakanaal municipality the other day, he told me he had had a certain quantity of grain up and he sold the whole of it within 20 minutes of its arrival and the whole thing yielded a profit of Rs. 1-8-0. He felt sanguine that he would be able to do it again although he is 50 miles from the railway. I do not see myself why it should be impossible. We have now got the assistance in this matter of Messrs. Best & Co., who, I understand, have undertaken to send grain up-country to municipalities without asking for payment in advance, thereby enabling the municipalities to pay at their leisure after sale and thus removing the difficulty about pre-payment, on the condition that it is sold at 4 measures per rupee. That only applies to Rangoon rice. That seems to be the most hopeful thing that we have yet elaborated. If we can get enough quantity of Rangoon rice and send it to municipal councils and get them to sell it at a fair rate which leaves a small profit, then with the help of a responsible firm like Messrs. Best & Co. it is the best thing that could be done. I would commend it to the chairmen of municipalities in the hope that they will try the scheme and see whether that scheme does not work.

"The great difficulty is the smallness of our supplies from Burma. Several references have been made in this connexion to the arrangements for import. I should like to remove any misapprehension on that point. There seems to be an impression among the public and probably among some members of the Council that something in the nature of a monopoly has been created. The Hon'ble Mr. Narasimha Ayyar, I think, said that there was great complaint among consumers regarding this matter of licence for imports. He said it should not be given to a few but to ten or twenty. He evidently thought that it was given to a small number. I have got a list of licensed Rangoon importers. The number of such merchants in Madras is 21 for March and 20 for April; another 40 in Cochin and a certain number in Calicut; about another 20 in Negapatam and a still larger number in Tuticorin and the same in Calicutore."

The Hon'ble Mr. B. V. NARASIMHA AYYAR (interrupting):—"May I ask for information as to how many there were in January or February in Madras?"

The Hon'ble Sir ALEXANDER CARDEW:—"It must be rather more than 20 in January from the look of the figures, it must have been about 30. I am not sure if we should be wise to go further than what the Director has done. It might be better to reduce the number and to fix half a dozen importers. I have no firm opinion but I am not at all sure that these people who import 200 tons would not be better eliminated, and a smaller number selected with more stringent conditions as regards the sale. When you have 20 people importing 200 tons each, there must be difficulty in looking after them. The Southern India Chamber of Commerce might be asked to nominate three or four merchants from among Indian merchants and we might ask one or two Europeans to take it up, so that the import and the distribution might be brought under more stringent conditions. I am not at all inclined to increase the number of importers, I am rather inclined the other way. Some approach to monopoly seems to be the only way in which the rice will reach the consumer at the price at which the Controller intends it should. That however is a doubtful point.

"The next question is with regard to kerosene oil. Here I am afraid again we are up against the undoubted fact of inadequate supply, though I am not in possession of all the facts in regard to the causes of the inadequacy of the supply. In the months of November, December and January the quantity sold averaged somewhere about 170,000 units of 8 gallons. In February it suddenly fell to a little over 1 lakh of units. The kerosene oil firms with whom I have had some communication are not clear as to the causes of this, whether it is the other cause, one real cause is the reduction in shipping. I am told that no less than 50 per cent of the American tank steamers were sunk by German submarines in the course of the war; nearly half of their fleet of tank steamers were sunk. The Asiatic Petroleum Company which depends on the Anglo-Saxon Steamship Company lost 33 per cent of their ships. That must necessarily reduce the supply and therefore increase the price. I am very much afraid that it is beyond the power of the Government to do much in the matter. I am glad, however, to be

RESOLUTION RE REMOVAL OF INTER-DISTRICT RESTRICTIONS 849
ON TRANSPORT OF FOODSTUFFS.

11TH MARCH 1919.] (Sir Alexander Cardew; Mr. Wood; Mr. Narasimha Ayyar;
Mr. Ranga Achariyar.)

able to say that the American firm hopes that there will soon be an improvement and that two steamers are expected this month with a fairly large supply for the West Coast while another steamer is expected before long in Madras. If that arrives, it will substantially remove the inconvenience. If tank steamers increase, the position will be relieved. The position is thus more hopeful than in regard to grain.

"The first resolution I have to deal with is the proposal to appoint a committee, but before referring to that, let me refer to the other two resolutions. As regards the resolution of the Hon'ble Mr. Venkatapati Raju, I think the trend of my remarks will have shown that I cannot agree at present to the removal of the restrictions from district to district. I think on the whole we should continue this method of trying to remedy the evil. Then the Hon'ble Mr. Rama Ayyangar suggests a committee which should sit in Madras and have mufassal representatives. I am not prepared to say that mufassal representatives may not be useful and I will return to the point. Thirdly, the Hon'ble Mr. Narasimha Ayyar has proposed a committee. I do not think a committee would be a useful procedure in this matter. Last August or about then, the Government appointed a committee to assist the Director of Civil Supplies and it is a matter of disappointment to me to see that no use has been made of that committee and that it has not met."

The Hon'ble Mr. R. B. WOOD (interrupting):—"May I explain? That committee was replaced by a committee of rice merchants which met every fortnight and was more useful in dealing with shortages in different places."

The Hon'ble Sir ALEXANDER CARDEW:—"I am much obliged to the Hon'ble Mr. Wood for the information; but at any rate, there is reasonable ground for dissatisfaction on the part of the members of the old committee who were not told that they were to be regarded as *functus officio*. The Government propose to reconstitute that committee which was appointed last year and to remove to some extent those members of the committee who represented the question of priority in transport. It was at that time mainly a question of transport by railway, which is no longer so important. The Government think it would be well to reconstitute that committee and to provide for its meeting regularly. If it meets, I see no reason why the Hon'ble Mr. Rama Ayyangar's idea that a certain number of mufassal representatives should be put on it who might wish to come up to Madras and see the Director of Civil Supplies from time to time on the subject should not be accepted. This is the proposal which the Government make. In addition to this, we contemplate the holding of a conference early next week of those interested in the subject in Madras and certain officers and non-official gentlemen from the mufassal. I have received an application from the Madras Mahajana Sabha offering to send a deputation. We are going to send a letter to them to send certain representatives in order that the question may be fully talked over. On the same day we will have an opportunity of discussing with half a dozen Collectors and non-official gentlemen who will represent different parts of the Presidency. It will give us the opportunity that is sought for by the Hon'ble Mr. Narasimha Ayyar's committee. That being so, I feel sanguine that he will consider that the object of his resolution is practically met by this step which we propose to take. Though we do not accept it in terms, we provide the machinery which will enable us to give effect to it. I hope with this explanation he will be able to withdraw his resolution."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"May I know the difference between the committees suggested by the Hon'ble Sir Alexander Cardew and this committee?"

The Hon'ble Sir ALEXANDER CARDEW:—"If the Honourable Member thinks there is no difference, that will remove his difficulty in withdrawing."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I do not think there is."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"My Lord, I am sorry to say that I am one of that committee referred to by the Hon'ble Sir Alexander Cardew just now. I was hoping to hear that we were going to meet every week or every fortnight to discuss the serious situation, but I received no intimation whatever of any meeting after I was appointed as early as October last. I wrote to the Director of Civil Supplies whether there was any meeting with- out my knowledge and he was kind enough to inform me that he would inquire and find out whether there were any informal meeting held without my knowledge but there was no formal meeting held. Now the Hon'ble Mr. Wood has told us that because there is this sub-committee, the Madras emergency committee, sitting in Madras so far as Madras City is concerned, he thought there was no use of calling this committee which was appointed for the whole presi- dency. I have made my protest to the Director of Civil Supplies for not calling a meeting of that committee, and I have suggested that frequent meetings of that committee would have saved the situation somewhat.

"There is no doubt that the situation is growing worse and worse. From the remarks made by the Hon'ble Sir Alexander Cardew he seems to think that the present state of things may be allowed to continue. We have worked the present arrangement for some time and we cannot say that we can look with satisfaction upon the results achieved by the arrangements proposed and carried out. Therefore there is something wrong somewhere. I quite admit that it is a very difficult and complex question. It is very difficult to arrive at a conclusion as to what should be the proper remedy, but at the same time it is but right that the several persons who are interested in the question should meet frequently and take proper steps then and there.

850 RESOLUTION *RE* REMOVAL OF INTER-DISTRICT RESTRICTIONS ON
TRANSPORT OF FOODSTUFFS.

(Mr. Ranga Achariyar.)

11TH MARCH 1919.

I therefore strongly urge on the Government whatever the constitution of the committee, there should be a committee in Madras of well-informed people on the subject who will take stock of the situation as it arises and advise the Government as to what steps can be taken. I therefore strongly urge the first resolution moved by the Hon'ble Mr. Narasimha Ayyar which the Hon'ble Sir Alexander Cardew is prepared to accept in a certain form. I am glad the Government are accepting it in that form.

"The Hon'ble Sir Alexander Cardew made mention of the Madras Ryotwari Landholders' Association and their recommendation as to the removal of inter-district restrictions. I am afraid he was rather labouring under a mistake that that association recommended the removal of restrictions outside the province. We did not suggest that. We suggested only that the inter-district restrictions might be removed. At the same time, as will appear if Honourable Members look at question No. 10, we also wanted to fix the maximum prices of food-grains in suitable areas and to open in urban and rural centres grain shops for selling grain to the poor. These two recommendations may appear somewhat inconsistent and we felt the difficulty, ourselves. But at the same time we thought that, if the Government or if some local body or some co-operative society could be called in aid to open grain shops and we fixed the retail price, it would improve the situation in these areas and prevent profiteering.

“ That profiteering goes on cannot be denied. Notwithstanding the noble efforts made by my Honourable Friend Sir Gordon Fraser in this matter who sells rice at Rs. 12 per bag before it reaches the railway station for export to the outside it passes through three or four hands and by that time the price comes to Rs. 14 or 15. I have heard of instances in which such things have happened and verified them.

“How to prevent this state of things is a matter for consideration. The Government have not taken any steps to prevent it. It is quite true that in the City of Madras we may be able to control the prices by opening shops as the corporation has done. And now that Messrs Best & Co. have opened shops and others may come forward to open shops in Madras we may be able to control the prices somewhat. But in the districts outside Madras the difficulty is felt much more. Whether these inter-district restrictions really do any good I am not at all sure. But I do think it will be a safe measure to adopt to remove these inter-district restrictions and to keep up the restrictions as to export outside the province to Hyderabad, Bombay or Ceylon or Mysore. At the same time unless we are in a position to give facilities for transport, the mere removal of restrictions will not suffice. That is again a matter in the hands of the Government. The Government must bring pressure to bear upon the Railway authorities just as they exercise pressure for military purposes. I suppose the condition of the 41 million people of the presidency is of equal importance and if the Government can commandeer railway wagons for military purposes, why should they not also commandeer railway wagons for this purpose and make an equal distribution? No doubt some relief has been given in the matter of steamer freight between Rangoon and Madras, and I leave it to my Hon'ble friend Sir Gordon Fraser and others to say whether further reduction cannot be effected. But in the matter of railway freight it should be reduced. Something has been done on the Bengal Nagpur railway line. Why a similar relief should not be given by the reduction of the railway freight in other railways should be considered seriously. It would afford great relief, that were done.”

"But the great point which troubles those who think about this question is how to prevent this rise of prices after the thing leaves the wholesale importers and before it reaches the consumer. It requires very careful consideration and I do think it may be necessary to do what we have done in the case of kerosene oil. Notwithstanding the difficulties which faced us we fixed the retail price according to each locality and according to the available supply in each locality, and also what may be rendered available, by the Government stepping in. No doubt it is a serious and difficult task and a responsible task and requires great labour. But that should not deter the Government from adopting such a step. I am afraid that unless some such step is taken, the rural parts will suffer, and they are already suffering very largely. In some places the people are not able to get rice at even two measures per rupee. On some days they have to buy at one or one and half measures per rupee. This is very hard upon the people who the Hon'ble Sir Alexander Cardew referred to as persons with fixed incomes. The persons most affected by the rise of prices in the various commodities are those earning Rs. 25 to Rs. 150 per mensem.

“The causes are well-known. The recent report issued by the Agricultural department refers to the lesser area cultivated, the lesser yield per acre and the large reduction in the quantity of paddy produced in the province. I was rather surprised to see the answer to question No. 16 to-day in which the Hon'ble Mr. Chidambaramatha Mudaliyar asked for district-wise information. The Government reply is ‘we are not in possession of the information.’ I see that the Director of Agriculture has published that information in a report although it is confined only to rice and does not deal with other grains. I dare say he will be able to furnish that information as regards the other grains also. I do not know why the Government say that they are not in possession of that information. I have looked at the figures contained in that report. It contains a mine of information and shows how each district is situated. With that information before the Government I think it would be possible for them to fix the prices in each locality. They have also an agency, which they can utilize, in connexion with the Revenue department and can devise beneficent measures for the relief of distress in those parts.

**RESOLUTION RE REMOVAL OF INTER-DISTRICT RESTRICTIONS ON 851
TRANSPORT OF FOODSTUFFS.**

11TH MARCH 1919.]

(Mr. Fanga Achariyar ; Mr. Subbarayalu Reddiyar ;
Mr. Ahmad Tambi Marakkayar.)

11TH MARCH 1905. MR. ANIMAS

"The other question I will refer to is the question of licences. I entirely disagree with the Hon'ble Sir Alexander Cardew when he says that he would prefer a monopoly in the matter of issuing licences. Unless the Government take the distribution when once it is received in Madras, or some other agency takes the distribution, from the wholesale importers to all the various merchants, retail and otherwise, this thing would not work at all. The danger which I apprehend is this. Here are a regular body of people who have been trading in rice, and by allowing a monopoly in the hands of three or four people you are sure to kill that trade. When once you kill that trade, as soon as that monopoly is removed these people who now import rice will disappear from that trade; they will continue only so long as the protection is afforded, otherwise they will disappear, and it will be difficult if not impossible to revive the rice trade in the hands of the old people. It will not be wise. I say it will be entirely unwise to kill that trade. Dangerous consequences are bound to follow when once you stop the usual traders. When you stop them by giving monopolies to a few individuals, when the time comes to remove the monopoly and these restrictions—I hope the time will soon come when normal conditions will be restored—that day we will regret the step we now take, because these people will have been driven out of the market and new people will not come in easily. That is the aspect of the question which I ask the Government to seriously consider. Therefore we recommend that, so far as the question of licence is concerned, let the old system continue, and let as many people import rice as possible. Why should the imports be confined only to importing by steamers? Why should not coasting steamers be called in aid? So long as facilities are given in Burma for buying rice we can encourage imports into the province by means of not only steamers but by means of various native crafts which were in use and which I understand the merchants are willing to use provided the difficulties are removed. I understand there are now difficulties in putting rice in such crafts. If that is so, I think the Government ought to interfere and facilitate import of rice into the province by means of such coasting vessels. I think the difficulty of steamers which is great may be reduced and minimized. I am for extending the system of licence to as many people as apply. What is the object in fixing 200 tons or 2,000 tons? Who can afford amongst us to put Rs. 30,000 or Rs. 50,000 or Rs. 1 lakh or Rs. 2 lakhs? We are not all Messrs. Best & Co. How many Indian merchants are there who can afford to put so large an amount in the trade? Therefore I think it is almost folly if not crime to fix such high quantities in the licence. I would encourage all people who are accustomed to import; otherwise this danger is bound to arise, namely, we will be killing the trade which will be a serious thing indeed and which one day we will have to regret. I therefore submit that these points should be kept in view. I am glad that the Hon'ble Sir Alexander Cardew has acceded to the request of the Mahajana Sabha to receive a deputation of people in this connexion. I dare say both the public and the Government will be mutually informed by the discussion on a matter of such vital importance to the people of the country."

MR. DIWAN BAHADUR A. SUBBARAYALU REDDIYAR :—"Your Excellency, I rise to the Honourable Member incharge regarding what the

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR :—“ Your Excellency, I rise to give information to the Council and the Honourable Member in charge regarding what the municipality or district board can do towards giving relief to the poor in regard to foodstuffs. In the Cuddalore Municipal Council we set apart Rs. 10,000 for the purpose and about a fortnight ago agreed with my Hon'ble Friend Mr. Ahmad Tambi Marakkayar to supply me 1,500 bags free of profit within a week's time. Till about a week ago we had got 300 bags. At that time the price in the market of the country rice was 2½ or 3 measures per rupee. I began to sell my rice at 3½ measures, excellent rice, small mill rice. The result was within two days the market price fell to 3½ measures a rupee. The same may be done by the district board.”

Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBİ MARAKKAYAR SAHİB Bahadur :—“ I have been giving information to this Council. I would have been the

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR SAHIB Bahadur:—
 "I should like to give further details and information to this Council. I would have been the first man to sympathise with and support this resolution had it been brought in a business-like manner. I am sorry that the whole question has been mixed up, and I cannot for a moment agree to the proposition made for the wholesale withdrawal of the restrictions imposed on importers of rice from Burma or the issue of licences. As a merchant myself I fully understand the whole situation. Had it not been for the help of the Government in controlling the price in Burma as the Hon'ble Sir Alexander Cardew said (here is the original licence schedule No. 1, the price of small mill rice in Rangoon has been fixed at Rs. 325 and big mill rice at Rs. 346 and special quality at Rs. 358 and three stars at Rs. 371-8-0 and two stars at Rs. 386) we should not have been able to import Burma rice at a reasonable price. For broken rice also the price has been fixed. Nobody in Rangoon will purchase anything at over and above that rate, nor could the mill owners sell over that rate. As stated by the Hon'ble Sir Alexander Cardew the price was Rs. 435 last October and now it is reduced to Rs. 335. Had it not been for this restriction I am afraid that speculators will have brought the price to Rs. 500 per 100 baskets taking undue advantage of India which has failed in crops and the prices would have gone double and treble and would be famine prices. That is the first and foremost benefit that we enjoy by the restriction. First of all Burma is the only place that can help us now.

"With regard to the question of issuing licences it is not proper to find fault or damn the course the department of the Director of Civil Supplies that their action is unjust or illegal on anything of that sort. As a matter of fact they have a regular system of issuing licences and

852 RESOLUTION RE REMOVAL OF INTER-DISTRICT RESTRICTIONS ON
TRANSPORT OF FOODSTUFFS.

(Mr. Ahmad Tambi Marakkayar; Mr. Ranga Achariyar.) [11TH MARCH 1919.]

they have very able European officers and also two Indian officers of Deputy Collector's grade. One is Mr. Sunlara Achariyar and the other Mr. Huris. They have got local knowledge thoroughly and they make all inquiries as to the prices and the position of the merchants and they have been careful in issuing licences to reliable persons. The issuing of licences is based on their previous position, and they are issued to those who are called established merchants and not to each and every one who has never been in the market as a tradesman. As a matter of fact I know a large number of so-called merchants who are applying for licences now. I can quote thousands of applications pouring in and hundreds of men coming to me and asking me to endorse them as a member of the emergency committee, and one or two vakils who are members of the committee do it as a profession. If they apply for a licence and it is refused such people begin to write in the newspapers criticising the conduct of the Director of Civil Supplies and the regular merchants, the established merchants who have got licences and are willing to carry out the rules and the regulations laid down by the Director of Civil Supplies. It is due to mere jealousy on the part of those merchants who apply for and do not get licences against those who get it. It is due to selfishness that they begin to write all sorts of things in newspapers and find fault with everybody. After all the business conducted by the Director of Civil Supplies is a perfect one. The licences are granted on the following conditions:—

(1) 'He may not buy rice of the 1919 crop in Burma at more than the maximum price fixed by the Government of India as per Schedule No. I appended.'

(2) 'He shall sell all rice he imports at a maximum rate of profit of 8 annas a bag of 2 maunds (paddy 4 annas per two maunds). The maximum prices at which a bag of 2 maunds of the whole rice of the 1919 crop and 2½ maunds of the broken rice should be sold by the licensed importers are noted in Schedule No. II.'

(3) 'He may sell the imported rice to the retail traders in his port and to any trailer outside at the net profit of 8 annas. But the price charged to the retail dealer must in no case be raised by previous sales from wholesale to wholesale merchant.'

"Some of the Honourable Members remarked that the article passes through six or seven merchants and therefore the price goes up. I do not believe that such kind of thing is practised here. Every control is being exercised in parts where there are emergency committees formed and the Revenue Department are sending their tahsildars and deputy tahsildars throughout to bankahalls to get information about retail sales and purchases. I have been asked to send a sale account, what is called a weekly report for the bags sold,—how many bags are landed and sold, the price and the consignee and the particulars. I have given them to the Divisional officer of my place. I do not think any malpractice is being done when such check is being exercised by the Revenue Department over the licence-holders. Even assuming that there are malpractices done, I am quite sure if such check is continued it will put a stop to all those malpractices."

"Then, Sir, as to appointment of a committee of officials and non-officials, the Hon'ble Sir Alexander Cardew admitted it may do some good, but all the same there is everywhere an emergency committee and they can put a stop to such practices."

"With regard to the remarks made by the Hon'ble Mr. Ranga Achariyar against the views given by the Hon'ble Sir Alexander Cardew, I think that by giving a monopoly to one or two or half a dozen respectable firms and giving them licence to import goods and by getting an agreement and a guarantee that such respectable firms would sell only at the limited prices fixed by the Controller—I am sure that will work very well rather than giving licences throughout to every one who has never been a merchant and who is not a tradesman, but horsekeeper or book-binder who applies for a licence. You say that Messrs. Best & Co. are getting a licence or Mr. Ahmad Tambi Marakkayar is getting a licence. How can a stranger get a licence when he is not a professional merchant? The Director of Civil Supplies is not sitting quiet, he is not sleeping or blind. He will only give the licence to people whom he believes to be responsible. If such a thing is done and continued I am sure it will do more good than to give a licence to every one as my Honourable Friend suggested."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR (interrupting):—"I said those who are in the trade. Those who are not in the trade are now rushing forward."

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBİ MARAKKAYAR SAHIB Bahadur:—"Messrs. Best & Co. are traders and a man selling a basket of rice is also a trader. The Director of Civil Supplies says established merchants and importers of grain should be licensed. If such things are taken into consideration the system will work splendidly."

"Look at the situation of the control of shipping. I do not know whether the Government of Madras have power to get more steamers, as the whole question is in the hands of the Home Government Controller and he is authorized to control at Bombay. It is this officer that Mr. Cardew said, the whole of India suffers from famine and the Government of India have a Bombay and other places where there is famine. So we cannot expect to import any amount of grain and to get any amount of steamers in Madras. No doubt it is a very good idea. But famine is staring us in the face and many poor people are suffering, and I am sure that the Government of Madras will appeal to the Government of India to give us a bigger share than what they have decided to give us in the way of shipping. The Hon'ble Sir Alexander Cardew said that had it not been for Government control the freight would not have

RESOLUTION RE REMOVAL OF INTER-DISTRICT RESTRICTIONS ON 853
TRANSPORT OF FOODSTUFFS.

11TH MARCH 1919.] (Mr. Ahmad Tambi Marakkayar; Mr. Krishna Rao.)

gone down from Rs. 48 to Rs. 26. I do not know the correct figure. Another remark of my Hon'ble Friend Mr. Rama Ayyangar is that the Government should charter steamers and keep certain wagons for the purpose of carrying food-grains. As regards chartering, it is needless to do so as the whole control is in the hands of Government and they can always command upon the railway authorities, and the chief goods-clerk and the stationmasters and we had to pay a certain amount of remuneration and we had to depend upon the good-will of the railway employees. But since the Director of Civil Supplies has begun to grant certificates to all the merchants who are bona fide traders, they can apply to the emergency committee or directly to the Director of Civil Supplies who will give them a licence quoting the railway wagons and the certificate number and so on. When we are in need of wagons we quote the number of the licence and apply for wagons. These licences have been distributed according to the numerical numbers and these are found in the railway company's office and if merchants apply for wagons and quote the number they get them. I do not think the Hon'ble Mr. Rama Ayyangar's suggestion as to control over the wagons is necessary."

"With regard to the remark of the Hon'ble Mr. Venkatapati Raju about other Governments interfering with and taking away our stock, I quite agree with him. Had it not been for the control exercised upon the export of food-grains from our Presidency to the Straits and Ceylon the prices would have gone up to Rs. 30 or Rs. 40, whereas now it is Rs. 16 to Rs. 18 per bag. I have not got much experience of the other districts. A certain amount of control of the Director of Civil Supplies prohibiting other Governments taking away our grains to their benefit is necessary. In one of the Government of India's orders they say wherever Indians are situated, it does not matter whether in a foreign country or in a colonial country the Government of India must supply rice for the benefit of Indians in that country. But it has not been carried out; I believe that has been done from the extra crop in Burma and not from this part. In one way we must be thankful to the Government for prohibiting such exportation."

"I think, my Lord, I have said what I had to say. Finally I have no objection, as my Hon'ble Friend Mr. Narasimha Ayyar has moved, to having a committee as modified by the Hon'ble Sir Alexander Cardew and getting the views of such committee as to how to do and what to do to minimize the difficulties that the people of this country are undergoing for want of foodstuffs."

"With regard to the question of the removal of control I strongly oppose the motion. I am in favour of continuing the control and carrying it on for some years. Last time I said one year, now it will be for another year more because we will have difficulties for one year more. Unless we have such control there will be greater difficulty."

The Council then adjourned at 3 p.m.

The Council re-assembled at 3 p.m.
The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, it has been fortunate that there has been no difference of opinion between the Government and the non-official members of this Council regarding the main principle underlying this resolution. It must be stated that it is an important and vital question which has been engaging the attention of the public and of the Government for some time past and that some attempts have been made to alleviate the suffering and the misery of the people in the various parts of the Presidency. Though something has been done in that direction and some attempts have been made, it must be stated that there is much more to be done before the problem can be said to be satisfactorily solved. There are various difficulties attending upon this question, but notwithstanding these difficulties there is a way of solving this problem by making continued experiments though it may be that some mistake might be discovered in the working out of any scheme evolved for the purpose. We are glad to find that the Government, when they found that the inadequate stocks of dry grains in this Presidency were being exported outside even without their being consulted in the matter, raised their voice of protest against it and they found that unless immediate measures were taken to put an end to that system no useful purpose would be served. At present the two questions which are now engaging the attention of this Council in this debate are whether it is or is not desirable to continue the inter-district restriction on traffic and secondly whether it is or is not desirable to impose any limit to the prices of grains and other necessities of life."

"So far as the first question as to the removal or continuance of inter-district restriction is concerned, I am very strongly of opinion that the restrictions should be continued until normal conditions are restored. Nobody would suggest for a moment that as a matter of abstract principle there should be any such restrictions. But we have to meet the facts as they are. We have to realize that at a time when stocks are quite insufficient throughout the Presidency on account of inadequate cultivation and there is an inadequate supply of grains, some remedial measures are necessary. Therefore not being guided by any such theoretical considerations it is quite necessary that we should continue these inter-district restrictions for the present. It is true that even among non-official members of this Council there is some difference of opinion regarding this question. Districts which depend for the supply of grain upon other districts might naturally take one view, and districts which will be called upon to supply other districts might take a different view. If my Hon'ble friends Mr. Venkatapati Raju, Mr. Suryanarayana Rao and Mr. Ranga Achariyar have suggested the removal of inter-district restrictions, they have placed before the Government the opinions of those districts in the Presidency which

(Mr. Krishna Rao.)

[11TH MARCH 1919.]

depend upon their districts for their supply. The only remedy is that an accurate stock-taking must be made, and if there is any surplus available in any particular district after meeting the necessities of that district certainly it must be in a position to supply food-grains to other parts of the Presidency. As a first preliminary measure accurate statistics as to stocks must be maintained, and then according to the discretion of the Director of Civil Supplies the further transport of food-grains must be regulated. With these safeguards I would suggest that these restrictions may be allowed to continue.

"That now brings us to the other question as to the desirability of fixing the maximum prices of food-grains. Notwithstanding the objections which have been urged I think for some time at least it is desirable to impose a maximum limit on the price of food-grains. The Hon'ble Sir Alexander Cardew has been good enough to point out to us that in the Mysore State where they tried this experiment they have not succeeded in producing any desirable or satisfactory results, and that they have considered it necessary to drop it or abandon it. It is suggested that there may be difficulty in securing success unless the Government go a step further and take charge of all the stocks on their own responsibility. But how do we stand at present? The prices of grains and consequently of rice in the various parts of the Presidency have reached a level beyond which it is impossible for any person to think of going if persons are allowed to live at all. It will be remembered even when this question was raised in this Council in April last, the Hon'ble Sir Alexander Cardew was good enough to tell us that there might be a stage when prices would reach a level beyond which they ought not to go. I would only ask if so far as the important commodities are concerned we have not reached that stage at present, whether it is not desirable to fix the maximum limits on prices in at least certain centres of supply. It is pointed out in the course of the debate in November last that it is not desirable or possible to fix the maximum price so far as the consumers are concerned, but you must first get at the source of supply. It is only in pursuance of that principle that the maximum price was fixed so far as Rangoon rice is concerned and it was pointed out that other sources of supply might also be dealt with in a similar manner. The order was issued recently so far as Godavari and Kistna are concerned fixing the maximum limit, though it may be suggested that notwithstanding the imposing of certain restrictions on traffic persons might evade those circulars and rules and that they may not serve any useful purpose.

"I would on this occasion venture to place before this Council the state of things in the Nellore district which is, I must state, in a very unfortunate predicament at present. It is not one of those districts which depend largely on other districts for the supply of the principal food-grains, but still it will be found that the price of rice has been for some time at something between 2½ and 3 measures, generally 2½ measures, and that the price of paddy which was in the worst famine years Rs. 76 to Rs. 80 is now Rs. 113 per putti. It is somewhat extraordinary that in the district where there is a fairly good supply of paddy the prices have gone up by leaps and bounds and that it has not been possible for either the poorer classes or the middle classes to purchase rice or paddy within any reasonable terms. It may be asked what are the causes which have led to this state of things. It is no doubt very difficult to answer that question, but some attempt will be made by me to solve that problem. In some districts, particularly Kistna and Godavari, some restrictions on traffic have been imposed; but so far as Nellore is concerned, at least so far as the supply to other places is concerned, temporary restrictions were asked for but not allowed. It will be remembered the Government will be in possession of that information—that on the recommendations made by the emergency committee at Nellore the Collector of that district suggested some time last year that at least temporarily, to enable the restoration of normal conditions, to enable the regulation of prices within reasonable limits, there may be restrictions on exports, and he was not able to induce the Government to take that step. An attempt was made subsequently by the people to take various steps to alleviate the suffering of the poor classes by opening cheap grain shops, but such temporary palliatives cannot serve any useful purpose for any length of time. I may assure this Council that they did so on the persuasion of some responsible non-official gentlemen and even officials with the hope that something would be done in course of time to regulate the prices and to place matters on a more satisfactory footing. They tried it for some time; they sustained some loss and they gladly bore it thinking it would be only for a temporary period. But when they found that prices were going up even then, they had no other alternative but to close these grain shops. I know since then within the last three or four months the poorer classes as also persons of the middle classes have persisted in giving as much trouble to the Collector as possible by worrying him so often as to the necessity for restricting the traffic or regulating the price so as to make it possible for them to get paddy or rice, but so far they have not been in a position to succeed. I mention this to show that even in a district which is not so much wanting in grain and which does not largely depend on other districts for its supply the prices have gone up to such an extent that persons find that the distress is keen and acute. It is a problem which should be considered as to the directions in which regulation can be thought of. Possibly there is a mistaken impression that the district possesses stocks far in excess of its requirements. If that is the impression of the Government, I have not the slightest doubt that it is a mistake. I believe that the Collector furnished some statistics and figures tending to show that, taking the whole yield of the district into consideration, there is not any large quantity in excess of the requirements, and there is necessity for imposing restrictions. I hope that the Hon'ble Sir Alexander Cardew would, when he considers all the aspects of the question, try to find out a way of coping with the situation.

11TH MARCH 1919.]

(Mr. Krishna Rao; Mr. M. Ramachandra Rao.)

and alleviating the distress which actually prevails in that district. May I point out to the Council that the Collector of the district finds it difficult to meet the people or to give a satisfactory reply as to alleviating the distress and my position is even more miserable. When I meet people I am not able to satisfy them as to what is actually being done. I would impress on Your Excellency's Government the urgent necessity to do something to remedy this sort of thing.

"It has been said, my Lord, that one of the remedies for dealing with this state of things is the appointment of a committee which would help the Government with specific suggestions regarding the control of prices or transport of paddy and other necessities of life. The Hon'ble Sir Alexander Cardew was able to fall in with the proposal to some extent, and he said he intended to call a conference and that he proposed to reconstitute the old committee and add to it some district representatives. There is considerable force in the remarks of my Hon'ble Friend Mr. Ahmad Tambi Marakkayar who said there are emergency committees in the districts and they might do useful work in that direction. I think it is well to consider how these various committees may be co-ordinated and made to work. It will be conceded, I believe, without any difference of opinion that a central committee sitting in Madras consisting also of district representatives must be supplemented by the efforts of district committees organised for that purpose. They are well informed in the matter and these district emergency committees consisting of various merchants, traders, purchasers and consumers would be in a position to supply very useful information and their advice and assistance would be very useful. It would therefore be necessary not merely to appoint a central committee consisting of district representatives but also to do something to add to the usefulness of these emergency committees and to encourage them and induce them to give valuable advice and assistance on this important question. When at the meeting held in November last I asked the Government whether the emergency committees would not be consulted this was the reply given to my question and this will show that it is necessary to enlarge the functions of this emergency committee. When I asked whether the Government would be pleased to consult emergency committees regarding the necessity to control the prices of food-grains the reply was—

"The Honourable Member's attention is drawn to G.O. No. 2258, Revenue, dated the 13th June 1918, in which the formation of emergency committees was decided upon. It was there stated that the principal duty of these committees would be to bring home to the people of the district the need for economy, for avoidance of unnecessary demands on the railways, and for use of home products instead of imported supplies. It was added that the local experience of the members would enable them to advise the Collector and through him the Director of Civil Supplies as to the state of supplies and the need for priority certificates, but it was no part of the duties of the committees to advise regarding the necessity to control the prices of foodstuffs, and no reference was made to them on that question."

"With these restrictions the emergency committees would not be in a position to offer any valuable advice or assistance and their suggestions would not be so much necessary now as to the necessity for economy when persons are actually finding themselves in a state of starvation. They would be really doing useful work if they can be instructed to meet periodically and after suggestions as to the state of the stocks in their districts, and how far they can be regulated and how far they should be transported and as to the regulation of the prices of foodstuffs. That will be the first step to be taken and in carrying out the intentions of the Government even as expressed by the Hon'ble Sir Alexander Cardew—there is no doubt that he is really anxious to do something substantial to relieve the situation—I think the first thing to do is to improve these emergency committees and make them really representative of the variety of interests and make them really useful bodies to offer advice. Having done that I would suggest, 'instead of having representatives upon the mere suggestions of Collectors, give some responsibility to the emergency committees and give them the opportunity of nominating one of their representatives to sit upon the central committee and to offer information'. I think if that is done very useful work can be done. The Government need not be afraid that the committee will be unwieldy because it is not all the members that will come. When the emergency committee feels that there is a special grievance which should be placed before the central committee, then only will its representative come to Madras, I would suggest that so far as the important question is concerned, the Government have really appreciated the gravity of the situation when they said that they would appoint a committee to inquire into this matter. But if that committee is to be of any real use, they must have as the basis of their work district emergency committees and not consider merely the things which take place in the metropolis. You must give the emergency committees an opportunity of having their representatives on the central committee. It is only then that it would be possible to do something."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, the Hon'ble Sir Alexander Cardew's full and comprehensive statement on the question has given us an idea of the difficulties of this problem. We fully appreciate the efforts which Your Excellency's Government have been making to improve the situation of this province. I may also say that we are greatly indebted to the district officers who have to meet the situation in the districts from day to day and who have an anxious time in keeping order and peace under these very trying circumstances. Perhaps, my Lord, I may say that during the last one year there has been practically not a week in which the Collector and the divisional officers in my district and the neighbouring districts have not been constantly finding out the state of things and

556 RESOLUTION RE REMOVAL OF INTER-DISTRICT RESTRICTIONS ON TRANSPORT OF FOODSTUFFS.

(Mr. M. Ramachandra Rao.)

[11TH MARCH 1919.]

trying to meet the situation as best as possible. After stating that, my Lord, I must say that the situation as disclosed in this Council has revealed many interesting points. One of these is as regards imports from Rangoon. The Hon'ble Sir Alexander Cardew has stated that the imports into this province from Burma have been fixed at 25,000 tons per mensem. The first question is whether this can be increased. I do not think that any number of committees, whether emergency committees in the districts or central committees in Madras or any number of committees, are likely to improve the situation in that respect. I disapprove of the appointment of committees, unless we induce Mr. Gubbay or the Government of India to increase this quantity fairly to meet the requirements of this province.

"As regards the export of dry grains, I have perused with great interest the correspondence between the Government of India and Your Excellency's Government, and I must emphatically protest against the action of the Government of India in withdrawing the restriction which had already existed with reference to dry grains. I must also state in this Council that the situation is very grave; that hundreds of merchants from Bombay and the western presidency have invaded the coast districts; they are receiving numerous telegrams from their constituents to purchase at any cost all the gram that is available and all the foodstuffs that are available, bengalgram, greengram, and everything that is available, and the result now is there is the greatest possible apprehension in my part of the country as regards pulses and cereals which are necessary for the sustenance of the people. As regards the prices consequent upon the withdrawals of the restriction, I have in my hand a statement of the price list in Rajahmundry, Cocanada, Guntur and various other centres. I only wish to read the Rajahmundry price list on the 1st March 1918 and the 1st March 1919—

	Prices in 1918.			Prices in 1919.		
	RS.	A.	P.	RS.	A.	P.
Horsegram per bag of 164 lb.	6	0	0	10	0	0
Bengalgram	8	8	0	17	4	0
Blackgram	9	5	0	17	8	0
Greengram (it is not available at all)	8	10	0	21	0	0
Redgram	7	10	0	14	8	0
Gingelly (per patti)	18	0	0	32	0	0
Ragi (do.)	50	0	0	93	0	0
Cholam	74	0	0	100	0	0
Coriander	44	0	0	74	0	0

"Chillies, garlic, ghee and jaggery have gone up tremendously. Therefore my Lord, in addition to asking the Government of India to increase the quantity of rice that could be brought from Burma, I venture to submit to Your Excellency's Government the necessity, the absolute necessity of restoring the prohibition which already existed. I am afraid we are doing it too late; most of it has gone and our efforts must now be directed to at least getting from other presidencies some of these pulses and cereals so much in demand by the people. I have seen from the circulars of the Director of Civil Supplies that a supply of 2,000 tons is available from the United Provinces. As regards Hyderabad I do not know. I have seen several passports to merchants in Hyderabad for certain quantities of rice going to Hyderabad from our districts, but at the same time the Hyderabad authorities have taken the greatest precautions not to allow any dry grains into our Presidency. I do not know what the facts are. I should like an inquiry to be made into the question as to whether we are allowing a certain quantity of rice to go to Hyderabad without any corresponding supply of dry grains to us. That is the second point which I wish to urge upon the attention of the Hon'ble Sir Alexander Cardew,—whether we should not ask the Government of India to restore this prohibition and also get these dry grains from other presidencies either in exchange for what we give them or otherwise arranging for their importation.

"I say, Your Excellency, the situation is so bad that every day I am taxed by the ryots who say that the Government have taken precious care to control the price of paddy in the Gōdāvari, Kistna and Guntur districts, but at the same time they have not taken care to fix the price of gram and other dry grains which they greatly want. They wish to know why restrictions are placed upon certain food-grains and not upon others which they have to purchase at three or four times the former cost.

"There are two or three other points to which I would invite the attention of the Honourable Members. Several of my Honourable Friends believe in the removal of inter-district restrictions. I take the opposite view. The reason is this. As has been pointed out by my Hon'ble Friend, Mr. Krishna Rao, my friends come from districts which have to import from outside. I come from a district which has to supply them. That does not make any difference at all in this matter. I may say from my knowledge of what is going on in my part of the country there are hundreds of merchants from Bellary, Kurnool, Coimbatore, from eight or nine districts which have been assigned to our district, these people are coming and purchasing grains unnecessarily at prices fixed by the Director of Civil Supplies on the off-chance of their being permitted to export the foodstuffs. I may assure my Honourable Friends that the moment these inter-district restrictions are abolished, the district which can pay most money will purchase all the supply and the other districts will have to go without them. Bellary will suffer the most. The present method of control gives the Director of Civil Supplies an opportunity of distributing what is available among the various districts in proportion to what he considers to be their needs. It may be the method is wrong or it may be capable of

RESOLUTION RE REMOVAL OF INTER-DISTRICT RESTRICTIONS ON TRANSPORT OF FOODSTUFFS. 857

11TH MARCH 1919.]

(Mr. M. Ramachandra Rao.)

improvement, but so far as the general question is concerned, I think my Honourable Friends who are so anxious to have rice from our district will find that they will have none if these restrictions are removed. One or two districts will purchase the whole rice available and it will be very difficult to dislodge the merchants from the possession of their stock. I should think, my Lord, that though the inter-district restriction should not be taken away, at the same time I think that the present inter-district restriction regarding each district as one unit is capable of improvement, I have corresponded with the Collectors of two or three districts and they seem to hold different opinions. The Collector of Kistna does not believe that it would be to the advantage of Kistna if this restriction is removed. The Collector of Gōdāvari wants it to be removed because he can get a little more. There are very many difficulties and if it is possible to reconsider this question of reorganizing the grouping of districts it is a question which has to be seriously considered. The materials are not perhaps available at present.

"I endorse my Honourable Friends' statement that the present method of control has greatly added to the opportunities for corruption. There is a great deal of corruption of subordinate officials especially in Kistna and Gōdāvari on the borders of Hyderabad dominions. Plenty of stuff is going surreptitiously. The village officials and the police are bribed and everybody who can make something out of these men is making something. Even between Gōdāvari and Kistna there is some difficulty at present. As Honourable Members are aware the Kistna district is situated between two rivers and there is absolutely no method of controlling the transport as regards the rivers either on this side or that side. No doubt the village officers are supposed to be guarding the rivers. With all these it is a very good time for the lock superintendents and the Public Works Department officials to permit boats through the locks and head sluices. I have been told the consideration is as much as one rupee per bag which is not at all bad. I have been making very careful inquiries as to why in the Kistna district paddy should sell at Rs. 7-8-0 while it should be Rs. 8-8-0 on the other side of the border across the river and I am told that the difference is due to these illegal charges. The lock superintendent has to be paid as also the transport charges. They make a pretence of going to Palkole whereas really they take it through the Vizeswaram lock for supplying it at Rajahmundry. The consumer has to pay for all these charges. The question is bristling with difficulties. But the removal of the restriction is a subject which must be more seriously examined than is possible in this Council. I am not so optimistic like my Honourable Friends as regards removal. It is quite possible that the districts which depend upon our districts may suffer at the end. It is possible that all this may get into the hands of one or two districts.

"Then I should like to say a word about the control of prices. In this matter I take a view different from my Honourable Friends. I can say from my experience of what is going on with regard to kerosene oil in Ellore and the surrounding country, the price has been fixed at so much per bottle, at so much per tin and so much per gallon, but what is happening is that the wholesale merchant who imports it at Ellore gets a consignment of three hundred tins a week, he disposes of one hundred in the town and two hundred to a number of passport-holders at the regulation price. But there would be about 70 or 80 of them and each of them purchases two or three tins, and whenever a man goes to these people they say the stock is exhausted. The result is the people have to pay 4½ or 5 annas per bottle, though the price is regulated and fixed at 2 annas. Otherwise these smaller dealers refuse to part with it on the ground that the stock is exhausted. It is absolutely impossible to check this unless we have a host of subordinate officers and I am afraid that the control of the prices of foodstuffs would be exactly on the same footing as controlling the price of kerosene oil. Looking to what has been taking place in regard to kerosene oil, I am not at all sanguine about fixing the prices of foodstuffs.

"My Lord, I have already detained the Council. The subject is so complicated and there are so many considerations that I venture to think that the committee which has been indicated by the Hon'ble Sir Alexander Cardew may be able to suggest palliatives. I am not at all certain that a great deal could be done by such a committee. We have first of all to improve our imports, both dry grains and Burma rice, and then we have to regulate not only the distribution of the foodstuffs but also of the available foodstuffs; we have to perfect the existing machinery for distribution. In this connexion I wholly endorse the statement of my Hon'ble Friend Mr. Subbarayalu Reddiyar that an attempt should be made to secure the distribution through local bodies. We may as far as possible try to get rid of the middleman. Whatever we may do we may be perfectly certain that the present situation is such that everybody who has a chance of making money will make it. Notwithstanding the defects of management by local bodies, I would rather trust the distribution by the local bodies at a fixed cost than distributing it by middlemen. The Hon'ble Sir Alexander Cardew has stated that no municipality has applied for help in this matter or made any suggestions. I was reading in the newspapers, my Lord, that the Calicut Municipal Council resolved to ask for a loan to have the necessary funds for purchasing grains. I remember having read in the newspapers that the Government declined to give a loan. Therefore it seems to me, my Lord, that to expect the local bodies to put their normal revenues in the purchase of foodstuffs is out of the question. They must get an advance for the usual monthly turn over, it may be Rs. 50,000 or Rs. 60,000. If they have that it is possible to open grain shops; otherwise I do not expect the municipalities to open such shops or to raise a loan in the open market. Therefore, my Lord, I hope that all aspects of the question will be examined. I have no doubt that the situation is likely to become much more acute than now. I am somewhat more pessimistic than my Honourable Friends, and I think that it is absolutely necessary that the Government should do whatever they can as early as possible."

858 RESOLUTION ~~RE~~ REMOVAL OF INTER-DISTRICT RESTRICTIONS ON
TRANSPORT OF FOODSTUFFS.

(Mr. Siva Rao ; Sir Gordon Fraser.)

[11TH MARCH 1919.]

The Hon'ble Mr. P. SIVA RAO—"Your Excellency, it was on a very unfortunate day that the Government of India thought fit to cancel that order issued by the Government of Madras regarding the inter-provincial prohibition. Of all the districts, the Ceded Districts have suffered most on account of this removal. I am aware when I moved a resolution in similar terms in April last the Government were pleased forthwith to prohibit the export of dry grains from the Ceded Districts. I know what beneficial results it had. It brought down the price from six seers per rupee to eight seers per rupee. I appeal to the local Government to move the matter again before the Government of India to see that this inter-provincial restriction is continued. When that provincial restriction is removed, I do not see how the inter-district prohibition will be entirely effective. I may say that the inter-district prohibition is necessary even at the present time. It is a mistake to call it inter-district prohibition. It is not prohibition; it is marshalling our resources for the benefit of all the districts. Where there is a surplus, the Collector will allow export to certain districts where there is a deficit. But my own misgivings are that when there are no inter-provincial restriction, there is not much use in continuing the inter-district restrictions. The reason is this; the people, for instance, of Gōdāvari, which my Honourable Friend represents, are prohibited from exporting to any other district in the Presidency unless under a certificate issued by the emergency committee or the controller of prices, but they are at perfect liberty to export it to Bombay. The Honourable Member in charge will tell me whether the restrictions are to be relaxed in favour of exports to Bombay, Hyderabad and Mysore, while not one grain reaches us from Hyderabad. I am anxious to know whether the restrictions upon the exports to Indian States have been withdrawn. I may say just now that if this inter-district prohibition continues but if the people are at liberty to export it to Bombay, it will be an invitation to them to export to Bombay instead of selling to other people in the other districts of this Presidency, and you will be compelling the people to sell to Bombay. I know from the accounts given by Honourable Members that the country is simply flooded by rich merchant millionaires from Bombay who do not hesitate to pay any price for the commodities. Again I regret the Government of India have taken that step in the teeth of the opposition offered by the local Government. Whatever little use it may have this inter-district control should continue.

"With respect to the suggestion made by the Honourable Member that the local bodies may do a lot, I may say one word. I am a firm believer in local bodies being encouraged and doing a lot. In this matter, Your Excellency, we must devise some means by which the grain or the necessities of life reach the consumer from the wholesale dealer without the intervention of the profiteering middleman and to secure the best means of arrangement would be to induce the local bodies to open depots and to persuade philanthropic and public spirited firms like Messrs. Best & Co. to sell it to them. There is one difficulty. This question arose in the finance committee, and it was proposed that the local bodies should be financed with loans for the purpose. It was stated on behalf of the Government that they should not be encouraged to embark upon a speculative enterprise like that, and so long as the Government give loans, they will purchase articles recklessly. Now I appeal to the local Government to encourage local bodies with liberal loans for the purpose of opening shops. Thanks to Messrs. Best & Co. for their offer. They want no advance in the first instance and they ask us to credit the sale-proceeds to the nearest treasury. The Bellary Municipality has accepted their offer. But in any view the local bodies must be encouraged and there must be a general order of the Government permitting them to embark upon such enterprises if they are willing to do so and offering them a loan when they require it for this purpose.

"I would say one word in regard to kerosene oil. The control of kerosene oil has entirely failed to achieve the desired result. There seems to be a real shortage everywhere. Even the little quantity that we have, has not been evenly distributed. It is true no doubt that the Government have wisely fixed the price. I am for continuing the control of price in the case of kerosene oil. No doubt, the companies have also agreed to it and have issued instructions to their agents to sell the oil at fixed prices. But there comes the profiteering tendency of the sub-agents and others who do not sell it at the fixed prices. There is no means of ascertaining whether they get any consignments at all. The system of A & B permit-holders does not enable people to get supplies regularly. They will keep some false and vexatious accounts and unless we multiply our inspecting staff, we cannot control it. They are asked to supply it to B permit-holders, but they do not supply it; they are retail dealers. Both A permit-holders and B permit-holders say that there is no stock unless they come across a milder purchaser who is willing to pay a higher price than that fixed by the Government and give a receipt for a less amount. Suppose he buys at 5 annas a bottle he has to pass a receipt for As. 3. I have no faith in licence dealers. They should be abolished and the local bodies may be improvised for the occasion and they may be asked to purchase, to receive all the stocks from the sub-agents of the company and let them be encouraged to open depots wherever possible. Then only it is possible to bring down the prices. Now though the Government have fixed the prices, those prices are not the prices paid by the consumer. The Government must seriously consider the proposal to entrust the question of the sale of kerosene oil to local bodies."

The Hon'ble Sir GORDON FRASER—"Your Excellency, the question before the meeting, of the present scarcity and the high prices, is a very important and wide one. I myself am not in favour of the withdrawal of Government control. It has been suggested that the proper

RESOLUTIONS ~~RE~~ REMOVAL OF INTER-DISTRICT RESTRICTIONS ON 867
TRANSPORT OF FOODSTUFFS AND OPENING OF THE TIRU-
TURAIPUNDI-VEDARANNIYAM LINE.

11TH MARCH 1919.]

(Sir Alexander Cardew ; Mr. Narasimha Ayyar ;
the President ; Mr. Ahmad Tambi Marakkayar.)

"That almost concludes what I need say on this question. The Hon'ble Mr. Yaqub Hasan had some remarks to make about the hardship to various dealers who were not given licences and he read us a telegram from a certain merchant who has not been included. I cannot go into the case of individual merchants. Some merchants in Rangoon have lost their licence because they did not ship promptly. It is essential that we should give the licence to merchants in Rangoon who have rice ready to put on board when the ship is ready. If they do not do it, they lose the licence. This has been the case with some merchants. What the facts of this particular case may be, I do not know. But I must point out that the duty of the Director of Civil Supplies is to consult the benefit of the consumer and not of the trade and that should be the guiding principle which he should follow.

"The Hon'ble Mr. Narasimha Ayyar asked about the number of import licences and suggested that it would be just as easy to control thirty as it is to control twenty. I quite agree with him and that is why I suggest it would be much easier and better to reduce the number to five or half a dozen. He is quite right in saying that the Government have no fixed opinion on this point and have no immediate intention of proceeding in that direction.

"Your Excellency, that is all I need say. The Government propose to hold a conference on Monday with certain representatives from the mufassal and Madras; and they propose to reconstitute the standing committee attached to the Director of Civil Supplies and will arrange for its meeting frequently. I am not prepared to accept the resolution because the committee referred to in it is meant to inquire immediately into the grievances of the public regarding the distribution or supply of kerosene oil, paddy and other necessities of life, whereas the committee I contemplate will be a standing committee which will work in co-operation with the Director of Civil Supplies and inquire not only into the present grievances but future grievances. I think it will meet the wishes of the Honourable Member. I cannot accept his resolution, but I hope that, in the circumstances, he will withdraw his resolution because it will be a pity that we should have a division on a matter on which there is no substantial difference of opinion."

The Hon'ble Mr. B. V. NARASIMHA AYYAR—"There is no difference of opinion. I withdraw it. The Government might have accepted it."

With the permission of His Excellency the President, the resolution was withdrawn.

His Excellency the PRESIDENT—"What about resolution No. II?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR—"I have written to the Legislative Secretary that I will take it up to-morrow."

RESOLUTION ~~RE~~ OPENING OF THE TIRUTURAIPUNDI-VEDARANNIYAM
LINE.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR SAHIB Bahadur—"Your Excellency, the resolution which stands in my name runs as follows:—

'XX. This Council recommends to His Excellency the Governor in Council that arrangements be made to open the Tiruturaipundi-Vedaranniyam line at an early date.'

"This is a question, my Lord, which is pending for a long time. As the Honourable Members of this Council are aware, this line was constructed at a considerable cost of nearly 13 lakhs of rupees and it is no saving to allow the capital to be lying on the ground, risking deterioration of the materials and to sustain loss of interest. An extra expense of Rs. 9,000 has to be incurred in addition annually for maintaining the line in its unproductive state. This line was constructed some three years ago, but just at the time of its opening the District Board of Tanjore received the shocking news that the line could not be opened as the South Indian Railway had no sufficient rolling-stock on hand to run the line and the materials were required for more important purposes connected with the war.

"I brought this question before this Council in the meeting held on the 5th April 1917 in my budget speech, when I suggested that, if the South Indian Railway Company found it difficult to run this line with the limited rolling-stock available, they may curtail one train running from Mayavaram and Arantangi and run that train on the Tiruturaipundi-Vedaranniyam line, but the Railway Company declined to do so.

"Seeing that the South Indian Railway were not in a position to place sufficient rolling-stock on this line, the District Board of Tanjore resolved in its meeting held on 7th March 1918 that the running of the line may be placed at the hands of the Madras Provincial Railway Company who had rolling-stock ready in their hands, which arrangement, I am surprised to hear, has been cancelled for some reason or other. At last after the termination of the war, I moved a resolution on 1st February 1919 in the meeting of Tanjore District Board that Government be addressed to open the Tiruturaipundi-Vedaranniyam line at an early date which resolution was unanimously accepted by the District Board. Now, my Lord, it is needless for me to say how much hardships and difficulties the public were put to during the war for want of communication and it is only proper and just now that the stringent conditions necessitated by

* The Hon'ble Mr. B. V. NARASIMHA AYYAR :—

"II. This Council recommends to His Excellency in Council that more vernacular dailies should be permitted to attend and report this Council's proceedings."

R

(Mr. Ahmad Tambi Marakkayar; Mr. Chidambaranatha Mudaliyar; Mr. Davidson; the President; Mr. Rama Ayyangar.) [11TH MARCH 1919.]

the war are over, that the Government should see its way to give the public sufficient convenience and comforts to facilitate their journey. The opening of the line will not only be a great boon to the general public, but also will facilitate the carrying of salt that is manufactured by Government at the Vedaranniyam pans. Vedaranniyam is a commercial centre and it is also a sacred place of pilgrimage to Hindus, and the absence of railway communication is causing great inconvenience to pilgrims going to Vedaranniyam.

"Under the above circumstances, I trust the Government will strongly urge the Railway Company to open the above line at the earliest possible date. After all the property belongs to the District Board of Tanjore and it is now lying on sand for many years liable to deterioration, and it is high time for Government to take sufficient steps to avoid unnecessary further deterioration of the large capital invested by the District Board. With these few remarks I commend my resolution for the acceptance of the Council."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"I heartily second the resolution."

The Hon'ble Mr. L. DAVIDSON:—"Your Excellency, the Honourable Member has, I think, failed to take note of the answer to question No. 8 on the agenda paper. In reply to the question put by the Hon'ble Mr. Annamalai Chettiyar the Government stated, with regard to clause (b) of his question, 'the Government are addressing the Agent, South Indian Railway, with a view to the line being opened for traffic at the earliest possible date, but are not in a position at present to say when this will be practicable.' The Hon'ble Mr. Ahmad Tambi Marakkayar argues that, now that the stringent conditions of the war are over, it should be easy to get ahead. The answer to that is to be found in the statement made in a letter which the Government received from the Agent of the railway. The Hon'ble Sir Alexander Cardew has already taken that statement out of the Secretariat note prepared for me and utilized it for the purpose of an earlier resolution, but I will repeat it. This is what the Agent said: It seems to be the general idea amongst the public that because the war is over normal conditions have automatically resumed. But such is far from being the case. We have not yet received any stores for repairs and maintenance of our locomotives and rolling-stock, and although under the instructions from the Railway Board we cabled home indents some months ago, we have not yet received any intimation of when we may expect to receive materials, so that we are in just the same condition as we were in during the war with the disadvantage that the engines and stock have been running longer and are therefore in more need of repairs. That is the reason why we cannot get on at once. I have ascertained informally that the moment the Agent hears from his Board he will make an immediate reference to the Railway Board as to the feasibility of opening the line, in the absence of evidence when to expect the arrival of materials and additional locomotives from England. With reference to the resolution of the District Board passed at the Hon'ble Mr. Ahmad Tambi Marakkayar's instance and with reference to the resolution now moved, we propose to address the Agent on the subject, but I cannot accept the resolution since it requests that arrangements may be made to open the Tiruturaipundi-Vedaranniyam line at an early date. We do not know what arrangement will be practicable, but we will urge that everything practicable shall be done."

His Excellency the PRESIDENT:—"Does the Honourable gentleman press the resolution?"

The Hon'ble Khan Bahadur A. T. G. M. AHMAO TAMBİ MARAKKAYAR:—"No."

With the permission of His Excellency the President, the resolution was withdrawn.

His Excellency the PRESIDENT:—"Resolutions Nos. IX and XVII have also to be withdrawn."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Mine is practically accepted."

His Excellency the PRESIDENT:—"The Honourable gentleman has been treated with all consideration by the Council."

The Hon'ble Mr. K. RAMA AYYANGAR:—"What I wanted was a conference."

His Excellency the PRESIDENT:—"The Honourable gentleman has heard, and the Council has heard, what is going to be done from the Hon'ble Sir Alexander Cardew. It cannot be truly said that the Honourable gentleman's resolution has been accepted. If he will kindly read it, he will come to the same conclusion. These proceedings have to be recorded formally and I propose to record that resolution No. XVII has been by leave withdrawn unless the Honourable gentleman takes objection to that."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Let it be withdrawn."

With the permission of His Excellency the President, resolutions Nos. IX and XVII were withdrawn.

His Excellency the PRESIDENT:—"The amendments to the Corporation Bill have been circulated. If it will be in accordance with the convenience of the Council, we will begin this subject to-morrow. If any Honourable Member wishes to postpone the consideration of these amendments further we will consider it. We will begin with the amendments at 11 o'clock to-morrow."

The Council then adjourned till 11 o'clock on Wednesday, the 12th March 1919.

H. G. STOKES,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Wednesday, the 12th day of March 1919.

PRESENT:

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.S.I., G.C.I.E., Governor of Madras—*Presiding*.
The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.
The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.
The Hon'ble Mr. L. DAVIDSON, C.S.I.
The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O., O.B.E.
The Hon'ble Mr. L. E. BUCKLEY, C.S.I.
The Hon'ble Mr. A. Y. G. CAMPBELL, C.I.E.
The Hon'ble Mr. W. J. J. HOWLEY.
The Hon'ble Mr. W. HUTTON.
The Hon'ble Mr. R. LITTLEHAILES.
The Hon'ble Mr. N. E. MARJORIBANKS.
The Hon'ble Mr. J. C. MOLONY.
The Hon'ble Lieut.-Col. W. J. NIBLOCK, I.M.S.
The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.
The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).
The Hon'ble Mr. H. G. STOKES, C.I.E.
The Hon'ble Mr. C. G. TODHUNTER.
The Hon'ble Mr. M. YOUNG.
The Hon'ble Mr. R. B. WOOD.
The Hon'ble Rao Bahadur T. RANGA ACHARIYAR Avargal.
The Hon'ble Mr. A. SUBYANARAYANA RAO PANTULU.
The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO PANTULU Garu.
The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.
The Hon'ble Mr. P. SIVA RAO.
The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.
The Hon'ble Mr. B. V. NARASIMHA AYYAR.
The Hon'ble Mr. K. SADASIYA BHAT.
The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.
The Hon'ble Mr. K. RAMA AYYANGAR.
The Hon'ble Sri RAJA RAO VENKATA KUMARA MAHIPATI SURYA RAO Bahadur, Raja of Pithapuram.
The Hon'ble B. RAJA RAJESWARA SETUPATI alias MUTTUBAMALINGA SETUPATI Avargal, Raja of Ramnad.
The Hon'ble Mr. B. VENKATAPATI RAJU.
The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.
The Hon'ble Yaqub HASAN SAHIB Bahadur.
The Hon'ble Sir GORDON FRASER, Kt.
The Hon'ble Mr. J. H. THONGER.
The Hon'ble Sir FAIRLESS BARBER, Kt.
The Hon'ble Sir GHULAM MUHAMMAD ALI SAHIB Bahadur, Khan Bahadur, G.C.I.E., Amir-i-Arcot or Prince of Arcot.
The Hon'ble the Most Rev. JOHN AELLEN, D.D.
The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR Avargal.
The Hon'ble Sir FRANCIS SPRING, K.C.I.E.
The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.
The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO Bahadur, of Bobbili.
The Hon'ble Dr. T. M. NAYAR.

858 RESOLUTION RE REMOVAL OF INTER-DISTRICT RESTRICTIONS ON
TRANSPORT OF FOODSTUFFS.

(Mr. Siva Rao ; Sir Gordon Fraser.)

[11TH MARCH 1919.]

The Hon'ble Mr. P. SIVA RAO —“ Your Excellency, it was on a very unfortunate day that the Government of India thought fit to cancel that order issued by the Government of Madras regarding the inter-provincial prohibition. Of all the districts, the Ceded Districts have suffered most on account of this removal. I am aware when I moved a resolution in similar terms in April last the Government were pleased forthwith to prohibit the export of dry grains from the Ceded Districts. I know what beneficial results it had. It brought down the price from six seers per rupee to eight seers per rupee. I appeal to the local Government to move the matter again before the Government of India to see that this inter-provincial restriction is continued. When that provincial restriction is removed, I do not see how the inter-district prohibition will be entirely effective. I may say that the inter-district prohibition is necessary even at the present time. It is a mistake to call it inter-district prohibition. It is not prohibition; it is marshalling our resources for the benefit of all the districts. Where there is a surplus, the Collector will allow export to certain districts where there is a deficit. But my own misgivings are that when there are no inter-provincial restrictions, there is not much use in continuing the inter-district restrictions. The reason is this; the people, for instance, of Godavari, which my Honourable Friend represents, are prohibited from exporting to any other district in the Presidency unless under a certificate issued by the emergency committee or the controller of prices, but they are at perfect liberty to export it to Bombay. The Honourable Member in charge will tell me whether the restrictions are to be relaxed in favour of exports to Bombay, Hyderabad and Mysore, while not one grain reaches us from Hyderabad. I am anxious to know whether the restrictions upon the exports to Indian States have been withdrawn. I may say just now that if this inter-district prohibition continues but if the people are at liberty to export it to Bombay, it will be an invitation to them to export to Bombay instead of selling to other people in the other districts of this Presidency, and you will be compelling the people to sell to Bombay. I know from the accounts given by Honourable Members that the country is simply flooded by rich merchant millionaires from Bombay who do not hesitate to pay any price for the commodities. Again I regret the Government of India have taken that step in the teeth of the opposition offered by the local Government. Whatever little use it may have this inter-district control should continue.

“ With respect to the suggestion made by the Honourable Member that the local bodies may do a lot, I may say one word. I am a firm believer in local bodies being encouraged and doing a lot. In this matter, Your Excellency, we must devise some means by which the grain or the necessities of life reach the consumer from the wholesale dealer without the intervention of the profiteering middleman and to secure the best means of arrangement would be to induce the local bodies to open depots and to persuade philanthropic and public spirited firms like Messrs. Best & Co. to sell it to them. There is one difficulty. This question arose in the finance committee, and it was proposed that the local bodies should be financed with loans for the purpose. It was stated on behalf of the Government that they should not be encouraged to embark upon a speculative enterprise like that, and so long as the Government give loans, they will purchase articles recklessly. Now I appeal to the local Government to encourage local bodies with liberal loans for the purpose of opening shops. Thanks to Messrs. Best & Co. for their offer. They want no advance in the first instance and they ask us to credit the sale-proceeds to the nearest treasury. The Bellary Municipality has accepted their offer. But in any view the local bodies must be encouraged and there must be a general order of the Government permitting them to embark upon such enterprises if they are willing to do so and offering them a loan when they require it for this purpose.

“ I would say one word in regard to kerosene oil. The control of kerosene oil has entirely failed to achieve the desired result. There seems to be a real shortage everywhere. Even the little quantity that we have, has not been evenly distributed. It is true no doubt that the Government have wisely fixed the price. I am for continuing the control of price in the case of kerosene oil. No doubt, the companies have also agreed to it and have issued instructions to their agents to sell the oil at fixed prices. But there comes the profiteering tendency of the sub-agents and others who do not sell it at the fixed prices. There is no means of ascertaining whether they get any consignments at all. The system of A & B permit-holders does not enable people to get supplies regularly. They will keep some false and vexatious accounts and unless we multiply our inspecting staff, we cannot control it. They are asked to supply it to B permit-holders, but they do not supply it; they are retail dealers. Both A permit-holders and B permit-holders say that there is no stock unless they come across a miller purchaser who is willing to pay a higher price than that fixed by the Government and give a receipt for a less amount. Suppose he buys at 5 annas a bottle he has to pass a receipt for As. 3. I have no faith in licence dealers. They should be abolished and the local bodies may be improvised for the occasion and they may be asked to purchase, to receive all the stocks from the sub-agents of the company and let them be encouraged to open depots wherever possible. Then only it is possible to bring down the prices. Now though the Government have fixed the prices, those prices are not the prices paid by the consumer. The Government must seriously consider the proposal to entrust the question of the sale of kerosene oil to local bodies.”

The Hon'ble Sir GORDON FRASER :—“ Your Excellency, the question before the meeting, of the present scarcity and the high prices, is a very important and wide one. I myself am not in favour of the withdrawal of Government control. It has been suggested that the proper

RESOLUTION RE REMOVAL OF INTER-DISTRICT RESTRICTIONS ON 859
TRANSPORT OF FOODSTUFFS.

11TH MARCH 1919.]

(Sir Gordon Fraser.)

way to bring down prices is to remove the control and to increase the supplies, but unfortunately this is an impossibility at present not only in the case of rice but in the case of kerosene oil also. The suggestion has also been made that a larger amount of freight should be put on but unfortunately the steamers are not available. The quantity of rice that we get from Burma is allotted, and limited, and Madras cannot get as much as she wants, but must take her share with other parts of India. We merchants are unfortunately not in a position to charter outside tonnage. All tonnage is controlled and distributed on what the Government consider an equitable basis to all. The Hon'ble Sir Alexander Cardew asked, can we control prices in Madras? I say in the case of rice certainly we can, provided the Government have the assistance of licensed importers. The control may not be entirely successful, but I contend even if it is partially successful some good will have resulted. The Hon'ble Mr. Ranga Aohariyar asked whether a reduction in the rate of freight from Burma to Madras is likely. There again I should say that the prospects are very good indeed for reduction. The rate of freight at present is Rs. 28 less ten per cent which makes it just over Rs. 25. This rate is a very high one and there is no reason why as time goes on and more shipping is available the rate should not be reduced. That is one of the risks taken by the importers at present, because the rates may drop at any moment, and if they drop those who have bought rice may lose over it. That is a risk which cannot be avoided. The Hon'ble Mr. Rama Ayyangar referred to the reason for our entering into the rice-trade and various remarks were made about our entering into that business. I explained it very fully at the November meeting in speaking on a resolution similar to the one now before the meeting. I pointed out that the only reason why we entered the rice market was because Madras merchants were allowing steamers to come to Madras with space available not filled up; therefore we authorized our people in Rangoon to fill up every ton of the space available with rice. After going into the market as we did to supply rice, I consider we are quite entitled now to a standing amongst the licensees in the market.

“ I shall deal first with the question of the kerosene oil position. It would perhaps be difficult for Honourable Members to realize that the whole trouble is kerosene oil is sold too cheaply. It is infinitely cheaper than any other illuminating oil that can be bought in India. Until therefore kerosene oil goes up in price and approaches the price of other vegetable oils that have been used in the past we will have this trouble. The price is kept down artificially. It is not the natural price, whereas other oils are governed by the laws of supply and demand. The price of inferior oil is exactly the same as in pre-war days. I cannot be far wrong if I say that it is the only commodity that sells at the same price at the present moment as in pre-war days. As regards the control of kerosene oil unless the oil companies have the assistance of the Government, it is impossible for the companies to control the hundreds of agents they have in many districts up country. Unless they have Government assistance the only course open to the companies is to withdraw their staff upcountry and sell in the ports of importation to the highest bidder. In that case I think the last state of affairs would be infinitely worse than the first. It is quite impossible for us to continue to supply at pre-war rates and ensure that no middleman profits are made unless we have the Government behind us. If you remove control, the prices must go up until we have a sufficient supply to meet the demand or until the price has gone up sufficiently high to make it cheaper for the consumer to use one of the indigenous vegetable oils of the country. Therefore if you are going to remove Government control over the distribution of kerosene-oil, you cannot expect the large oil importing companies to sit quietly by and send their oil upcountry at a low rate knowing perfectly well that middle men are going to make hundred or two hundred per cent profit before it reaches the consumer. If you remove Government control and assistance, you immediately place the poor oil consumers of this country in competition with the world's markets and you will have to pay a hundred per cent more at the source of supply. Possibly on broad lines this may be a sound policy of supply and demand, but it will not help the consumer in this country. The times are very difficult, and so long as there is not enough oil to meet the demand, this must be recognized and we must do everything to meet the difficulty. There is no royal road to surmount these difficulties. We have all to work together and do our best. I think any drastic changes would only make matters worse. So far as oil companies are concerned it is more a question of assistance. We are controlling the price when we send the oil upcountry; but Government assistance in the further distribution is required and this the Government are doing their best to give us. The oil companies are quite ready to try and work in line with any scheme which the Government may put forward or any scheme which any private individual may put forward. So far no scheme has been put forward that will surmount all difficulties.

“ As regards the rice question, in connexion with the inter-district restriction I quite agree with my Hon'ble friend Mr. Ramachandra Rao that if you remove the restrictions that now exist, it is inevitable that the district which has the most money is going to get the rice. Similarly if you remove the restrictions on the shipment of Burma rice, India will get nothing because rice will be taken away by other and wealthier countries of the world. In the case of control of rice from Burma I do hope that the Government will continue the control in Burma. Wholesale importers who get licences and import are allowed to make a profit of 8 annas a bag, which I consider a liberal commission for wholesale importers. I take this opportunity of stating that they ought to undertake to sell rice to no one but licensees. All the system of licensed useful retailers. I think that the Government ought to have given us information two months hence, and then I am the better prepared to meet the situation.

His Excellency the PRESIDENT :—“ If the Hon address to the Council, the Council will be prepared.”

870

THE MADRAS CITY MUNICIPAL BILL, 1918.

(The President; Mr. Srinivasa Ayyangar.) [12TH MARCH 1919.]

The Council re-assembled at 11 a.m. when the further consideration of the Madras City Municipal Bill, 1918, was taken up.

THE MADRAS CITY MUNICIPAL BILL, 1918.

His Excellency the PRESIDENT:—"There are just three amendments which we have to consider before the motion will be put that the Bill be passed into law. The first amendment is the first of the two amendments circulated yesterday relating to clause 72. The next amendment is the amendment on the agenda paper to clause 101 which is the amendment which makes good the undertaking given by my Honourable Friend at the last meeting of the Council, and thirdly there is the second and short amendment on the type-written paper circulated, to clause 118 (f). I will call upon the Hon'ble the Advocate-General to move the amendment to clause 72."

The Hon'ble Mr. S. SRINIVASA AYYANGAR:—"Your Excellency, the amendment which I beg to propose is as follows:—

"For clause 72 substitute the following:—

"72. (1) Notwithstanding anything contained in this Act, all buildings and lands belonging to the Government in that part of the military zone of Fort St. George which is known as the Esplanade, as described in Schedule III, shall be subject to the control of the Officer Commanding the Station at Madras

(2) Permission to dig holes or pits, to alter the ground level or to accumulate material within the Esplanade or to construct or re-construct a building on the Esplanade shall not be given or be deemed to have been given unless and until the sanction of the Governor in Council and of the Governor-General in Council has been obtained:

Provided that the erection of temporary huts or structures for stated limited periods for the accommodation of circuses, theatres and other shows may be permitted by the Officer Commanding the Station at Madras on the recommendation of the Commissioner of Police and with the sanction of the Commissioner;

Provided also that no permission under sub-section (2) shall be necessary in respect of execution by the corporation of such lawful works as are required for the maintenance of roads, drains, water-pipes, electric cables and wires.

(3) Such sanction shall not be applied for unless the plan of the buildings and the site plan of the land or the latter alone, as the case may be, have been approved by the Commissioner and the Officer Commanding the Station at Madras.

(4) If any such act or operation as is referred to in sub-section (2) of this section is commenced, carried on or completed without the sanction of the Governor in Council and the Governor-General in Council or the Officer Commanding the Station at Madras, as the case may be, the Commissioner shall, if so requested by the Officer Commanding the Station at Madras, and within fourteen days after receiving such requisition, by notice direct the person doing or controlling the act or operation to fill up such hole or pit, to remove such alteration of ground level or such accumulation of material, and to demolish anything constructed or reconstructed within a period to be specified in such notice, or shall cause the same to be done at the expense of such person.

(5) No person shall be entitled to compensation on account of anything done or caused to be done under sub-section (4).

(6) Any person who fails to obey the direction of the commissioner under sub-section (4) shall be liable on conviction to the penalty provided in section 362 in respect of a building other than a well or hut."

"The amendment really reproduces the rules framed by the Military Department of the Government of India in 1902. The object of this amendment is to put in section 72 the rules which have been in force from 1902, giving them full statutory effect. The Government of India have addressed the Local Government and asked them that this amendment should be incorporated in the Bill. The amendment which is on the paper explains itself. So far as sub-clause (1) is concerned, Honourable Members will notice that the only amendment is the substitution of 'the Officer Commanding the Station at Madras' for 'the General Officer Commanding the Madras District.' There is no such officer as 'General Officer Commanding the Madras District' and therefore it is necessary to put in the correct designation of the officer. That is really a verbal amendment.

"Sub-clause (2) of the amendment seeks to bring in the digging of holes or pits or altering the ground level or accumulating materials within the Esplanade in the same category as the construction or reconstruction of buildings on the Esplanade. Honourable Members are aware that the Esplanade is a part of the military zone and the buildings and lands belonging to the Government in that zone are subject to the control of the Military Department. So far as the Bill which follows the existing Act says: 'Permission to construct a building on the Esplanade shall not be given or be deemed to have been given unless and until the sanction of the Governor in Council and of the Governor-General in Council has been obtained.' 'Building' is defined in the Bill as including a hut, and this will mean that even in the case of huts or temporary structures which may be constructed for theatres and circuses the sanction of the two Governments will be required before they are allowed to be done. Rules have been in force without legislative sanction allowing the erection of temporary huts or structures for a limited period with the sanction of the Officer Commanding the station. The proviso has been introduced to make that clear. It says: 'Provided that the erection of temporary huts or structures for stated limited periods for the accommodation of circuses and theatres and other shows may be

12TH MARCH 1919.] (Mr. Srinivasa Ayyangar; Dr. Nayar; Mr. Molony; the President; Mr. M. Ramachandra Rao; Mr. Rajagopala Achariyar.)

permitted by the Officer Commanding the Station at Madras on the recommendation of the Commissioner of Police and with the sanction of the commissioner.' Then as required by the Government of India you have 'Permission to dig holes or pits, to alter the ground level or to accumulate material within the Esplanade or to construct or reconstruct a building on the Esplanade shall not be given or be deemed to have been given unless and until the sanction of the Governor in Council and of the Governor-General in Council has been obtained.' There is a further proviso which is in favour of allowing the municipality to carry out its own works, that is, the maintenance of roads, etc. That is the second proviso: 'Provided also that no permission under sub-section (2) shall be necessary in respect of execution by the Corporation of such lawful works as are required for the maintenance of roads, drains, water-pipes, electric cables and wires.'

"Sub-clause (3) makes consequential alterations upon the proposed amendment in sub-clause (2) as to digging holes or pits.

"Sub-clause (4) merely carries out the consequential changes necessitated by the reference to digging holes.

"In sub-clause (6) there is one amendment made which runs as follows: 'Any person who fails to obey the direction of the commissioner under sub-section (4) shall be liable on conviction to the penalty provided in section 362 in respect of a building other than a well or hut.' As the section now stands, sub-clause (6) says 'he shall be liable on conviction to the penalty provided in section 362.' There are two penalties provided in section 362, one in the case of a building and another in the case of a well. There may be some ambiguity and in order to remove that and in order to make the section applicable to this new case of digging holes which is also to be made punishable it has become necessary to alter it in the way proposed in the amendment."

The Hon'ble Mr. H. G. Stokes seconded the amendment.

The Hon'ble Dr. T. M. NAYAR:—"I have only to get one point cleared. This amendment lays down as to who is to give permission for the erection of buildings, but it does not say who is to receive any rents that may be charged. This is a matter of great importance in the case of theatres and circuses, because considerable sums are realized. Whether they should go to the Military authorities or to the Corporation is a point which should be explicitly laid down here."

The Hon'ble Mr. J. C. MOLONY:—"At present the municipality gets two-thirds and the Military authorities get one-third."

His Excellency the PRESIDENT:—"That will continue."

The Hon'ble Mr. J. C. MOLONY:—"Yes."

The Hon'ble Dr. T. M. NAYAR:—"It is not stated here. It does not say who is entitled to it. It simply says by whom permission is to be given. If they are municipal properties and if a circus tent is erected there, ground-rent will be charged and the municipality will get the rent."

The Hon'ble Mr. J. C. MOLONY:—"If a circus tent is erected, ground-rent is charged."

The Hon'ble Mr. S. SRINIVASA AYYANGAR:—"It rests on mutual understanding."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I take it that any rent that is charged is deposited with the application for erection to the Military authorities. If that is so, what is the hold of the Corporation?"

The Hon'ble Mr. J. C. MOLONY:—"The Corporation takes an advance, generally ten days' rent. If the period of ten days is extended, the party has to pay the rent for further ten days. At the end we remit one-third to the Military authorities."

The amendment was put to the Council and agreed to.
The new clause 72 was allowed to stand part of the Bill.

Clause 101.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I beg to move the amendment on the paper in my name—

"For the first eighteen words of sub-clause (d) of clause 101 substitute the words 'The bed of the Cooum, the bed of the Adyar, the Buckingham canal'."

"The clause will then read as follows: 'the bed of the Cooum, the bed of the Adyar, the Buckingham canal and all such other properties of Government not being buildings as may from time to time be notified by the Governor in Council with the consent of the Corporation.' The discussion with regard to this at our last meeting is no doubt fresh in the minds of the Council. I think I had the opportunity to state then how this sub-clause came to be put in by the Select Committee, when that committee got rid of the definition of 'public land.' On the last occasion the Hon'ble Mr. Ramachandra Rao and the Hon'ble Doctor Nayar suggested that it was probably a case of exemption in favour of Government which did not exist. We have since carefully examined the question and we found the best way in which we could bring the law into accord with the existing situation would be by making the amendment which would not take the matter further than what it is at present."

The amendment was put to the Council and agreed to.
Clause 101 as amended was allowed to stand part of the Bill.

(Mr. Srinivasa Ayyangar ; Mr. Rajagopala Achariyar.) [12TH MARCH 1919.]

Clause 118.

The Hon'ble Mr. S. SRINIVASA AYYANGAR :—"I beg to move—

'In clause 118 (f) omit the words 'in paragraph 1 (b) of the regulations for the Indian Defence Force' and substitute the words 'as defined in the regulations made from time to time under the Indian Defence Force Act, 1917.'

"This is merely a verbal amendment which is necessitated by the fact that the reference to 'paragraph 1 (b) of the Indian Defence Force Regulations' is a mistake and it is to rectify that mistake that this amendment is proposed."

The Hon'ble Mr. H. G. Stokes seconded the amendment.

The amendment was put to the Council and agreed to.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Your Excellency, I beg to move that the Madras City Municipal Bill as amended be passed into law and in doing so I wish to offer a few remarks on the Bill as it finally stands. In the first place I claim for the Bill that the changes introduced in the constitution of the Corporation and in the mechanism of its working will have the effect of popularising the administration and associating a much wider circle of people in the task.

"The foundation of the whole edifice of local self-government is the electorate: the aim of the Bill is to call into existence as large an electorate as can be secured under present conditions, to obtain, in the words of the Government of India, a constituency really representative of the ratepayers. When I introduced the Bill, I gave figures showing the restricted nature of the present franchise. Out of a population of over half a million there are at present in the City less than 12,000 voters, and less than 500 persons qualified to be candidates. The Bill broadens the franchise very considerably. I am confident that the step taken is right and that the provisions of the Bill relating to the electorate will greatly help the civic education of the inhabitants of the City, on whom in the ultimate resort has to rest the responsibility for its good government. It may interest Honourable Members to know what the size of the electorate will be under the Bill. In the first place every taxpayer is given the franchise and the occupancy qualification is lowered to Rs. 60. On this basis we shall have about 37,000 voters. Secondly, the Bill introduces an important departure in that it admits women to the franchise. It is estimated that about 7,000 women will get the vote. When the Bill comes into operation, we shall have an electorate of about four times the number on the existing register, and the number will increase with the growth of the City in wealth and population. And further all male electors will be eligible for election as councillors.

"We have also liberalised the constitution of the Council. The total strength of the Council has been increased from 37 to 50 and the elective strength from 28 to 41. The nominated element has been reduced to nine, this being the minimum necessary to provide for the representation of Muhammadans and other minorities and for experts—non-official as well as official—whom it may be necessary to have on the Council. The changes will make the Council thoroughly representative of all interests of importance in the City.

"It is the policy of the Bill to associate as many of the councillors as possible in the work of the actual administration and I would invite attention to the provisions relating to standing committees for which we are indebted to the Select Committee. The Standing Committee has under the scheme of the existing Act important administrative, supervisory and appellate functions. The Bill as introduced followed the existing Act in concentrating these powers and duties in a body of 13 councillors. The Select Committee felt that, while it would be unfair to call upon a small body of the councillors to undertake the very large burden involved in the efficient discharge of the duties assigned to the standing committee, the arrangement was open to the further objection that it deprived the City of the benefits that would accrue from the association of a large number of councillors in the practical work of the administration. Under the Bill in its present form the functions are divided among four different standing committees, each consisting of seven members, and it is laid down that no councillor shall be a member of more than two committees at a time. This system will turn into useful channels the special knowledge of individual members, criticism is likely to be more practical, less doctrinaire, when most of the members are engaged in working particular departments: and the tendency to stagnation will be avoided as fresh blood will be periodically recruited to the Council and the committees.

"The next important change introduced by the Bill is the appointment of a commissioner as chief executive authority and, as in some of the very recent criticisms on the Bill the suitability of this system has been called in question, I may be excused for detaining Honourable Members with a few remarks on the principle of the change. The commissioner system has been tried in Bombay for many years: it was introduced there at the instance of the late Sir Pherozshah Mehta and it has so completely justified itself in its working that a measure framed in 1914 for its extension to some of the larger municipalities in the Bombay Presidency was approved by most of the non-official members of the Bombay Legislative Council. The Royal Commission on Decentralization recommended its extension to other Presidency towns and the principle of it has been accepted in the recent resolution of the Government of India on local self-government and in the Montagu-Chelmsford Report. The application of the system to the Madras City was accepted by the Madras Corporation in 1910, and also in 1917 when the first draft Bill was referred to that body. The commissioner system is a necessary stage between the

12TH MARCH 1919.]

(Mr. Rajagopala Achariyar.)

machinery as we now have it and the machinery as it will, we hope, be at some future date. It is, I submit, a mistaken view of the system to say that under it there will be any real diminution of the authority of the Council over the administration of the City. The commissioner's main function is to see to the efficient discharge of the routine work of the administration, to attend to the multitudinous details that arise in the government of a large town. Large bodies like councils are, by their nature, unfitted to deal with such details, and it is undesirable that they should bury themselves in details to the neglect of the important duties of general control and the settlement of policy. The control of the Council will continue supreme in all matters of real importance. That body alone can fix the rates of taxes and fees, pass budgets and all deviations therefrom, sanction important contracts, approve of the exercise of some of the more deterrent powers of regulation contained in the Bill, call for reports and returns from all municipal authorities, frame by-laws for the guidance of the staff, etc. By these and other means the Council will be in a position to enforce its wishes. Its most effective instrument of control will be the budget. The budget has to be sanctioned by the Council and no reappropriation from one head to another can be made without its approval. It follows from this that no scheme of any importance can be passed without the Council's knowledge and approval. There is no ground at all for the apprehension that the commissioner system will mean any diminution of the power of the Council to lay down its own policy and to insist on its being given effect to in every branch of the administration of the City.

"The division of the functions between the Council, the standing committees and the commissioner is naturally a subject of difficulty, and the Select Committee devoted careful attention to it. I think that the scheme of the Bill in this respect is quite good. If actual working brings to light the need for some readjustment, this can be effected by suitable amendments after we have gained experience.

"I now come to the question of the resources of the Corporation, in regard to which anxiety has been expressed. I may at once say that it is not the position of the Government that they have finally solved in the Bill all the financial problems connected with the municipal administration of the Madras City. But I must take exception to the criticism that the Government have made no serious attempt to grapple with the question of bettering the finances of the Corporation and starting that body on its work with increased resources. The facts are these. For some years past the normal expenditure of the municipal services has been in excess of the revenues, this result being almost entirely due to the heavy charges of maintaining the water-supply works and the portion of the special drainage works which has been completed and handed over for maintenance. According to the latest budget, for example, a sum of about Rs. 4 lakhs is set apart from the 'revenue' account to meet the deficit in the 'water-supply and drainage fund.' In successive administration reports the Corporation has been complaining of the large waste of water in the City. The water-works are designed to supply 25 gallons per head per day to the population. In the first months of 1918-19 the quantity consumed in the City rose on an average to 32 gallons per head per day. This means not merely increase in the cost of supplying the water but also increased strain on the drainage works. Under the present Act the Corporation has no effective means of compelling owners to accept supply from the water-works, to fix meters to house connexions and recover the cost or hire of meters from owners, and to cut off supply in cases where the by-laws are infringed. All these defects are rectified in the Bill. The Government look to the Corporation to enforce these and other provisions, keep the supply within strict control, and effect considerable savings in the cost of pumping, etc. By doing so, the Corporation should be able to wipe off the whole or the greater part of its present deficit. This important matter should be taken into account when the effect of the Bill on the finances of the Corporation is considered.

"I next proceed to deal with the direct increase in the revenues which the Bill sanctions. The regrading of the profession tax is estimated to bring in an additional revenue of about 2.29 lakhs, the regrading of the animal and vehicle taxes and the tax on carts about Rs. 31,000, and the revised scale of tolls about Rs. 20,000. The duty on transfers is expected to yield about Rs. 1 lakh a year. The taxation of the Port Trust properties will bring in Rs. 64,000. Deducting from these increases the proceeds of the duty on firewood which is being remitted (about Rs. 50,000 a year) the immediate net increase in the revenues of the Corporation should be about 3.94 lakhs a year, and this without any increase in the property taxes. In regard to the property taxes themselves, it will be for the ratepayers hereafter (through their representatives) to decide at what rate they should be taxed on their properties.

"While on this subject I should like to mention that if the original proposals of the Government for the levy of a 50 per cent surtax on the income-tax and an unearned increment duty had been maintained, the increase of the revenues would have amounted to about Rs. 9 lakhs, as against about Rs. 4 lakhs. Deference to the wishes of the Corporation was one of the chief reasons that induced the Government to abandon the surtax on the income-tax in favour of a regraded profession tax and the increment duty in favour of the transfer duty.

"I should now like to refer to the taxation of the Port Trust properties. The Bill withdraws the exemption from the property tax hitherto enjoyed by this body, but the outside limit of 4 per cent of the gross earnings is fixed for the tax leviable on these properties, and this has been attacked as an unreasonable concession. A sum of over Rs. 3 crores has been expended hitherto on the harbour works. A considerable portion of this has been spent on breakwaters, seawalls, etc. These are technically buildings and, if the general rule as regards the levy of property taxes is followed, the Trust properties would have to be assessed at some percentage of their capital value, the basis of the rental value being obviously not applicable to the case. A tax

(Mr. Rajagopala Acharinar; Mr. Srinivasa Ayyangar.) [12TH MARCH 1919.]

levied on any such scale will paralyse the institution. Legislation in other provinces has prescribed special modes of assessment for Port Trust properties. On the basis of a maximum limit of 4 per cent on its gross earning, the Madras Port Trust will pay a property tax of about Rs. 64,000 a year. The Port Trust in Bombay pays about 2.6 of its gross earning and that in Calcutta about 4 per cent. The 4 per cent limit fixed for Madras cannot be said to err on the side of undue liberality to the Trust.

"The position of the Government on the several proposals made for additional taxation has been more than once explained. The Government of India have definitely ruled out a terminal tax. Any duty on goods brought within the city, partaking of the nature of an octroi, would be unsuitable in a scheme of local taxation. The Government of India have animadverted on the opportunities for fraud, delay and oppression which the octroi involves owing to the entrusting of large discretionary powers to a subordinate agency, its being expensive to collect and wasteful, and on its constituting a serious burden on trade in general, and in particular on through trade, notwithstanding the provision made for refunds. When in places where the octroi exists—as in Northern India—the policy is to get rid of it gradually, it does seem retrograde to introduce it in the Madras city to the detriment of its trade, and thereby set a pernicious example to local authorities all over the province which will be unable to resist the temptation to follow the lead of the premier local body.

"Though we have been unable to accept several proposals placed before us for increasing the resources of the Corporation, we recognize that the present position in regard to Government grants to local bodies is far from satisfactory. The Government are in sympathy with the policy of substituting for the grants now given a fixed share of some growing source of revenue, but the present is not an opportune moment for taking up that question. The financial relations between the Government of India and the Provincial Governments are under discussion in connexion with the impending reforms and we cannot consider this important question till a settlement has been reached on the financial resources of this province. The Government can examine this question of giving the local bodies a fixed share of a growing source of revenue only after the scheme of provincial finance is definitely settled. That will take time and we cannot postpone this Bill till then. Whatever measure is ultimately agreed on in this respect can be given effect to independently of and without any reference to this Bill. The scheme will apply to all local bodies including the Corporation.

"Before concluding my remarks I should like to refer to the statement I have seen made that the Government are rushing this legislation through. The amendment of the City Act was taken up as early as 1910. In that year the Corporation considered the recommendations of the Royal Commission on Decentralization and appointed a committee which suggested the adoption of the commissioner system and framed detailed proposals for the distribution of the functions among the several municipal authorities—the council, the standing committee and the commissioner. A report was then made to the Government of India and the orders of the Secretary of State on the proposals were received in 1913. A special officer prepared the first draft of the Bill in 1915, working in close touch with the President and the chief officers of the Corporation. There was then some correspondence with the Government of India and ultimately the Bill as revised was referred to the Corporation for remarks—early in January, 1917. The views of that body were received in May 1917. The Bill was further revised in important respects in deference to the views expressed by the Corporation, submitted for the approval of the Government of India, which came in due course, and it was introduced in this Council in August 1918. The Select Committee has given a lot of time and care to the Bill and made many improvements in it and the Council itself has devoted several days to a detailed examination of the provisions. This, sir, is a brief outline of the history of the various stages through which the Bill has passed, and I think I am justified in saying that at no time have we rushed this measure of legislation. It is the result of a great deal of thought and deliberation. I do not claim perfection for it; but I do claim that it represents a very distinct advance on existing conditions and I appeal to the Council to pass it. The Government would be quite prepared to afford facilities from time to time for introducing such amendments as experience might prove to be necessary. With these words I submit to the Council the motion that the Bill be passed into law."

The Hon'ble Mr. S. SRINIVASA AYYANGAR :—"I beg to second the motion that has just been made and in doing so I wish to say a few words.

"The Bill has been before the public for about three years. It was carefully considered by the Select Committee where the non-official members brought to its discussion a close scrutiny and a wealth of suggestions that have been of great value. It is true that in the Council few changes of substance have been made in the Bill as revised by the Select Committee; but the thorough and searching criticism to which it was subjected during the instructive debates that took place at the last meeting showed that there was little that needed material alteration. Several amendments of minor importance were however passed which have improved the Bill. The formidable list of amendments was not perhaps all of equal value and was due to the shortness of the interval between the republication of the Bill and the meeting of the Council and several amendments were therefore either withdrawn or rejected as the result of a fuller consideration. Opinion must be divided on the question whether it would be a sound legislative procedure if, in the absence of special or unforeseen circumstances, a long and intricate Bill were to be radically and suddenly altered or completely overhauled after it left the Select Committee. The proper course would seem to be to press home all suggestions and criticisms of the more

12TH MARCH 1919.]

(Mr. Srinivasa Ayyangar.)

important kind at or before that stage. The Bill as now settled by the Council is a great and decided improvement upon the present law in very many important particulars, but I wish to indicate in the briefest possible manner what a real advance it is towards local self-government confining myself to the constitution of the corporation and the franchise upon which it is based, its financial independence of Government and the complete financial control which it gets over the Commissioner.

"The strength of the Council is raised from 37 to 50 of the elected commissioners, divisional or institutional from 28 to 41. The President of the Council is no longer appointed by Government but elected by the Council. That feature and the division of functions hitherto combined in the President, while they enable the commissioner to be more efficient as an executive officer, enable meetings of the Council to be freer of executive influence and to subject the commissioner's acts to a more effective scrutiny. A proper distribution of the 30 divisional seats will secure a more adequate and uniform representation than exists at present. Instead of the complicated and unequal franchise and the provision for plural voting that now exist, the Bill provides for a simpler, juster, and far more democratic franchise. Doubt has been expressed in some quarters whether the franchise has not been pitched too low. Residence in a division—and let us not forget residence is a word of elastic signification—and the payment of one of the three principal taxes—one rupee will do—or the occupation of a house with a rent of Rs. 5 a month are its bases. The right of plural voting now possessed by large owners of property has rightly been abolished as inconsistent with the principle of democratic electorates. For the first time women have been put upon the register as entitled to vote and the frequent and intelligent use which they may make of that right will in time enable them to become councillors. Ignorance of English is no longer a qualification to be a councillor and clause 54 of the Bill is a great improvement upon the existing Act and provides for the speedy settlement of disputes regarding disqualifications. The compendious rule in section 45 of the old Act being found inadequate a small code of election offences has been introduced which will make for the purity and representative character of elections. At the same time the Select Committee has provided for an appeal to the High Court against a conviction for any election offence and the time limit of seven days is a substantial safeguard against any extravagant resort to the new law. The residents and ratepayers of the city are vitally interested in the wide extension of the franchise and in the increased representation conferred by the Bill and are entitled to the immediate exercise of their new rights. Turning to the standing committees, while at present there is a single Standing Committee of eight members overburdened with work, four Standing Committees have been constituted to deal with the principal branches of municipal administration and they continue for the whole term of their office as councillors and not for a year as now. Another restriction has also been removed. While at present only half of the members of the Standing Committee can be divisional councillors, hereafter if the Council so chooses all the Standing Committees can consist wholly of divisional councillors. It is a great advantage that 28 out of 50 members will be obliged to take active interest in and shoulder responsibility for the details of Municipal administration and the consequent training in civic affairs cannot be regarded as of negligible value. Next, under the existing law the control of the local Government over corporation finance is absolute. Government has full power to reject or modify or add to all or any of the items of the budget: and the corporation is bound to abide by the budget as approved by the Government. When a supplemental budget is needed, that also requires the approval of the Government. Any increase, reduction or transfer of a budget allotment requires the sanction of the Government. New projects involving an expenditure of more than Rs. 1 lakh cannot be commenced without the sanction of the Government. And any contract and even acceptance of a tender involving an expenditure of more than Rs. 1 lakh require the previous sanction of the Government. In every one of these particulars the Bill has radically changed the existing system. Complete budget independence on the part of the corporation is established by the Bill, Government has no longer any power to reject, modify or add to any of the budget items. The making of the supplemental budgets will rest with the council. The reduction or transfer of a budget allotment is with the standing committee or with the council. The only power which Government will have is over new projects involving an expenditure exceeding Rs. 2½ lakhs. As regards contracts and tenders the corporation will be wholly free of Government control even where a new project exceeds Rs. 2½ lakhs.

"As regards establishment too, the control of the Government is abolished except as regards the commissioner; and framing of the whole establishment schedule is vested in the council whether as to pay, security, qualifications or as to grant of leave as also the right to appoint officers drawing a monthly pay exceeding Rs. 500. The important officers of Revenue, Health and Engineering will be appointed by the council and not as now by the Government.

"Thirdly the council will have the completest financial control over the commissioner. It can make regulations compelling detailed statements, estimates and proposals to be made and the furnishing of all necessary information before it sanctions the budget. The commissioner cannot make any financial commitments or make any payments except under the eight usual categories enumerated in rule 14 of the fifth schedule. The sanctioning of estimates by him or of projects by the standing committee will be wholly futile unless the expenditure therefor is previously or subsequently sanctioned by the council. The specific powers of legal and administrative sanction conferred on the standing committees and the powers conferred on the commissioner are all subject to the power of the purse possessed by the council. Lastly, while the council cannot directly exercise the executive functions which are expressly assigned by the Act to the commissioner and the standing committees, the entire municipal government of the

(Mr. Rangu Achariyar ; Mr. Rajagopala Achariyar ;
the President.) [12TH MARCH 1919.]

commended in the resolution of 1915, and it appears to the Government of India to be worthy of consideration. So long as the executive officer of a city is protected from the possible caprices of a board by a proviso requiring that, though his nomination may be by the board, his appointment should be approved by Government and that he should not be removed without the sanction of the Government unless, by the vote of a substantial majority of the board, it is not necessary to require that the executive officer should be a Government official. Now it will be noticed that there the Government of India contemplate the appointment of the commissioner by the corporation. The commissioner is its officer. No doubt the corporation is being freed from Government control, but the Government are sending their deputy who is practically an irremovable deputy who will exercise these functions, whereas the present President of the corporation has to face the discussion in the corporation once a month at least and has to meet us face to face and therefore he will be guided in the pursuance of his policy by the votes of the councillors because he cannot always afford to ignore our resolutions. The commissioner will now be appointed by somebody else and he will be sitting in his chamber and will be performing all such duties as are laid down for him by the Government, and the corporation has absolutely no control over him. That is the fundamental objection. The Honourable Member in charge of the Bill has said that this is a very recent objection to the commissioner. We do not object to the system of the commissioner. We welcome the commissioner for the purpose of discharging the daily routine duties, but that is not what he is entrusted with. He is entrusted with the powers of the corporation in certain matters although he is not of the corporation; he is an outside nominee. That is the objection we take so far as the commissioner is concerned. With reference to both these points, therefore, we tried to increase the elected strength, that was negatived, and we tried to make him somewhat a nominee of the corporation, and that was negatived. We wanted to reduce his powers with regard to contracts and appointments. That was negatived. Both the Honourable Gentlemen who spoke in support of the measure spoke of the right of making appointments of officers by the corporation. What is it that the corporation has got? The commissioner appoints all officers below Rs. 500, and are there many officers above Rs. 500 except the Revenue Officer, the Health Officer and the Engineer whose nomination or appointment requires the approval of the Government?

"I really wonder how we should be asked to delude ourselves into the belief that we are giving powers to the corporation when we are giving powers to the commissioner. Such a delusion we should certainly get rid of if we are to approach the consideration of this Bill fairly and impartially with faith in the people. I quite admit the point of view of those who are in charge of the Bill, but the point of view of the people is quite different. The Government have little faith in the people, they have little faith in the democratic principles, they believe in commissioners and experts, they think the ideal Government is the businessman's Government. They think that the administration should be entrusted to a businessman. I quite admit the logic of that position. They are afraid of the difficulties, imperfections and failures which are likely to occur if we entrust the people's representatives with real power and therefore they safeguard from perfectly honest motives."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I do not want to interrupt the Honourable Gentleman's thread of argument. He says that those who are responsible for the Bill have no faith in democracy and are afraid of the people."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I said they have little faith. I do not know, Your Excellency, if it needs any answer just now."

His Excellency the PRESIDENT:—"Let the Honourable Gentleman say what he has to say. Until he has stated it we have no material to judge."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I have much more faith in democracy than many others including the Honourable Gentleman. Whether he has definite grounds for stating what he has said I will deal with that later."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I am perfectly obliged to the Honourable Member for the assurance he has given me that he has faith in democracy. But I judge him not by his words but by his action. In judging him by his action—I need not labour the point—in appointing the commissioner I have shown that he has little faith in democracy. He thinks not only routine duties of every day administration should be entrusted to the commissioner but far higher duties should be entrusted to him. This proposed measure entrusts those powers to this officer who is a nominee by an outside authority and who is practically irremovable by the authority to whom he is gifted. Therefore I take strong objection to both these aspects of the Bill, and I hope that when this new angle of vision which has come upon the Government and the people, namely, of parting with the control to the people as far as possible in local self-government, giving complete control to the people in local self-government—when that policy is to be given effect to—I hope and expect that we will have a better measure. That is why I move that this Bill be taken into consideration two years hence."

"Now there was little reason for entrusting wide powers about contracts and estimates to the commissioner under the proposed measure. We have now proposed four standing committees who will work speedily and therefore independently of each department and their work will be quickly gone through. There was absolutely no reason why the power to sanction estimates and to enter into contracts up to Rs. 10,000 should be given to the commissioner. That can

[12TH MARCH 1919.] (Mr. Ranga Achariyar ; Mr. Rajagopala Achariyar ;
Mr. M. Ramachandra Rao.)

only be justified on the ground of speedy disposal and that ground will disappear. That shows that it is more than every day routine work that he is entrusted with. That is not what comes within the Government of India's resolution, namely that the commissioner should be appointed for every day routine duties. These being great defects so far as the constitution is concerned, I proceed to consider the other more important and vital aspects of the question.

"Finance, My Lord, is the heart of all political organizations; and without financial resources no organization, political, social or otherwise can get on. The corporation cannot afford to continue to be the beggarly corporation which it has been for years. In the Government Memorandum No. 51-1 M.O., dated the 21st July 1913, the Government remarked: 'In continuation of paragraph 11 of G.O. No. 942 M., dated 10th May 1913, the attention of the Corporation of Madras will be drawn to the fact that its closing balance under the revenue account fell from Rs. 6,99,087 on the 31st March 1908 to Rs. 3,61,140 on the 31st March 1913 and is expected to amount to only Rs. 1,08,590 at the end of the current official year as shown in the annexed statement. This depletion of the balances is due to the fact that while the receipts which amounted to Rs. 20,99,808 in 1907-08 are estimated at Rs. 27,01,990 in 1913-14 an increase of 29 per cent—the charges show an increase from Rs. 17,88,520 to Rs. 29,54,540 or 65 per cent. It is essential therefore that the corporation should thoroughly examine its financial position with reference to the following points.' Then the corporation made its humble recommendations in 1914. In the Statement of Objects and Reasons in the Bill of 1916 this is what is stated: 'The present resources of the corporation are inadequate. It has made forecasts showing that on the completion of large schemes now being carried out its obligatory annual expenditure must exceed its revenue. Moreover it will not be able to raise, or to pay interest on, the loans that will be required to meet the further expenditure on these schemes.' Then it makes certain proposals for augmenting the resources. That again is repeated in the Statement of Objects and Reasons in the Bill of 1918. What is it that has been done with reference to augmenting the resources of the corporation? The Honourable Member in charge has claimed for this proposed measure certain enhancements in the sources of revenue. I have had the matter thoroughly examined and the figures stand thus. The property tax brings us Rs. 21,04,120 and as the Bill stands it will fall to Rs. 19,99,410."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Does the Honourable Member contemplate a reduction in the property tax?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"This is calculated on the existing rates given effect to in the Bill which provides for 10 per cent reduction in annual valuation on account of repairs and exempts certain properties from taxation. The property tax will fall from Rs. 21,04,120 to Rs. 19,99,410. The profession tax will rise from Rs. 2,16,738 to Rs. 4,45,760. There is a substantial increase in that. The vehicle and animal tax is now Rs. 1,18,740 and it will rise to Rs. 1,38,530. The cart tax will rise from Rs. 34,062 to Rs. 45,420. Licence fees which now stand at Rs. 1,71,400 will give only Rs. 1,15,790. Both in the property tax and the licence fees there is a reduction. There is a slight increase in the vehicle tax and the cart tax and a substantial increase in the profession tax. Comparing the totals, our present income from taxes is Rs. 26,45,140 and under the anticipated measure it will be Rs. 27,44,910 giving us a little under one lakh more."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"May I know what the loss is in the yield of the property tax which the Honourable Member anticipates? It will come to about 1½ lakhs. Rupees 21,04,120 is the present income and it will be Rs. 19,99,410 under the new Act on the present basis including the exemption on the Government property and including the tax on the Port Trust properties. So that with the extra revenues which is anticipated from the stamp duties—"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"May I make an inquiry? May I know what the increase in the company tax will be?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"The profession tax and the company tax are put together. The company tax can be imposed by the corporation, but the tax on the transfer of property can be imposed only with the previous sanction of the Government of India and the Government of Madras. The Honourable Member has told us that it will be about 1½ lakhs. I do not know how that is arrived at. I have looked at the figures in the Registration department and I find that the Registrar derives an annual income of Rs. 45,000. I do not know at what rate this is going to be calculated hereafter. The rate has to be fixed hereafter, and we have to obtain the sanction of the Government of Madras and the Government of India to levy that tax. So it is a doubtful asset, which we as men in charge of finance cannot wisely calculate on and embark upon expenditure. It has been admitted times out of number that the present resources of the corporation are absolutely inadequate; it is impossible to go on administering this vast city. Unless the corporation is expected to remain stationary and unless the councillors are to strike in a body and say we will not carry out improvements which may be necessary for the city, we have to face the other awkward situation of raising the property tax. I cannot speak better than in the words of the committee of the corporation which sat in 1918, a committee on which the Hon'ble Sir Gordon Fraser sat which recommended as follows: 'To the list of taxes specified in section 110 the committee consider that the existing tax or licence on timber and firewood entering the city should be restored. This source yields a large income, and the committee are of opinion that no hardship is entailed thereby. The

(Mr. Ranga Achariyar; the President.)

[12TH MARCH 1919.]

committee considers that the corporation should have power to levy a tax not exceeding half per cent on imports and exports passing through the city of Madras. The committee consider (a) that such tax would yield a large income, (b) that it would not be felt by merchants or consumers, (c) that to theoretical objections (if any) to its imposition the practical answer is that Madras urgently needs money and has no other way of procuring it. The committee consider that without such tax it will be impossible for the corporation to assent to the proposal to abolish the statutory maximum rate of house-tax. This abolition they consider to be good per se as obviating the necessity for vexatious individual inquisitions that at present must be carried out when any increased revenue from house tax is desired and as distributing increased taxation (if any) equitably over the whole city. But they feel the taxation of house property cannot be increased indefinitely and that if the statutory maximum rate is abolished while no new productive sources of income are opened up, the corporation to meet any unavoidable or desirable expenditure will be called on to increase the house tax. These are the wise words, which they uttered and I daresay if this Bill becomes law the councillors will have either to strike work, which I do not propose the Government will view with satisfaction, or they will have to put on the burden on this goose, the house property, and kill it. That is what will happen. Therefore it is fundamentally wrong that no elastic source of revenue has been assigned to us.

"An excellent reason has been advanced by the Honourable Member in charge of the Bill for postponing this measure. I quote him in support of my motion. He has told us that the financial relations between the Government of India and the Government of Madras are under correspondence and they are likely to come to some fruition in giving some provincial autonomy so far as financial matters are concerned in the near future. If that is so, is that not a reason why we should postpone the passing into law of this measure? That will give an excellent opportunity for the Madras Government to press upon the Government of India the necessity to settle this matter soon. Instead of doing that, are we to pass this measure into law and to live in the hope that amendments will be favourably considered? Who is to introduce the amendments? The corporation will have to do it through its representative. I do not know whether in the future constitution the corporation is going to have a representative or the city is going to have a representative in this Council. There are so many difficulties in the way of private members bringing in amendments. It will be for the Government who are slow to make amendments. After all what is the urgency about the measure? We are going on all right under the existing Act. What we want is perfection, not merely an admittedly imperfect measure which we hope to perfect hereafter. We do not want it; there is no urgency about it as it is not going to give us relief in a matter which is most vitally affecting us. I do not see the object of pushing this measure in the way in which it is proposed to be done. The Government of 1910 recognized it; the Government of 1913 recognized it and the Government of 1918 recognized it, and to-day also it is recognized. I do not blame the Madras Government, I quite realize their difficulties; the sanction of the Government of India has to be obtained, but I ask if the Madras Government made an earnest attempt about it to get the sanction of the Government of India to our proposals.

"I do not spring this proposition up suddenly on the Council. When the Bill was first introduced, my Honourable Friend Mr. Yaqub Hasan made a motion to postpone its consideration and I reluctantly seconded it because I felt this difficulty about the financial proposal and I pointed out that unless some assurance was given that the financial resources of the corporation would be increased I would have to oppose the measure. I suggested the excise duty; I suggested port dues and I suggested various other things in the Select Committee. I gave the final word the last day we sat; I said if the financial provisions of the Bill were to remain as they were I would have to oppose the passing of the measure into law. So that it is not a sudden or recent move on our part. This is a motion of which I have given notice at all times on this matter, and unless this portion of the Act is amended radically so as to give us some elastic sources of revenue instead of having to depend merely upon doles which the Government are no doubt pleased to grant from time to time and for which we are thankful—our gratitude to Your Excellency's Government is immense—still even after the new Act which has come after such a long delay, after the recommendations of the Royal Commission supported by the Viceroy and the Secretary of State, when we are going to have ample responsibility for the municipal government, even then that we should live in hope of amendment hereafter is a matter I cannot conceive. I cannot but feel greatly reluctant to give my assent to a measure of this sort. How are still to live in hopes of amendment to be made. I think it is a matter to be regretted. I therefore think that as this is a matter which is bound to be rectified sooner or later, there is no harm done by postponing the consideration of this measure till after the new Council comes into existence or till after Provincial financial autonomy is settled. That is why I move this proposition."

His Excellency the PRESIDENT:—"May I remind the Honourable Member that he has already spoken for 40 minutes?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I do not know if there is any time limit."

His Excellency the PRESIDENT:—"I am merely mentioning it. The Council should know it."

12TH MARCH 1919.] (Mr. Ranga Achariyar; the President; Mr. Venkatapati Raju; Mr. M. Ramachandra Rao; Mr. Rajagopla Achariyar.)

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I will take Your Excellency's advice. Now as I have already pointed out, the Government of India's views have been pressed whenever this Government were not willing to accept any amendments. But the Government of India's views are not respected when they are willing to accept amendments. As I have said already, even small matters have not been attended to. There was a modest request of the Hon'ble Archbishop supported by the Hon'ble Mr. Pittendrigh to exempt educational institutions, primary schools, from taxation. When we are amending the Act, when we are giving a new Act, should we not allow that? Should not the Government accept this modest request? The Government of India exempted these institutions in the original Bill from taxation. This Government could not think that the Government of India's views stood in the way of reintroducing it, but in the Select Committee and in the Council they would not accept it. That shows that the Government of India's attitude is merely drawn as a blind, and it is not really the unwillingness of the Government of India that stands in the way, it is more the unwillingness of this Government. There are various other matters which are matters of detail with which it is unnecessary to deal in a motion of this kind. I do think, Your Excellency, that this is a case in which no harm will be done by postponing this measure. I therefore strongly urge this Council not to accept the motion to pass the Bill, but to defer the passing as I have proposed."

His Excellency the PRESIDENT:—"Before I accept this motion I do not think the Council can accept it in this form. The Council cannot bind its successors. It is very probable that no Council will be in existence two years hence. It merely amounts to a negative of the Honourable Gentleman's motion. My Honourable Friend can vote against the motion or say that this be not passed into law."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Virtually it is opposition, but I understand that is the usual method adopted in Parliament. Your Excellency must be aware of the amendment to add the words 'two years hence'."

His Excellency the PRESIDENT:—"Parliament is rather different. I must remind the Honourable Gentleman that this Council's existence is a very important point."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Am I to understand whether the amendment stands or not?"

His Excellency the PRESIDENT:—"I suggest that it is better to say that the Bill be not passed into law."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Honourable Friend's motion seems to me somewhat difficult to understand. It is that this matter be put off for two years."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"He wants this to be passed into law two years hence."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Does it mean that he accepts the measure but wants to put off the passing of it into law? If he says that it could be passed into law two years hence, it means that he accepts the measure but says let it come into force two years hence."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"No."

His Excellency the PRESIDENT:—"Let the Honourable Gentleman write out the amendment and let me consider it."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, I rise with profound sorrow to record my feeble (because of no avail) but emphatic (showing the intensity of the feeling) protest against the passing of the City Municipal Bill in the present shape, at this or any other meeting. I complained when the Bill was introduced that it was not the suitable time to inaugurate this measure in this Council knowing as we do that it is packed with official majority who are impervious to all considerations of liberalism, inimicably disposed towards popular aspirations, and opposed to the spirit of democracy, but that it should be left to the Reformed Councils."

"In the Imperial Council the Government expressed their view that no Municipal Bill would be rushed through by the Local Government if the non-officials oppose the measure, but they did not know the temperament of our Local Government. We do not complain of the drafting of the provisions in the hands of our eminent legal luminary but complain of the underlying policy of the Government to keep up the uncompromising supremacy of bureaucratic rule even in the City Municipal administration. The haste with which the Bill is rushed through now, though delayed for years, in spite of repeated requests, suggests that the Government is anxious to have on the Statute Book as crippled a measure as possible. It even looked like a self-protective legislation for vested interests. The Government of India in G.O. No. 41, Municipal, dated 16th May 1918 stated: 'The domain of urban and rural self-government was the great training ground from which political progress and a sense of responsibility have taken their start and it was felt that the time had come to quicken the advance, to accelerate the rate of progress and thus to stimulate the sense of responsibility in the average citizen and to enlarge his experience.' They added that the Government is in favour of a general policy of further progress. They exhorted the Local Government to move towards these ideals in the manner and at the pace which was considered best fitting to local circumstances. They opined that more complete local self-government is needed now, allowing modification in specific cases for specific reasons. They emphasised that the object of the local self-government is to train the people in the management

(Mr. Venkatapati Raju.)

[12TH MARCH 1919.]

of their own local affairs and that political education of this sort must in the main take precedence of considerations of departmental efficiency. 'They want that the authority should be entrusted to the people's representatives and the authority should be real and not nominal and that they should not be subjected to unnecessary control but should learn by making mistakes and profiting by them. The general policy must be one of gradual removal of unnecessary government control. External control should be relaxed such as the removal of the unnecessary restrictions in connexion with taxation, budgets, sanction of works and local establishment. The commissioner should be subject to the general control of the corporation and of its Standing Committee. The commissioner is to be nominated by the Board and approved by the Government. He may be a non-official. They really believed that similar system is contemplated in Madras and expressed it so. They state that one who pays for services should control them. If their funds were to be utilised they should have real control over the funds and should not be under the constant dictation of the Government in matters of detail. They should have adequate financial responsibility only by the sense of such powers and by learning to bear the consequences of their errors. Outside sanction is necessary for works carried with funds granted by Government. They state emphatically that the essential welfare of the country depends upon such a system. Look at this picture and that !

"The Government should understand what one great man has said that the hard features of law, the red tape of departmental rules, gain in real strength and lose in harshness when they are interpreted by a self-governing local community. To study the root principles of constitution we should look to the fact where real power is vested. Is there any doubt that the commissioner under the new Bill is more autocratic and less amenable to popular control than the old President ? The future President is only a figure-head bereft of all power and influence. We have been presented with shadowy forms stripped of their life and strength. If we accept such a lifeless measure as this I am afraid that Local Autonomy is an idle dream. Real stride forward is conspicuous by its absence. The last phase of reactionary policy we notice in this measure is really destructive of local democracy. Unless radical changes in the provisions are made we may bid good-bye to this jejune constitution thrust upon us at a time when our expectations are high. We never dreamt that the product of the labours of the Council on the eve of the Constitutional Reforms would be so reactionary. If the bureaucracy is permitted to march farther along this road, it would set at naught our national ideas and aspirations and the cherished desire of the Government of India. We were told that under James II, in England the reactionary municipal policy reached a climax. Even he granted a better charter than this Bill to Madras. Let us examine the important provisions of this Bill. Instead of making the municipal council the sole authority, a commissioner is given a statutory authority. The strength of the council is raised to fifty by increasing divisional councillors from 24 to 30. During Lord Curzon's regime 24/32 elected members were reduced to 20/36. In the revised Bill seven more elected seats for minorities of which four recommended to be reserved for Muhammadans and five more seats to be filled by Government nomination are proposed. The Government thought it necessary to go back against the Select Committee recommendations. Let me recount the past history of the Madras municipality. Among the prerogatives of the Crown, one of the most important is the power of constituting municipal corporations by Royal Charter. James II delegated to the East India Company in 1687, the power of establishing by Charter a municipality at Madras. In Madras a municipality and a Mayor's Court was established according to the approved English type. The municipal corporation was to consist of a mayor, 12 aldermen and 60 or more burgesses. For the greater solemnity and to attract the respect and reverence from the common people (so the Charter says), the mayor was to have always carried before him when he goes to the Guild Hall or other place of assembly two silver maces gilt and the mayor and aldermen might always upon such solemn occasions bear scarlet gowns. The burgesses had to wear white silk gowns. The mayor and aldermen had the power and privilege (so the Charter says), of having umbrellas and ride on horseback like Lord Mayor and aldermen of London having their horses decently caparisoned. I need not add they had the full power of administration. In 1726, a Charter was granted establishing or reconstituting municipalities at Madras, Bombay and Calcutta. Ours is the oldest. The capture of Madras by the French in 1746 having destroyed the continuity a fresh charter was granted in 1753. Then during Lord Ripon's time we have the Act of 1884 and revised to our disadvantage in 1904 during Lord Curzon's regime. In 1919 we are considering the present Bill. What a fall from that high pedestal when the Madras Mayor was once given equal privileges with the Lord Mayor of London and now made an insignificant person. The designation of mayor to the president of the corporation adds dignity to the office. He should be the chief executive officer under subjection to the municipal council. If His Majesty grants Royal Charter to the metropolitan towns such as Madras, Bombay, Calcutta and Delhi he may be styled Lord Mayor. If the strength of the council be 60 there may be 36 elected members and 12 institutional or nominated members in this transition period for a term of three years while they (48) in their turn elect from amongst them or outside 12 aldermen for six years. Even the Government of India approved the idea of aldermen. Long term would contribute to their efficiency. There may be persons of superior education, sagacity and worth who may be unwilling to enter the contest or unable to secure election, though extremely desirable to be on the council. Such men, if elected aldermen, would be highly useful owing to their unquestioned ability and integrity and character and would be really helpful in promoting the welfare of all classes and truly serviceable for economic management. This is a well recognized system known all over the world.

12TH MARCH 1919.]

(Mr. Venkatapati Raju.)

"The constitution of four Standing Committees is commendable. The great drawback is that the commissioner shall be appointed by the Governor. The suggestion of the Government of India that he should be nominated by the Council and that he might even be a non-official is ignored. The modest proposal that the Government should select out of panel of three members nominated by the council was rejected. He could only be removed if 33/50 vote for such removal which would never happen, constituted as the council is. The executive power is vested in the commissioner. He is given the extraordinary power in cases which he thinks emergent to override all the provisions and saddle the municipality with costs, with an all sufficient safeguard of reporting after the event. His salary may be fixed up to Rs. 2,500 per mensem, not by the municipal council but by the Governor in Council and leave also could be granted by the Governor in Council alone. The commissioner can delegate his ordinary and extraordinary powers as well. He would supervise election. The commissioner may sanction any estimate up to Rs. 10,000 and can make contracts of several ten thousands separately and thus expend practically the major portion of the municipal revenue. I solemnly ask the Government whether the commissioner is a master or a servant. Woe be to the council which incurs the displeasure of that officer. Is he really responsible to the ratepayers of the municipality in any sense of the term when he can ride rough shod over the heads of the council and committees subject to the illusory limitations ? The Government is very liberal in allowing the council to appoint the health officer, engineer and revenue officer subject to confirmation by the Governor in Council, but they should work under the commissioner. They may be removed by the Governor in Council whenever he pleased but the council cannot get rid of them unless 33 vote for their removal. The commissioner can appoint the whole establishment excepting those that draw a salary over Rs. 500. The commissioner shall prescribe duties and exercise supervision and control. Is there any real power in the council ? Why should there be this elaborate legal farce ? Why not make the municipality another department like that of industries and agriculture and be done with it. Then the people can complain and appeal to the Legislative Council. My respectable suggestion is that if any control is to be had by the Government let it be in the Legislative Council and not in the Governor in Council. Why should there be an anomaly of enabling a lady ratepayer to vote but not sit in the council. As the poet Moore states :

'Disguise our bondage as we will
'Tis woman, woman rules us still'

In the matter of franchise in the everwidening electorate we should aim at conferring universal suffrage at no distant date though limiting to all ratepayers at present. Why should graduates be deprived of the right to vote as such, which they had enjoyed it for several years. The president of the council is a mere conduit pipe for carrying on the correspondence with the unquestioned right of looking into the municipal records and presiding over council meetings. He is simply an automaton bereft of all power and patronage. The Government ignored the fact that the aptitude of Indians for self-government could really be seen in the metropolitan council where enlightened patriotic citizens, worthy men of business habits, persons of high intelligence competent to manage local affairs can be had in sufficient numbers.

"Referring to taxation and finance provisions the less said of them the better. The Government cannot overlook the guiding principles of local taxation, contribution according to benefit and contribution according to ability. It cannot be forgotten that the owners of real property are generally Indians while persons drawing large salaries and making large profits are of the ruling class. It is the constant cry of the Indians that contribution towards any taxation should be proportioned either to the income or to the ability of the tax-payer. The property tax is quite disproportionate to the tax levied on other sources of income. It is true that some advance is made on professional tax. It does not stand to reason why maximum and minimum should be fixed to the professional tax at one and one sixth to one and two third per cent while no maximum is fixed on real property which at present pays 18½ per cent though an attempt is made to fix it as high as 25 per cent. Why the companies should be assessed at the maximum of Rs. 2,000 where their paid-up capital exceeds 20 lakhs, and so on in a descending scale without imposing certain percentage on their incomes, of course giving due consideration for the imposition of income-tax and super-tax for Imperial purposes. Why the exemption of the Island should be claimed, now happily removed from taxation, why provision is inserted to exempt Government property with the consent of corporation passes my comprehension. Half per cent duty on imported goods from sea, the terminal tax and excise licensing fees are denied. The proposal to tax the tramways for use of streets is rejected light-heartedly. The tramways in civilized countries pay taxes on real estate and cost of street-paving besides paying compensation for use of streets which is called payment to the common good. For instance Glasgow tramway pay rates 6½ lakhs, income-tax 2 lakhs, payment to the common good 6 lakhs. Boston pays 4 lakhs to the common good and for street-paving 10 lakhs; taxes on real estate 28 lakhs. Why not proportionately in Madras tax the tramways ? The episode of Government action on the proposal of the Hon'ble Sir Francis Spring to exempt Port Trust properties from usual taxation by limiting it to 4 per cent on the gross income is a sight for angels to weep. Hon'ble Mr. Thorger's amendment to increase it to 5 per cent is voted upon, while the non-official Indians refrained from voting, the Government members voted for the amendment along with Sir Francis Spring. Your Excellency not being satisfied, perhaps with the attitude of Indian non-officials, stated that the Government is prepared to accept the motion of Sir Francis Spring. Then the Government members were in a fix and must have thought that

(Mr. Venkatapathi Raju.)

[12TH MARCH 1919.]

it was their duty to vote for 4 per cent even when Sir Francis Spring does not object to 5 per cent. Eventually 4 per cent proposal was carried. I am still at a loss to understand the attitude of the Government in sacrificing the legitimate source of municipal income. Mr. Goshen advised in England as early as 1870 that there should be a division of rates between owners and occupiers. Such division should have been fairly introduced into this country. The exemption from taxation of all Government carriages and animals is not equitable. That the recommendation of the Select Committee for the taxation of fire-wood should be ignored on the ground that the poor would be benefited, is not sound. Large sources of revenue need not be sacrificed. Railways, companies and several mills who use fire-wood, charcoal and coal can very well pay the higher price for them. Relief for the poor can be well provided by opening poor houses for the relief of the deserving poor. The limitation that profession tax need not be paid if one does not transact business for 60 days in every half year is unsound; every person should be made liable to pay taxes if he does not pay elsewhere when he carries on any profession in the city; otherwise, we see the spectacle of large salaried officers with their headquarters in the city claiming exemption by camping out as is frequently noticed in the mufassal. The provision for preparing the budget is regarded as a great boon. The grip of the Government control is not less tightened on that account. The provisions are introduced to make the official intervention quite effective. I do not propose to take up your time by referring to other matters. Minority interests such as that of Muhammadans might have been safeguarded by providing plurality of votes and cumulative voting power. Each voter should have as many votes as there are candidates and might, if he or she chooses, give them all to one candidate. This necessitates regrouping of divisions into smaller number so that each division might send not less than five candidates so that the community which has even one-sixth of the voting strength can send its own representative. This system has been in vogue successfully in School Board Elections in England. We are afraid that half measures towards reform would postpone the introduction of real reform. All attempts on the part of non-officials to drive a wedge of democracy into the municipal government signally failed as it struck the bedrock of bureaucracy. The person who expends municipal revenues is not responsible to the persons who fill the municipal coffers. We should make a bold stand against this policy without tamely surrendering our birthright of citizenship. We have enough of grandmotherly administration in municipal matters, helped by stepmotherly legislation. We naturally expected that the city municipality would be practically released from administrative subordination to the Government. The prevailing antiquated notion of the Government that nothing would be efficient unless under bureaucratic control should be given up; for obstinate conservatism would serve no useful purpose in these days of momentous changes at lightning speed. If this measure is the foretaste of coming reforms, it is high time for us to raise the battle cry that the elementary rights of the people are being denied. Lord Crew's despatch of 1913 says 'It is also true that no progress can be expected if the question is approached in too cautious a spirit. Failures have occurred and might still be expected, but there also have been encouraging successes and the former should not be allowed to weigh too heavily against the need to enlist co-operation of the people and their representatives in the improvement of sanitation and education. The Viceroy in addressing the Agra Municipality asserted that there could be no better school for training the political sense than that of municipal administration. He stated that he would appreciate to the full both the difficulties of the work of the municipal councillors and the political importance of local self-government and he significantly added that no progress would be possible without experiments.' There is no use of keeping the word of promise to our ear and break it to our hope. Lord Salisbury has well said that it is in the nature of every human being to think that he himself is the best person to decide on the questions which are to be decided upon, that is a failing from which (so he says about England) even those distinguished men who constitute our (England) permanent and official Government staff are not entirely free. Perhaps our civil service is immune from such failings. I need not recount various unsuccessful attempts of non-officials to emancipate the city from one man's rule. Every arsenal of prejudice and prestige was ransacked to furnish reasons against substantial reform. Municipality should be regarded, as one statesman has said, as the legal personification of the local community represented by a council elected by, acting for and responsible to the inhabitants of the locality. Mill has wisely pointed out that these elected representatives should not be mere passive agents to carry out the behests of the Government and they have to act as well as to think and to bear the responsibilities of their action. In this measure do we notice anybody who is responsible to the people or who works under the censorship of local opinion? It is a misnomer to call this local self-government when the executive is not subordinate to the popular will either in law or in fact. We rather prefer inaction of this Government rather than reaction or retrogression. On an opportune moment of better days when there would be proper appreciation of the rising power of democracy. This Bill is an embodiment of perfection of imperfections. We expected that the present system would be improved with the knowledge of the enlightened experience of the great cities in the world. We are greatly disappointed and dissatisfied. This Government lost this splendid opportunity of liberalising the measure in the wake of Imperial Government instructions. However beneficial and well intentioned the official view is, it is really dangerous in its after-effects of depriving the people of gaining experience in dealing with large questions of policy and minute study of the inner working of the municipal administration and introduce reforms of thrift and economy on the broad basis of liberality which is the secret of the true success of municipal

12TH MARCH 1919.]

(Mr. Venkatapathi Raju ; Mr. Thonger.)

administration. The non-officials are not lacking either in earnestness or in talents to stem the tide of reaction. They are overwhelmed by numbers. The cogent directness of Doctor Nayar, sweet reasonableness of Mr. Ramachandra Rao, eloquent induction of Mr. Ranga Achariyar, deep insight of Mr. Rama Ayyangar and lucid exposition of Mr. Krishna Rao and boldness of Mr. Narasimha Ayyar and persistence of Mr. Yaqub Hasan did not help us to secure the passing of any important amendment though reason and justice is on our side. Even Doctor Nayar who was described by the leading Anglo-Indian journal as sedate-headed politician, and selected by the Government as an expert adviser, condemned the Bill in no uncertain terms and pleaded for its repeal at the earliest opportunity.

"Even the city corporation condemned the measure wholeheartedly with a solitary exception who damned it with faint praise by stating half a loaf is better than no bread. One historian has well said that 'The English legislature has always stood to the principle that a local expression of local needs is the best indication of the powers a town requires and that Municipal Government if it is to have true life and depth must build its organization upon its needs—not as officially interpreted but as understood and expressed by its representatives.' Perhaps our Government thinks otherwise. I appeal to my friends that, if we accept this measure, our municipal rights will slip out of our grasp at a time when liberal ideas should ripen into reforms. Do not be enamoured of a few changes introduced to distract our attention from realities of one man's irresponsible rule. Beware of the fact that representative democracy in local bodies is the half way house for the representative democracy in the State. This measure does not harmonize with the ideals propounded in Montagu and Chelmsford reports. Let us stand firm and do our duty. My appeal to Government is: Before it is too late, Sir, may I ask the Government earnestly, to withdraw this Bill and leave it to the Reformed Councils to remodel it as best as they can. Else we will be compelled to vote against the Bill and appeal to the India Government for its timely intervention. God's will be done."

The Hon'ble Mr. J. H. THONGER:—"I hope it will be a slight refresher to the Council as a whole to know that there are two opinions amongst non-official members on this Bill. I would support the motion that it be passed into law. The two essential points touched upon by the previous speakers were the subjects of finance and the commissioner. My views on the whole Bill are contained in the Bill itself. I have been on the Select Committee and I need not deal with the Bill in detail as my predecessors have done, because I say the Bill sets forth my ideas of municipal control with one exception. Before I refer to these major points of finance and the commissioner, I should however like to refer incidentally to a matter of some moment, possibly of some amusement, in the position that has now arisen in the consideration of this Bill.

"It will be remembered by the Council that at the previous sitting I brought forward what I considered to be a very important amendment that a place should be made in the council of the city for the leading business men, and I may mention that the principle that I was arguing was accepted by all persons, but it was merely in the application of it that we differed. The Government did not see their way to accept my amendment and they were very strongly supported by the major number of non-official members. The non-official members now say that they cannot work the Bill, the word 'unworkable' having been used at the corporation meeting in considering this Bill. I take it Your Excellency's Government are pledged to pass the Bill. If the non-official non-business members cannot work the Bill and if business men are debarred from the council all that I can say is, that I already see looming in the distance an amendment of the Act to place these men on the corporation who can work it. After listening to the speeches of those who have spoken before me, I would urge upon this council to accept them in absolute good faith—they are not mere camouflage. I believe myself they are put forward in good faith. They are not business men and they cannot work the Bill. It is the corporation's honest opinion.

"As a business man I welcome this measure. I should like to see it passed into law as soon as possible, certainly not with two years' delay. The major objection has been that of finance. Well, Your Excellency, it is very nice indeed to have plenty of money. But those who have plenty of money are not always able to spend it wisely and if the Corporation of Madras is going to enjoy five years of restricted finance no one will be better pleased than I shall be. You must not forget that the non-official non-business men are fair weather business men only. They have not had experience of running a business. They do not realize that the trouble which the corporation is now up against is a matter which business men are always up against. It is not the business that has the most money which is the best administered. It is just the reverse. A business concern which is rolling in wealth will spend its money lavishly and unwisely and waste it, not intentionally but automatically, and it suffers from that state of affairs when days of hard finance come. The business which is short of money is better run invariably than the business which has plenty of money. Not only every rupee of expenditure is criticised but every rupee of revenue as well, and it is the daily task to make the two balance. Now the question of the balancing of the finance of the corporation is a matter which I understand is given the least consideration to. The Trades Association member on the corporation has more than once endeavoured to inculcate a spirit of economy and he was called a nuisance. I dare say he was a nuisance because of the simple fact that the corporation as it is at present constituted is not suited for economy. Under the new Act it will be entirely different. Under the new Act there will be a standing finance committee to scrutinise every item of expenditure and keep it down at the very lowest possible point. Being somewhat of an expert myself in

(Mr. Thonger; Mr. Yaqub Hasan.)

[12TH MARCH 1919.]

administering a business, not always flush of money, I may say it is extraordinary what an amount of saving can be effected when economies are put into effect. That is a matter which the non-official non-business man has got to learn, namely, where he is to economise. I have no doubt about it that if our finance committee on the corporation is minus business men, the first thing they would do would be to see if it were not possible to cut down the pay of the commissioner or the pay of the highly-paid executive and to save money where they see a big item. But these are the very directions in which they should not proceed. It does not matter how successful a business may be, it pays to pay its headmen well. There are plenty of other directions in which economies can be effected. Now, Your Excellency, hoping as I do that a time of restricted finance is coming along—I say for a series of years restricted finance will be the salvation of the finance of the corporation—are we justified in saying that in the absence of business men in the administration of the corporation it can rise to the occasion? I very much regret to say it cannot. It is not their fault; they have not had experience. Effecting economies cannot be done suddenly. It means weeks and months of hard work. It is really a business that ought to be taken up by a full-timed man and not by a finance committee of honorary members. It means being in daily touch with the every day finance of the corporation, and it means the judicious working of their powers of economy. It means being in daily touch with the commissioner and as far as possible with the heads of the executive department. Can you expect the finance committee to undertake this duty in the time they will have when they have their own private affairs to look after? The matter would be simplified to a very great extent if they had amongst them merchants who are accustomed to handling these matters. Inexperience will tell seriously against their efforts.

"The next point that has been referred to is that of the commissioner. The position of the commissioner has been very severely criticised. Again I do not agree with the non-officials in the manner in which they regard this point. I say the position of the commissioner is the saving feature in the whole of the Corporation Bill always provided that we get the right commissioner. Your Excellency, the experience of every business man is that failure is courted if there is not one-man control. I have never known a business which has been successful with even dual control. There must be one man who has the final word. It is almost hopeless to expect that a commissioner, however clever he may be, is going to be successful in working the corporation if his best efforts and ideas are to be criticised by 50 men who can vote him down. If, however, the people of Madras insist on having a council of 50 men they must be prepared to pay for it. I would personally like to see the whole 50 entirely washed out and make the whole thing autocratic, to use my friend's expression. There should be an up-to-date business man who should stand or fall by his work and he should be removable by the corporation if he fails. I realize, however, that such a scheme is at present impossible. At the same time it all depends upon the business attitude of the councillors whether the commissioner is going to make a success of the business or not. If he is loyally supported by the members of the standing committee and the councillors as a whole, I have no doubt that he will make a very good attempt in working successfully the Act which will be placed in his hands. It has been stated by one of the speakers that with a larger electorate we should have a larger council. I can assure the council that an autocratic municipal council would have less chances of failure. I would very much rather see the new council reduced to half the number than have the number doubled. I do not suppose many non-official members will support me in this view. It is absolutely heterodox, but I look at matters from an entirely different point of view. From the remarks of the previous speakers I take it that municipal work is regarded by them more from the political point of view. I disregard politics altogether in a matter of business. What we are dealing with now is essentially a business. We are dealing with the finance of this city and the average rate-payer who does not care a bit about politics would very much like to see it constituted on business lines, pure and simple. I would like to make a short reply about the question of democracy and autocracy which has been raised by two of my friends in this Council. They state that they have great faith in democracy. I have none. I am an autocrat myself in my own business. There is no such thing as democratic rule. The one idea is to get above the ranks of democracy and attain to autocracy. The home rule and self-government movement is the surging up from democracy in the hope of becoming autocratic. Take the example of the United States of America. The finest example of a republic that the world has ever seen and yet the President is more autocratic in power than any crowned monarch in the whole of Europe. Your Excellency, may I suggest in considering this matter of the Corporation Bill we should drop as far as possible any idea of democracy or autocracy or anything of that nature? We should try and realize, standing as we do here with the responsibility for the future good government of this city on our shoulders, that we should proceed to deal with this Bill on straightforward business lines."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"Your Excellency, the Honourable Member in charge of the Bill controverted the charge levelled against the Government of measure. But he cannot deny that there was a rushing in the last six months since August last. This Bill was referred to the Select Committee, and the Select Committee was called week after week and they had to sit at it and work at very great pressure. When that work was concluded, we were given three days' time to sign the report of the Select Committee and we were asked not to write any minute of dissent so that the report may be brought up before the February meeting. The Government have in the last six months been trying to

12TH MARCH 1919.]

(Mr. Yaqub Hasan.)

make up for the tardiness shown before that period. When it has taken as many as eight years to formulate this measure and to give it shape, they could have taken a little more time to allow the public to consider it in its final stage. The reason for rushing this Bill, it appears to me, is that it was thought that if this Bill is passed before Your Excellency's regime comes to a close, it will remain behind as a monument of Your Excellency's work in this Legislative Council, an event of some magnitude in a career which is otherwise uneventful. If Your Excellency wished to have the satisfaction of passing this Bill, Your Excellency will have the satisfaction of passing the Bill which has been universally condemned in this Presidency. It is condemned by the Corporation for the benefit of which this measure has been formulated, and the condemnation has come from people of all shades of opinion even from the quarter where there are the only admirers of the policy of Your Excellency in respect of constitutional reforms. This is also a measure of constitutional reform and the only measure that we appear destined to get at the hands of Your Excellency does not seem to give satisfaction to anybody. Even the sponsors of the Bill had to resort to manuscript eloquence for the first time in the history of this Council so that they may be saved the charge of damning the thing with faint praise. Two years ago when this Bill was for the first time referred to the Corporation of Madras, if it was passed that year with the same speed that has been displayed in the last six months it would have been hailed with great joy. But the world has moved since then very fast. Ideals have changed, constitutions are being considered for the central Government as well as the provincial Governments. Progressive realisation of responsibility is assured in the central provincial Governments, and the legislatures of course. But in the case of local as well as the provincial Government it is complete responsibility that is wanted and not progressive realisation of self-government. But here instead of any attempt at completely liberalizing local self-government responsibility. But here instead of any attempt at completely liberalizing local self-government we are being given a constitution which has in Bombay become out of date, and that constitution is considered good enough for us. In the report of the Viceroy and the Secretary of State it was recognized that though it is desirable that local self-government should be made as free from the control of the local Government as possible, the present Government constituted as it is will not take that broad view of the thing as the times demand and it was laid down therefore that the reformed Council would take up this matter and utilise their new powers on this constitution for local self-government. That was in my mind when I moved that this question should be postponed for some time till the reformed councils came into existence, but of course the Government majority defeated my proposition. Now I see that even those who were reluctant at one time to have the measure postponed now see no other alternative but to resort to that proposal.

"Let us now examine the Bill a little to see what it contains, and why I consider this Bill not in keeping with the demands of the times. It has been pointed out by the Hon'ble Mr. Ranga Acharyar in some detail how it falls short of the expectations that were raised by this Bill. An attempt, I should say a heroic attempt, was made to liberalise it, but all those attempts have failed simply because the Government have made up their minds not to budge an inch from the course they had previously chalked out for themselves. It has been said that the franchise is very liberal indeed. We do recognise that a larger number of rate-payers of the city will be associated in the work of the Corporation, but though you have given the privilege to a larger number of people for electing their representatives, you have given very little power to the representatives themselves to manage their affairs in the manner that they would like to manage them. The franchise has been extended in one direction; it has been restricted in another direction. Those who had votes under the present Act have been deprived of votes under the new Act. There cannot be said to be any extension of franchise, but as far as graduates are concerned. The disqualifications of candidates have been removed, but the only disqualification that remains is that no woman voter can become a candidate. There can be some reason, very good reason, for not giving votes to women, the reasons of unmanageability. It will be very difficult to have mixed booths for recording votes, women and men rubbing shoulder and brought into the narrow chamber ushered in by male inspectors and others. That is not a prospect that, at any rate, I can look forward to with any complacency. Separate booths will have to be created for men and women and you will have to keep lady officials to record votes and to guide them how to vote. All those difficulties you have to contend with and you have decided to face all these difficulties and have given votes to women. Then why deny them the right of standing as candidates? The two privileges of voting and serving the community as a member of a constituted body always go together but in Madras I find that the principle is to be applied only half way.

"Then there are only 30 divisional commissioners according to this Bill. That proportion out of 50 cannot be said to be very liberal. In the district municipalities and taluk boards I think there is already a majority of three-fourths of elected members—I may not be quite correct; at any rate it is more than the proportion given to us. I wanted this proportion of divisional commissioners to be increased by giving some seats to Mussalmans. If four or five or six seats were given to Mussalmans that would have been of advantage to the divisional commissioners. But I was defeated there, and the recommendation of the Select Committee that under another sub-clause the Mussalman community may be allowed to elect or appoint four members was also taken away. And the number of nominated commissioners increased from five to nine, so that Mussalmans may also get nominated, if they do not come in through any other source. If Mussalmans came through other sources than election they do not bring any strength to the Corporation. When they come there through this source of nomination they

(Mr. Yaqub Hasan; Mr. Narasimha Ayyar;
Mr. Rajagopala Achariyar; the President.)

[12TH MARCH 1919.]

will prove a weakness to the Corporation, because nominated members and institutional members are more likely to take a different view and adopt a different attitude from what the divisional commissioners will do.

"Now the commissioner has been given larger powers, he is also allowed to make appointments up to a salary of Rs. 500 a month. Not only that, but according to the section of this Bill the Government can issue instructions direct to the Commissioner and not to the Council, the president only serving as a post office as it were. It was never heard of that a servant of the Corporation, an assistant in the Corporation, a person who has been appointed there to carry out into practice the decisions of the council, should not be responsible to that body but that he should get his instructions sometimes from the Government direct. That Commissioner is not to be appointed by the council as it is being done in Bombay. It was pointed out that the Bombay Government only approves of the appointment and do not appoint.

"As for finance much has been said about it and I do not wish to cover the same ground. It has been shown that our financial resources will not be sufficient to meet our increasing responsibilities and in respect of one or two suggestions the provincial Government cannot have supported us and placed the matter before the Government of India, and if the Government of Madras had supported those suggestions I am sure that the Government of India would have met us half way at least if not fully. But this Government refused to do it and we were told that the Government of India would throw out the whole Bill if we persisted in certain things. I say that if they had thrown out the whole Bill, they would have done us greater good than this Bill will ever do.

"It has been suggested that the passing of the Bill should be postponed for two years. The reason, it appears to me, is this; Your Excellency has chosen that this Council should go out of office and a new Council should be brought into existence in July or August next. The extension that was given by all the provincial Governments is departed from only in the solitary instance of Madras. A new Council will come in and they will have very little work till two or three meetings and then the Parliament Bill is expected to be ripe for enactment and the reformed Councils will first have to feel their way before they take up any legislative work. That is one reason why two years has been suggested for postponing this Bill. Of course nobody is deluded into the impression that we do want this Bill to be passed as it is two years hence. It has been suggested, why not the reformed Council amend this Bill? Even the Hon'ble Mr. Rajagopala Achariyar tried to win our support by telling us that we would have a chance of amending it at the very first opportunity and we can take that chance and pass it now as it is. But Your Excellency is aware that if no Bill is passed, the reformed Council will consider it its duty to take it up, but if the Bill has been passed it will take up more urgent work and leave this aside. Besides that why should the present Government, not only here but the Government of India, try to bring certain Acts which they want, at one eleventh hour? That shows that there is a suspicion in their minds that things will be changed too much hereafter and what can be passed now will not be passed hereafter. So in order to suit the needs of the future Council and the future Government all these things are being done; I cannot help suspecting that. In this Bill we have a remarkable instance of that tendency. I support this motion brought forward by the Hon'ble Mr. Ranga Achariyar and I would sincerely advise the Government not to press the measure which they know is being so vehemently condemned."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—

"ஐயா, இந்த முனிசிபல் மசோதா சட்டமாகக் கூடாது என்பதற்கான எனது அபிப்பிராயம், ஏன் அதை சர்க்கார் பரிசீலனையில் சொல்லவேண்டும் என்று சில கனம் உறுப்பினர் அங்கத்தினர்கள் கேட்கலாம். ஒவ்வொரு நாட்களிலும் தேர்தல்களும் கம்பலை டிபுலேயே சட்டக் கூடங்கள் செய்த வருவதில் அந்தத் தேர்தல்கள் வருத்தமாக இருக்கின்றன. நமது தேர்தல்களை எதிர்த்து அபிராமண குந்தகங்கள் இருப்பதால் சிலர் அபிப்பிராயப்படுகிறார்கள். அது பிச்சு."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (interrupting):—"May I know what the Honourable Member is reading?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"You will know exactly. It is my speech on the motion before the Council."

His Excellency the PRESIDENT:—"Will the Honourable Gentleman follow the usual course?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I claim the right to address the Council in Tamil."

His Excellency the PRESIDENT:—"It is not a matter provided for by the rules, but I would advise the Honourable Gentleman to adopt the usual course. Would the Honourable Gentleman speak in English?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I am just giving the reasons why I should talk in Tamil."

His Excellency the PRESIDENT:—"The reasons cannot be understood by this Council."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"There are several members who do not understand Tamil."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I am sorry. I wish to give my reasons why I wish to speak in Tamil."

12TH MARCH 1919.] (The President; Mr. Narasimha Ayyar; the Raja of Ramnad;
Dr. Nayar; Mr. M. Ramachandra Rao.)

His Excellency the PRESIDENT:—"I do not know for what purpose the Honourable Gentleman is raising this issue."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I have a very short speech and if you wait you will learn it presently."

His Excellency the PRESIDENT:—"What is the object?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I am trying to set a precedent. The only language that I ought to talk here is the local vernacular."

His Excellency the PRESIDENT:—"In that case the proper course for the Honourable gentleman is to bring forward a resolution and the Council will have an opportunity of discussing it. I would now ask the Honourable Gentleman to address the Council in English."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"It is my opinion that the vernacular should be used here, but I am not imposing an obligation upon all people to talk in the vernacular. I propose to exercise the right which I have to speak in any language and I hope the exercise of my right will not be stopped."

His Excellency the PRESIDENT:—"The Honourable Gentleman will address the Council in English. I may point out he has his constitutional remedy; he can bring forward a resolution. If he does not wish to address in English, let him resume his seat."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Why should I bring a resolution? I do not understand under what power or rule you can prevent me from speaking in any language I like."

His Excellency the PRESIDENT:—"It is very unpleasant that this issue should be raised. It lies with me as President to conduct the proceedings in accordance with the ordinary practice of the Council. I have got full power to conduct the proceedings in this way. I would advise the Honourable Gentleman to proceed in English and to defer what he proposes to do, and proceed as I have suggested by bringing up a resolution on the subject. If the Honourable Member persists in speaking in Tamil I have no other course but to ask him to resume his seat."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"If Your Excellency says that I must ascertain the sense of all people in what language I should speak, that is not legal, but if Your Excellency prefers you may take a vote on the point. I have sometimes used in this hall Tamil quotations and Sanskrit quotations. Did Your Excellency then stop me? Under what right can Your Excellency now prevent me from addressing a few words in Tamil and ask me to resume my seat? May I proceed therefore with the speech which I have got before me in my own language?"

The Hon'ble the RAJA OF RAMNAD:—"May I suggest, My Lord, that there will be difficulty if the remarks are made in Tamil. The reporter will not be able to record the speech."

The Hon'ble Dr. T. M. NAYAR:—"May I suggest that the Honourable Member should address the Council in Tamil when we go out for lunch (laughter)."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I trust that my Honourable friend would not proceed further with this issue. The issue may be important or may not be important. I do not wish my Honourable Friend should put the matter to an issue and make the President give a ruling. It need not be considered just now. Independently of persons understanding the language or otherwise I appeal to my Honourable friend not to push the matter just now."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"What is the auspicious time may I know?"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"We are not prepared."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"May I know when you will get prepared?"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I do not want Your Excellency to give a ruling. I do not want to take the ruling of Your Excellency just now. It is for that matter that I want my Honourable friend not to press this."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I am sorry I cannot take the advice. This right is as valuable as many other rights which have been lost by the ruling of the chair. If this goes by the ruling of the chair, let it be. There is no power under the existing regulations by which I can be prevented from talking in Tamil. If Your Excellency should rule me out of order Your Excellency will be acting absolutely highbandedly and it will be totally illegal. I wish to continue in my own vernacular."

His Excellency the PRESIDENT:—"If Honourable Members will turn to page 89 of the rules it is true there is nothing said about the language to be used, but I base my ruling upon what has been the traditional practice. Rule 11 says, 'The President shall preserve order and shall decide all points of order submitted for his decision by the members and all questions connected with the interpretations of these rules. There shall be no discussion on any point of order and the President's decision shall be final.' I can only say hitherto so far as I am concerned as

(The President; Mr. Narasimha Ayyar; Mr. Davidson; [12TH MARCH 1919.
Mr. Ranga Achariyar; Mr. Krishna Rao; Mr. Suryanarayana Rao.)

President of this Council it seems to me to be in accordance with the established practice of this Council that the discussions should be conducted in English. My decision is they shall be conducted in English unless the Council decides otherwise."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" With reference to that, I wish to quote a precedent. There have been Hindi speeches in some of the Legislative Councils in the North, but Hindi is not understood by all. If it is a question of order I have two copies and I am prepared to hand over one copy to the President. I am quite agreeable that this Council should be called upon to say whether vernaculars can be used. But I may point out one thing, that they would be deciding a very serious matter if it is to be decided that the local vernacular should not be used.

The Hon'ble Mr. L. DAVIDSON :—" After the ruling of the chair, Sir, is this discussion in order?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" Your Excellency just now stated 'unless the Council otherwise decides.' Am I prevented from ascertaining the opinion of the Council. I am proceeding to lay considerations before the Council. The Honourable Mr. Davidson need not be impatient."

His Excellency the PRESIDENT :—" The Honourable Gentleman is travelling altogether wide from the mark. We are not discussing the question whether Tamil or any other language shall be used. I have been confronted with this speech of the Honourable Member. I am at a loss, I did not apprehend what was going on for some time. I do not wish to prejudge any question. But I have no option but to rule that the Honourable Gentleman either must speak in English or I must rule him out of order."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" You said if the Council pleased I may address the Council in Tamil."

His Excellency the PRESIDENT :—" It is not open to the Honourable Gentleman to discuss the question of my ruling."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" May I know whether I will be in order if I move that the Hon'ble Mr. Narasimha Ayyar be requested to speak in English?"

His Excellency the PRESIDENT :—" It is better that the responsibility should lie with the Chair."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" I simply wish to place my protest before this Council that this ruling is illegal. I do not propose to talk on this matter in any other language."

His Excellency the PRESIDENT :—" Are there anybody else who wish to speak?"

The Hon'ble Mr. A. S. KRISHNA RAO :—" We may continue after lunch."

The Council adjourned for a short interval.

The Council re-assembled at 3 p.m., when the discussion on the City Municipal Bill was resumed.

The Hon'ble Mr. A. SURYANARAYANA RAO :—" Your Excellency, regarding the speech of the Hon'ble Mr. Narasimha Ayyar, I have only one word to say that it is a forecast of the future municipal corporation. Your Excellency has given the privilege of voting to any gramani who pays Rs. 5 per month and he will get in and probably we will have a congeries of languages in the municipal corporation, and the Hon'ble Mr. Narasimha Ayyar is giving us a foretaste of what the municipal corporation is going to be in the future. I admire the Hon'ble Mr. Narasimha Ayyar's boldness in giving us a sample of what the future councils will be like. However, that is a different matter.

"Now, Your Excellency, coming to the main point, with regard to the present Bill itself, Your Excellency's Government have taken so much trouble for the last so many years and so many amendments have been made in the Bill that I really find it difficult to say that this Bill has been pushed through hastily. At the same time, Your Excellency individually and Your Excellency's Government collectively stand in the position of a guardian who wants to give a beautiful bride, educated bride, to a decrepit, and poor autocratic husband. Here is the municipal corporation which has passed a resolution saying that the Bill itself is not acceptable to them and on the other hand, Your Excellency's Government think that this Bill is the proper thing for them to accept. Before these amendments were put before the Council, they might have been adjusted; we see that when once they are discussed in the open Council, neither party admits it is defeated but if these things had been discussed before they were actually placed before the Council, several of these things might have been adjusted. The main objection that the Corporation takes or the gentlemen representing the Corporation take, is with regard to the autocratic power that is bestowed upon the commissioner. With regard to this, the first objection is that he is to be appointed by the Governor in Council and the Corporation has no voice in the appointment. I think the Hon'ble Mr. Ranga Achariyar's suggestion might have been very easily accepted because he said that the panel system might be adopted and he distinctly said that the Government would not be bound to select out of the panel. It was therefore only a recommendation and the Government could have very well accepted that suggestion, because they were not

12TH MARCH 1919.]

(Mr. Suryanarayana Rao.)

going to bind themselves to any particular action. Then as regards the power to enter into contracts up to Rs. 10,000, there again the corporation is prepared to give some powers to the commissioner, but the corporation is not prepared to go up to such a large figure. I think in a matter like this, the Government could have conceded that to the extent of Rs. 2,500, the commissioner should have the power without consulting anybody to enter into any contract and above Rs. 2,500 and up to Rs. 10,000 the standing committee should be consulted and at the same time the commissioner will not be bound by their opinion if there is any difference of opinion. Probably in such matters, some adjustment might have been effected so that the difference of opinion might have been obviated, and the Bill might have been made more acceptable to the corporation. Then it is said that large powers are given to the commissioner. No doubt when we read the sections relating to that, sections 5, 7, 13, 17 and 78, we see that very large powers are given to the commissioner so much so that he has got the power to delegate his power even in extraordinary matters to other persons; but in all these matters, I seriously ask: was there no half-way where both parties could meet and some modification made, so that all these things and the Bill may be made more satisfactory to the corporation? Then with regard to finance that is an important question. I really think that it is a sad mistake that firewood has been omitted out of the resources of the corporation. It is said that firewood brings Rs. 50,000 and the ground upon which the removal has been put is that otherwise, it would press upon the masses, but it is also said by those who know and those who ought to know that this removal of the firewood really benefits the railway and those people who can certainly afford to pay and that the benefit does not really reach the masses. If that is so, I think it is a sad mistake that the Government have committed in removing firewood from the category of financial resources. Then with regard to the Port Trust, I would not repeat what the Hon'ble Mr. Venkatapati Raju said, but it was a sad mistake that 5 per cent was accepted and I cannot understand how we went back and accepted only 4 per cent. It was accepted on the first occasion and hands were actually lifted. But afterwards we accepted only 4 per cent. In a matter like this, when 5 per cent means Rs. 80,000—I do not know much, but I make the calculation on the basis that if 4 per cent brings Rs. 60,000, 5 per cent on a mathematical calculation would bring about Rs. 80,000—when there is a clear gain of Rs. 20,000 and when the Hon'ble Sir Francis Spring himself had not much objection to accept 5 per cent, I think it is a sad mistake which the Government committed in accepting only 4 per cent. Then in regard to minor matters such as tramways and other things, so much has been said but probably these are resources which I have no doubt will be carefully considered on the next occasion. Then with regard to some additional resources, we find a foretaste in the very dubious language adopted by the Hon'ble Mr. Rajagopala Achariyar that something will be done to us. I have no doubt he is referring to the excise revenue or something like it. I am glad that some promise has been made that this would be extended even to the local bodies outside the corporation and when that question is engaging the attention of Government, I have no doubt that the Honourable Member is only referring to excise revenue and that a decent proportion of it will be distributed to local boards and municipalities including the Corporation of Madras. Then I heard one or two special complaints, one of which is by the Hon'ble Mr. Thonger. His special complaint is that contract-men have not been put in and on that account he thinks that the whole thing has become unbusinesslike. I really wonder how many men who are connected with contracts would really get in even if there was no such restriction. I do not think that the whole Council would become businesslike by the entry of these two or three men and would become unbusinesslike by the absence of these two or three men. It all depends upon the average intelligence of the Council. I hope that the rate-payers will not make the sad mistake of putting in the worst candidate because he is able to go about from house to house canvassing votes. That is what might be expected to happen hereafter, because when there are a number of voters, I think any candidate who has got any sense of self-respect or who knows the value of time, or who has very little time to spare—I do not think he would care to go from house to house to canvass votes. I only appeal to the future would-be-members of the corporation that they would be voted by their best voters and that the best men would come into the Council and then I have no doubt that the Council would be quite businesslike.

"Regarding the complaint of the Hon'ble Mr. Yaqub Hasan, he has got a grievance and rightly too, that some more Muhammadans have not been put in. The question was thoroughly discussed at the time. The Hon'ble Mr. Rajagopala Achariyar said that more Muhammadans were not put in on account of the constitution of the corporation and on account of other difficulties in the way. Therefore I have not much to say on that except that I feel sorry that scope was not found for more Muhammadans to enter into the corporation.

"We are deeply thankful to the Honourable the Advocate-General that at the very end he has included fines also as one of the resources of the corporation. Now, Your Excellency, I do not propose to take up Your Excellency's time but I earnestly implore Your Excellency's Government to make the commissioner less autocratic and to make the corporation also richer and give a little touch so that the husband may be more beautiful and then I have no doubt the bride will accept him. Otherwise, the educated and intelligent bride, the educated corporation says: 'I do not want such a bridegroom.' How can you force a bridegroom when the bride does not want him? I am therefore in this unfortunate position. Unfortunately the corporation headed by Diwan Bahadur P. Theagaraya Chettiyar condemns the Bill and the Government are not prepared to modify it; when that is the case what is it that a mufassalite like myself can do? That is my position and therefore I reserve my vote to the end."

(Mr. Suryanarayana Rao; Mr. Krishna Rao.)

[12TH MARCH 1919.]

The Hon'ble Mr. A. S. KRISHNA RAO:—"My Lord, I consider it extremely unfortunate that there should have been such a keen difference of opinion at this stage of the discussion of the Bill. This Bill has been before the Government, before the corporation and before the public from the year 1910; it was in the hands of a liberal-minded special officer appointed for the purpose; and there have been drafts prepared and considered from time to time between 1916 and 1919. Now at this stage of the discussion of the Bill, there have been found differences of opinion as to some of the main principles of the Bill as also some of the details of the Bill. So far as I have been able to gather, there is agreement between the Government Members who have supported the measure, made the motion and seconded it and the Hon'ble Mr. Ranga Achariyar in dealing with the motion. It is frankly conceded on behalf of the Government that nothing like perfection can be claimed for this Bill and that if there are defects the existence of which cannot be denied, the defects can be remedied by appropriate amending legislation. On the other hand, it has been pointed out by the Hon'ble Mr. Ranga Achariyar and the others that followed him that though this Bill contains some good points and is to some extent an improvement on the existing state of things, it does not meet the demands of the situation, it is far behind the times and therefore it cannot be accepted. I quite agree with the Hon'ble Mr. Yaqub Hasan when he said that though this Bill could have been considered acceptable if brought forward two or three years ago, in view of the future that is before us, in view of the wider outlook in the country, it is not possible to accept this measure as a substantial instalment of reform. That is the standpoint from which he addressed this Council and there is considerable force in the suggestions made by him. We have been looking at this measure as the out-growth of the labours of Your Excellency's Government from the year 1915, not in the light of the recent changes contemplated either in the recent resolution of the Government of India or in the Report on constitutional reforms. That is the chief reason for there having been a wide difference of opinion expressed in this Council on this point. We are now at a stage when it is conceded, even on behalf of the opponents of the Bill, that it is, to whatever extent, an improvement on the existing state of things. What is the best course for us to adopt? Are we now to vote for the rejection of the Bill *in toto* or are we to wait and take our chance to have appropriate amendments effected in this Bill to satisfy the demands of the people and the demands of the public? That is the standpoint from which we should look at this question. It cannot be denied for a moment that regarding one important question, there has been a change for the better; there has been a liberal extension of the franchise and there has been provision made for a truly popular representation of the people in the corporation. Provision has been made not for women alone, but for men also to a very large extent; and though the change in the case of the divisional commissioners is not as liberal as it might have been made, still there is provision for the election of three-fifths, taking the divisional commissioners alone, of the total strength of the corporation. So far as the question of the appointment of the commissioner is concerned, the main objection is not so much to the institution of that office, as to the powers given to him and the mode of appointment. Objection has been taken and quite properly and reasonably that the commissioner who is invested with wide powers ought not to be an officer appointed by the Governor in Council without the intervention of the corporation; but that he should be one nominated by the corporation, though his appointment is to be subject to confirmation by the Governor in Council. The amendment of the Hon'ble Mr. Ranga Achariyar was very modest, modest and fully, when he suggested that there might be a panel chosen by the corporation, from which the Governor in Council might or might not choose. I think it is really a matter for consideration whether in the words contained in the resolution of the Government of India, the corporation cannot be given the right to nominate the commissioner and whether it is not possible even now to give the power to the corporation to nominate the commissioner, giving a discretion to the Governor in Council to confirm his appointment or not. If the Governor in Council does not accept that nomination, he may ask the corporation to re-consider the matter. The second point which has been placed before the Council is as to the powers of the commissioner. It will be remembered that the Bombay Act has been taken as a model for the purpose of framing this Act, though in view of the interval that has elapsed between the enactment of the Bombay Act and this Bill, we should have taken care to see that some more liberal provisions are inserted in the Act itself. That could have formed the basis of discussion; but that could not be adopted as a model for an Act framed in the year 1918. Amendments were moved to restrict the powers of the commissioner to the extent of Rs. 2,500 or Rs. 5,000 as in the Bombay Act, but they were not accepted. There is a serious misgiving in the minds of the members of the corporation and the even in excess of those possessed by the President under the former Municipal Act, under the present Act, or by the commissioner under the Bombay Act. That is a point in regard to which it is, I believe, possible to effect some improvement, as early as possible. The third point regarding which serious objection has been raised is as to the improvement of the resources of the corporation. These are the important points on which there is difference of opinion. It is no doubt to be noted with some satisfaction that the Hon'ble Mr. Rajagopala Achariyar has been able to inform the Council that there is a reasonable chance—I hope it will prove a certainty—that the corporation and other local bodies will get a substantial share of a growing item of revenue which will add to the finances of the corporation. I hope that the Government would move in that direction with all possible strength and earnestness and succeed in inducing the Government of India to give a more substantial share to them so that in their turn they may give a more substantial share to the local bodies. The Hon'ble the Advocate-General suggested in

(Mr. Krishna Rao; Mr. Siva Rao.)

[12TH MARCH 1919.]

the course of the discussion that if there are questions of detail regarding which there were objections to be raised, the stage for their being raised was before the Select Committee began their deliberations. That was one of the remarks made. Following that remark, may I say that some alterations made in the Select Committee to improve the resources of the corporation have been taken away by the discussion in this Council? It will be remembered that the corporation inserted a provision for a duty on firewood which has been taken out in this Council; and it will be remembered that the exemption of the Port Trust was taken away by the Select Committee but subsequently it has been restricted and limited to 4 per cent of the gross earnings. So far as the question of finance is concerned, we have gone even behind the recommendations of the Select Committee and we are in a more unfavourable position with regard to that point. What creates further difficulties in respect of the motion now before the Council is that with these imperfections in the Bill, the corporation came to the unanimous conclusion that the Bill deserves to be rejected and that the Government may be requested to bring in another Bill for consideration. The resolution practically amounts to this: that they would go on working under the present Act of 1904 for some time longer before they are called upon to work under the present Bill which does not place them in a better position. That is the view taken by the corporation. With that statement on behalf of the corporation, the points for consideration of this Council is whether it is desirable or necessary to pass this Bill in this form when they are not content with the present Act and are not willing to work it on those terms. I feel considerable difficulty in coming to a conclusion as to the course to be adopted. While I feel that there are some good provisions in the Bill and that there are also defects which have to be remedied in course of time, while I believe that we have spent considerable time over it, and that we should do our best to improve it, are we justified in adopting this measure when the corporation for whose benefit it is intended, has considered it from all standpoints and has come to the deliberate conclusion that it would rather work under the existing Act than under the present Bill? That is the real question before us. Before I sit down, may I make a suggestion to Your Excellency's Government? Even now the points of difference if analysed, can be reduced under three main heads. Notwithstanding the time spent by this Council in dealing with this important measure I do not think anything is too late. In regard to a thing like the appointment of a commissioner—the question of the mere appointment of a commissioner is not objected to, but objection is taken to the mode of his appointment and to the powers to be given to him. Is it, I ask, too late, is it impossible to arrange for a small conference with some representatives of the corporation and adopt some amendments which will remedy some of these defects regarding the method of appointment and the powers of the commissioner? Similarly in regard to the financial powers also.

"The members of the corporation may be requested to make specific suggestions as to the defects that they find, in the light of the discussion that has taken place. If it is possible for the Government to meet those wishes even to a reasonable extent and in a liberal manner, it would produce satisfaction and it would produce more desirable results. If Your Excellency consents to a postponement for two years or for one year—I am not very particular about the period—it will be all right. What I am anxious about is to impress upon Your Excellency's Government, the desirability of even now considering whether any reasonable amendments either to improve the relations between the commissioner and the corporation or to improve the finances of the corporation can be settled in a private informal conference and then placed before the Council. My real difficulty is that the few good points that are in the Bill will not achieve much, if the defects in the Bill are such as to induce the corporation to say that they will reject the Bill. That is the real difficulty which some of us feel. I would only request Your Excellency's Government to consider whether it is not possible to remedy those defects and give satisfaction both to the people and to the corporation."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, one way of judging of this Bill is to see whether the Bill taken as a whole is in consonance with the policy laid down by the distinguished authors of the report on constitutional reforms. Formula No. I, as stated by them at page 93 in their report, is this: 'There should be, as far as possible, complete popular control in local bodies and the largest possible independence for them of outside control.' I dare say they intended these remarks to apply to the city municipalities particularly. Your Excellency, I might be allowed to refer also to another passage which occurs at page 94 which runs thus: 'If our proposals for changes on the higher levels are to be a success, there must be no hesitation or faltering about changes in local bodies.' Now, we shall see whether this Bill as it has come out of the Select Committee and as it has recently emerged from the Legislative Council fulfils the requisites mentioned in the Montagu-Chelmsford report. In other words it comes to this whether complete popular control has been granted to the Madras Corporation and secondly whether the largest amount of possible independence including financial independence is also granted. These are the two tests to apply in a case like this; it is no good for the Honourable Member in charge to say that this is an improvement upon the Madras City Municipality Act of 1904. It is no good for him to say that in framing this Bill they have followed the Bombay Act which is itself old. We shall have to apply this principle whether it would satisfy this test, whether the general gist of the provisions of this Bill would have the desired effect contemplated by the distinguished authors of the report.

"Let us take for instance the composition of the corporation. The number has been raised to 50 and there are 30 divisional commissioners. I decline to take note of the institutional commissioners. I decline to consider them elected commissioners when we have to judge how far

(Mr. Siva Rao.)

[12TH MARCH 1919.]

the rate-payers of the city have got control over the affairs of the city. Applying that test, it means that 30 out of 50 are elected by the people, by the tax-payers, which comes to three-fifths; and as was pointed out by some Honourable Members, we have already reached three-fourths even in mufassal municipalities and only one-fourth is left for nomination. I would seriously ask for the consideration of this Council whether this can be said to have popularised municipal administration—this three-fifths elected majority. It is justly claimed that the franchise has been broadened, that every tax-payer has been given a vote, but we have to proceed further and see how many of these councillors do the rate-payers elect. They elect only three-fifths of them. We have further to see what powers these chosen representatives of the people have got. Unless we scrutinize these two matters, we cannot delude ourselves into thinking that we have made municipal administration really popular. As regards the franchise to women, this is not the first time that the franchise has been conferred upon women. So far as mufassal municipalities are concerned, they enjoyed it once and they have been deprived of it for some time. Now it has been restored in the case of the city municipality. I do not think I can ever listen to anybody saying that this is an advance in the cause of local self-government. There is halting policy again. I wish that the Government, following the well-known principle that every eligible voter shall be an eligible candidate also, should have made women eligible candidates as well. Therein I say, I make bold to suggest that this Bill is halting. So far as regards the composition of the council.

"What about the control which the corporation has got over its own servants? Certainly it is time enough that a corporation like the city municipality should possess complete power of appointment and punishment over all its subordinates. Even the members of the Decentralization Commission contemplated that in the case of larger municipalities they should be given full control. I shall come to the commissioner. I do not place the commissioner in the same category but I am speaking of these servants, the engineer, the revenue officer and the health officer; is there any reason why their appointment should be subject to the veto of the Government? They are officers who get between Rs. 1,000 to Rs. 1,500. Cannot the corporation at this stage, in spite of the declaration of the policy of the Government of India and of the Secretary of State be trusted to appoint these three officers? Can they not be trusted with the power to remove them? The Bill as it is now framed says that they are not liable to be removed unless by an impossible majority. Their appointment is subjected to veto; if the Government veto the appointment, the corporation have to make another appointment within three months and if they do not make it within that time, it is open to the Government to appoint. I would not be pleased with any first instalment of reform in the matter of local self-government. It may be said that we should be satisfied with the progressive realization of responsible Government in other matters, but in regard to local self-government, what they advocated was that there should be complete autonomy, as much autonomy as possible in the immediate future.

"Now I shall come to the commissioner. He is not appointed by the corporation, but at this stage I do not say that he should be appointed by the corporation. What the Government of India have said in their latest declaration of policy on the 16th of May 1918 is this. In paragraph 8 they say: 'So long as the executive officer of a city is protected from the possible caprices of a board by provisions requiring that, though his nomination may be by the board, his appointment should be approved by Government and that he should not be removed without the sanction of the Government unless by the vote of a substantial majority of the board, it is not necessary to require that the executive officer should be a Government official.' In other words, they contemplated that there should be restrictions against the capricious exercise of the power of removal by the board by prescribing that there should be a certain majority for removal, but so far as the appointment went, the Government of India distinctly contemplated that the nomination should be made by the board, subject to the approval of Government, as they have provided in the case of the health officer, the revenue officer and some other officers. I would ask whether this policy that he should be nominated by the corporation subject to the approval of the Government has been carried into effect. I remember very well that the Hon'ble Mr. Ranga Achariyar made a far milder proposal. I do not know why he did not go to the full length of the Government of India's policy; he was satisfied with framing a panel out of which the Government might select any body they liked. I was wondering why such a modest proposal was made by him; but even that was not accepted by the Government. So far as regards the constitution of this newly created body.

"Then as regards the powers, the Hon'ble Mr. A. S. Krishna Rao expressed a sort of surprise why the corporation should make up its mind to reject it though there are some improvements in the Bill or rather to work under the provisions of the old Act than under the new Bill. I may offer one solution for that. The old President was not given so very drastic powers as the commissioner has now been given under the Bill. He is given power to sanction estimates—I do not want to introduce the word 'estimates' which is a source of confusion—he has got the power to commit the corporation to an expenditure up to Rs. 10,000, the standing committee up to Rs. 50,000 and the council have got power to sanction expenditure if it exceeds Rs. 50,000. My position seems to be correct that he has got power to commit the council to an expenditure up to Rs. 10,000. In these matters, why should the commissioner who is not appointed by the corporation, who is not easily removable by the corporation be vested with these drastic powers? I wish to point out one dangerous provision in this Bill. If you compare

12TH MARCH 1919.]

(Mr. Siva Rao; Mr. Rajagopala Achariyar;
Mr. M. Ramachandra Rao.)

section 5 of the old Act, it says that the whole direction of the policy, the whole municipal government should be vested in the corporation. But this Bill seems to lay down a new rule altogether. It says in section 23 for instance: 'Subject to the provisions of this Act, the municipal government of the city shall vest in the council but the council shall not be entitled to exercise functions expressly assigned by or under this Act or any other law to a standing committee or the commissioner.' Comparing this provision with the old Act, section 4 of the Act says: 'The municipal affairs of the city of Madras shall be administered in accordance with the provisions of this Act by a President who shall be ex officio a commissioner and by thirty-six other commissioners who shall be elected or appointed in the manner hereinafter provided.' There is no such reservation in the old Act and this makes me apprehend that in the matters arising within the purview of the commissioner or the standing committee, even the revisional powers of the council are taken away. For instance, in the case of estimates up to Rs. 10,000 the council has power of a general control or general revisional power; even that is taken away under section 23 of the present Bill. I submit it is a very dangerous provision. Looking to the whole Bill it reads as if there are four independent autonomous bodies, each independent of the other and very likely warring with each other. The principle should be that all the control, the superintendence, the suzerain power should be vested in the corporation; but section 23 beats it hollow. Even in executive matters, if the commissioner acts in one way, the corporation cannot say that he has acted wrongly.

"Coming to the resources, that is the weakest portion of this Bill. What is the use of creating this body without endowing it, without furnishing it or supplying it with the necessary resources to carry on its normal administration? How can any Bill be perfect? I do not say perfect—how can any Bill be satisfactory if the new body which it creates is not placed on a sound financial basis? The claim was made by the Honourable Member in charge that, as an effect of these proposals, the corporation would gain something like two to three lakhs."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Four lakhs."

The Hon'ble Mr. P. SIVA RAO:—"I have the account given by Mr. Tyagaraya Chettiyar; he says that it gives Rs. 2,73,000."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The Hon'ble Mr. Ranga Achariyar puts it even less."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"He says it will be Rs. 94,000."

The Hon'ble Mr. P. SIVA RAO:—"Mr. Tyagaraya Chettiyar puts it at Rs. 2,73,000: I am not responsible for the figures."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The figures I gave have been very carefully considered."

The Hon'ble Mr. P. SIVA RAO:—"I shall accept your figures, but that does not go a long way towards rejuvenating this defunct body. He has very clearly shown when he moved his resolution before the corporation, that this 2½ lakhs or 3 lakhs or 4 lakhs could not go much towards relieving its insolvent position. Proposal after proposal was brought forward to be simply rejected by the Government, I mean the financial proposals which went to augment the resources of this corporation, in some of which they said they had genuine difficulties because the Government of India would not agree. The Government of India could not take exception to octroi duty. But all these proposals were rejected with the result that the municipal corporation is where it was and there is absolutely no improvement in its financial position. Is the Bill making the corporation financially sound? As regards the excise revenue and the licence fees from liquor shops, that was moved very vehemently by the Hon'ble Mr. Ranga Achariyar, hopes are given that there would be some financial adjustment in the relations between the Government of India and the Provincial Governments and then between the Provincial Government and the local bodies. If that is so, where is the hurry for rushing this legislation? What is the fun of asking this body to go on when it cannot go on and work it? Why should we not wait, why should not this Bill be taken up as part of the Reform Scheme? Why should we not wait until these relations are established? The Hon'ble Mr. Thonger observed: 'I should like to be an autocrat in my own business'. Nobody would object to his being an autocrat in his own business, but what would be his feeling if the Government said that he was incapable of managing his own business and imposed a commissioner over his head and if the Hon'ble Mr. Thonger had no power to control him or punish him or remove him; and if he should be put to the necessity of submitting to him, what would be his feeling? Let him be an autocrat by all means when he puts his own money into the business, but the question comes in when the rate-payers' money is collected and when the corporation money is about to be diverted, the question comes in whether there should not be something of popular control. I do not want to take up more time, I decide to vote against it for the reason that it is out of date, for the reason that it was framed in 1910. The Honourable Member in charge has given the history of this legislation which was framed in 1910 when there was only the Decentralization Commission Report before them. It was fashioned under old world ideas and I do not see any serious attempt made to re-cast the Bill in the light of the present policy laid down in the report of the distinguished authors or in the recent Government of India's despatch. I realize that it is an anachronism, it is out of date, it is antiquated and these are my reasons for voting against it, as there is no other alternative and as Government are not in favour of postponing it."

(Mr. Ramanuja Achariyar; Mr. Ranga Achariyar.)

[12TH MARCH 1919.]

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I am sorry I have to differ from several of my non-official colleagues who have spoken on the subject. The Hon'ble Mr. Siva Rao has said that he is going to vote against the Bill. I want to say that I am going to vote for the Bill. I am not concerned with the question whether it is a good Bill or a bad Bill, but the question is whether I should reject it or accept it. The Bill was referred to the Select Committee of eleven members, only four of whom were Government officials. Seven were non-officials of whom five represented the corporation, and two were outside Madras. I must do justice to the Honourable Member in charge of the Bill that he left the Bill in our hands."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I should like to know how the Honourable Member said that five represented the corporation."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"The Hon'ble Mr. Ranga Achariyar was there, the Hon'ble Mr. Yaqub Hasan, the Hon'ble Sir Gordon Fraser, the Hon'ble Mr. Thonger and the Hon'ble Mr. T. Richmond."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"The Hon'ble Mr. Thonger is not a member of the corporation."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I am open to correction. The Honourable Member in charge left the Bill entirely in our hands. The Bill is not his work; it is our work, the work of non-officials, seven non-officials against four officials. If therefore this Bill is condemned, it is condemning the work of non-officials; it is not the work of Government. Government have been steadily standing up by the report of the Select Committee. Unfortunately they made one or two alterations which I have not accepted. If Honourable Members reject the Bill, they are rejecting the work not of Government, but the work of their own non-official colleagues. Whatever other Honourable Gentlemen might think, I do not think that the Bill is so bad that having brought it to this stage I should reject it. I think self-respect demands that I should vote for it and not only vote for it, but support it as strongly as possible. I will now refer to one or two objections raised. First, as regards the question of finance, the Honourable Member in charge has told us that this Bill would give us an increase of four lakhs immediately and if certain economies are made in the distribution of water, the council will have another four lakhs. They have no powers to economize water now. We have given them ample powers and if these economies are made, the council will have eight lakhs. If the Bill is rejected, we will be throwing away eight lakhs. I ask whether the council would be wise in rejecting the Bill and depriving the corporation of eight lakhs. I accept the figure of the Honourable Member in charge, because Government have got all the sources of information available and I am not prepared to accept the figure given by the Hon'ble Mr. Ranga Achariyar or Diwan Bahadur P. Tyagaraya Chettiyar. I am glad the Honourable Member in charge has also promised to give the corporation and other local bodies a proportion of some growing item of revenue. I take it that when the time comes Government will keep their word and will come to our help. Even as it is, the council are not without their resources. They have got their property tax, but it is forgotten that house-rents are rising like anything. If assessments are revised once in five years as in the mufassal, a very large source of income will be available to the corporation. I am sorry to notice that there is no provision for a quinquennial revision. The matter escaped my notice, but this discussion has brought it into my mind and if the Bill is amended, that will be one of the objects, one of the purposes which should be provided for, for revising the assessment once in five years."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"The Honourable Member forgets that the commissioner can annually revise."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"In the mufassal it is not so. It is only when a house is reconstructed that assessment can be revised. I would not give the power to the commissioner to revise it annually. We in the mufassal pay 50 per cent of our net income as land revenue. Here gentlemen in Madras require all the conveniences, but they are not prepared to pay more than 20 per cent. I ask if it is just to the people in the rural areas. We want money for hospitals, for drainage, for water-supply. Where is the money to come from? Is it from the money wrung from the poor toilers? I say it is not fair. If people want the conveniences at Madras they should be prepared to pay for it and they should raise their property tax until it gives them sufficient money. The complaint that the Bill gives no resources is based upon a misconception. So much mention is made of the opposition of the corporation. It was suggested to the corporation in the Bill prepared in 1916 that they would be given the power to levy a surcharge on income-tax and this would have given them seven or eight lakhs of rupees and they were also given the option of levying the unearned increment deferred to their wishes. They should have insisted upon this provision being put in. If that had been done, we should not now have the spectacle of one member after another pampered year after year by annual doles and as there is a possibility of these doles being discontinued, the unwillingness of the house-owners to pay higher property tax is the basis of this opposition."

[12TH MARCH 1919.]

(Mr. Ramanuja Achariyar; Dr. Nayar.)

"A great deal has been said that the commissioner is not nominated by the council. The Bill provided for the appointment of the commissioner by Government and not one member representing the corporation in the Select Committee proposed that the commissioner should be nominated by the corporation. If that question has been placed before us, we should have accepted it."

"The Hon'ble Mr. Siva Rao pointed out that the provision for removing a commissioner by a two-thirds majority is an impossible provision. At the same time he read passages from the Montagu-Chelmsford report referring to the danger of the commissioner being removed by small majorities of the corporation. If you find it difficult to remove him by a two-thirds majority, you will find it difficult to prevent the removal by small majorities. In every municipality there will be surely undesirable combinations and they would fight against the chairman and he would have to go out. That is why we put in the two-thirds majority. In the Select Committee no one ever questioned the wisdom of the two-thirds majority."

"Whether the commissioner is appointed by the corporation or by the Government, he remains a servant of the corporation and the Bill gives them complete power. Reference has been made by the Hon'ble Mr. Siva Rao to the establishment under the commissioner. He has been the chairman of a municipal council and I would ask him whether he would like all his clerks and the secretary being appointed by his council. My experience has been the other way. Directly you give the council a voice, people go about and canvass votes and all sorts of undesirable people will be put in and the administration will become impossible. In every place, the man who executes the work should have the power of making appointments. The Bill has been rather lenient to the corporation in allowing them to make appointments of persons drawing over Rs. 500. Consistently we should have said that all appointments should be made by the commissioner. What I say is not imaginary. I can give you one instance. There was a defalcation by a bill-collector at Kumbakonam, the money was recovered from him and the secretary dismissed him. I proposed to prosecute him. Then the man and his father went to the councillors and they all combined and said 'let us not prosecute him'. This is what would happen if any power is given to the corporation over the establishment. That will be the result. Then as regards the assessment of tax, we had complaints that this house or that house has been over-assessed and appeals have come to us. Fortunately my experience is that my council accepted my valuation, but it may often happen that the majority of the council may combine and reduce the assessment. The Bill gives the final appeal to the Small Cause Court and we cannot object to it. Then as regards expenditure, there seems to be a good deal of misapprehension. The Bill gives full power to the council to frame its budget. Unless the council say that so much money is available for retelling a particular road, the commissioner cannot give any contract. He cannot sanction any estimate unless the funds for it are provided by the corporation. The corporation has therefore full power. I think it is a misapprehension to say that the corporation cannot control the expenditure. As regards all other matters, the power is given in all routine matters to the commissioner. In all other matters he will be directed by the standing committee or the corporation. One of my Honourable Friends said that these limitations are illusory. I may say that they are not illusory. I have gone over the Bill clause by clause and in my experience as municipal chairman I find they are substantially good limitations. Who is to be believed? The only thing is, to leave it to experience to find out whether these limitations are illusory or whether they are good limitations."

"I have no hesitation in giving my vote for this Bill. The Hon'ble Mr. Ranga Achariyar has frightened me by saying that he would be a bold man who would stand by the Bill. As unfortunately I am forced by my convictions to stand by the Bill, I may be said to be a bold man and I would leave it to future years whether I have been reasonable in accepting it and whether I would not have been foolish in rejecting it."

The Hon'ble Dr. T. M. NAYAR:—"My Lord, I have been told that I have been brought into this Council as an expert. Because I had not the presence of mind to deny that charge in the beginning, I am now forced to play the part of an expert which I find exceedingly difficult especially in the presence of Your Lordship whose immediate knowledge of local self-government institutions in Scotland makes Your Lordship one of the greatest living authorities in this country. But to a certain extent that is an advantage because for once in my lifetime I have the chance of talking about local self-government to some big official who understands it."

"The only claim that I have for speaking about municipal bodies in this country is that I gave some of the best years of my life to the service of the Madras corporation. During most of that time, I tried my best and significantly failed to act the part of a municipal reformer. From almost the very day that I joined the corporation, I have tried my best in season and out of season to advocate reform of municipal bodies in this country, because the defects of municipal bodies as they then existed and as they now exist are quite obvious. Your Lordship knows that municipal bodies are created to perform certain work and, in constituting them, you have not only to consider the electorate which is to elect them, but you have to consider the constitution, the peculiar mechanism of their working and you will have to define the exact duties for them to do; and what is more, you will have to give them substantial resources to carry on those duties. I have noticed that in all attempts at municipal reform in this country, the portion with regard to the resources of municipal bodies and the assigning of definite duties are carefully left out. Reform in this country is almost synonymous with the settlement of the franchise and the settlement of the constitution of the council. I have seen one or two

(Dr. Nayar.)

[12TH MARCH 1919.]

attempts at municipal reform in this country. They rearrange the constitution and the whole question during that time is, how many should be elected and how many should be nominated and where does the Government come in, where does the Collector come in—these are the only sorts of questions discussed. I admit they are very important questions that must be settled in order to have good municipal bodies, but they do not carry you the whole way. In the earlier stages they are almost the only important things, but we have been going on for 35 years and I was expecting and hoping that some day or other they would tackle the real question of the resources of municipal bodies. I should have expected after the municipal bodies have been working for some years that the Government could have directed their attention to establish once for all the resources of municipalities to see what are the sources from which they could raise their tax and if there was not enough to be had from taxation, as to what help the Government were going to give—not the sort of help which we are now giving by uncertain periodical doles indefinite in quantity. That is not the sort of help that I meant. I thought they would have settled once for all the incidence of Provincial and Imperial expenditure and municipal expenditure, as to what share was to come from Imperial resources and what share from municipal resources. They should have settled once for all, the incidence of expenditure and also the definite income of municipalities. This is necessary in order to permit municipal bodies to think out and work definite programmes of progressive works and also to develop a sense of responsibility. It is not too much to say that no municipal body in this Presidency—I will now confine myself to this Presidency—knows exactly what its income is in a particular year. By income I include the grants from Government which they have a right to expect. But no municipality knows beforehand what that sum is to be, much less what that sum is to be next year or the year after next. Unless municipal bodies are in a position to know what their income is and what it will be for a number of years, it is absolutely impossible for them to work out a settled plan of improvement. That is the position of municipal bodies in this country. It handicaps them in preventing them from undertaking those works. It also prevents them from developing a sense of responsibility. It was since we began to agitate for municipal reforms that the Decentralization Commission sent in their report. I have in my time quoted a good deal from the Decentralization Commission's report and it almost sounds to me to quote from some pre-historic document. Government have been promising that they would reform municipal bodies in the light of the recommendations of the Decentralization Commission, but the very same Government which have been procrastinating legislation on this matter on the report of the Decentralization Commission have now had to realize the rate at which things progress in India. The Decentralization Commission report and the Minto-Morley Reform Scheme came almost in the same year. The Decentralization report came out in 1908 and the Minto-Morley reforms came towards the end of 1909; and now in 1918 the Secretary of State and the Viceroy say that political reforms are overdue, that the Minto-Morley reforms are obsolete and do not suit the conditions. But still the Government are waiting to legislate on a report which came out some years ago. When things are advancing so rapidly, it is unsafe to delay action on reports on which you have any idea of legislating. If you want to throw it entirely overboard, that is quite a different matter; but if you contemplate basing legislation on that report, it is dangerous to wait. Already here you are with neck pace. Government are taking so many proposals of the Decentralization Commission while almost simultaneously the reforms which came at about that time are about to be uprooted. My Lord, the idea of a commission being the executive head came from the Decentralization Commission. It was suggested by the Decentralization Commission that Madras and Calcutta could well copy the example of Bombay. They had not any very substantial reasons for recommending it. I remember one passage in the report of that Commission which said that the commissioner would be an efficient head of the executive while in the place of the President, a non-official commissioner would be provided with a dignified position. That was one of the attractions which the Decentralization Commission offered for the adoption of the Bombay model, that it would provide a dignified position for a non-official commissioner of the corporation. My Lord, such considerations have always to be considered and Government in legislating have to see that dignified positions are provided and a certain number of non-officials are placated for it. But if at the present time there is no body who wants this dignified position, is there any object in forcing it down their throats? If you can find some respectable non-official commissioner of the corporation who is anxious to secure this dignified position under this new Act, there will be some justification for Government putting it in; because I believe that is one acknowledged policy of the Government to placate as many as possible and quite reasonably. But apart from that, I consider it is a matter of detail. If you want a commissioner have him; there will be little fight it out. I heard the Honourable Member in charge this morning saying that the system of commissioner was inaugurated in Bombay at the suggestion of the late Sir Pherozshah Mehta. Perhaps it was. Some years afterwards, when I went on a visit to Bombay, I went and visited the Bombay corporation at the invitation of Mr. Mehta and I remained for two hours there and the whole of the two hours was spent in a very acrimonious discussion as to whether the commissioner had not exceeded his powers in certain respects and whether he had not insulted the corporation or whether the corporation had not insulted him—I could not exactly follow—but for two hours, this was the debate going on led by Mr. Mehta. I left it at 5 o'clock and he asked me the next day 'what do you think of our corporation?' I told him 'it is remarkable, I quite enjoyed the two hours.' It is a great deal more likely than our corporation.

12TH MARCH 1919.]

(Dr. Nayar.)

Get a commissioner and your corporation will be like that. I hope that with this Bill the Madras Corporation will at least have this advantage that it will be a livelier place. My main objection to the Bill is that while it goes a great deal in detail into the constitution and franchise and other things, there are other important considerations that I suggested, namely, providing definite sources of revenue to the corporation which have not been considered. For my purpose it is not necessary to go into the actual financial figures. There has been a good deal of talk this afternoon, but a careful analysis of these figures will take you to the conclusion that in two or three years when you have to carry other works your income will not meet the expenditure. In Madras you want considerable extra sources of revenue. In my earlier days of enthusiasm for municipal reform, I think, my Lord, I may claim, that I first struck on the possibility of the municipality having a share in unearned increment on land. I carried on the work as a missionary on behalf of unearned increment and I did get a good many converts and the last that I saw of this Madras City Municipal Bill before I left for England was a Bill in which there was some provision for unearned increment being shared by the municipality. It was to my heart's content; but now when I returned from England I was told that it disappeared and I did not know till now how that disappeared. I heard that the corporation had struck out the provision and the Government accepted it. When you are satisfied that it is a reasonable source of income for the municipality, why should the Government agree to the corporation striking it out? It ought to have been imposed on the corporation as a duty to find out a substitute for it. Government should have asked the corporation to say what the other sources of income in future would be if they cut this out. 'If you point out other sources of income, we will incorporate it and pass the Bill into law,' that is what the Government should have said. So long as the corporation showed no alternative source of income, Government should not have accepted it. The compromise between the corporation and the Government comes to this: the corporation says 'we do not want this source of income' and the Government, have nothing to substitute and they say 'we will give the corporation no source of income.' That is a wrong principle. You are creating a municipal body which is to carry on its work on a hand-to-mouth existence and which would learn very bad habits indeed. They frame budgets, they embark upon schemes knowing full well that they can never pay for the schemes, all the time feeling that the Government will come to their rescue. They send representatives here. For two or three years I acted as their representative, an official beggar on behalf of the Madras Corporation, to beg and move resolutions, to try and get as much money as possible to the corporation. It is a degrading position. You not only do not develop the sense of responsibility, you train people in the very worst form of local self government. It is that I dread more than anything else and that is the reason why I say do not perpetuate that system by giving them a new constitution and a new Bill; they will go with the idea that they are a grander body than before, they would think 'we are not the old Madras Corporation.' The new corporation with the commissioner still begging, still not being able to pay for their works—is a very degrading position. Whatever it may be, it does not advance local self-government in this country. The whole question is: is this reform undertaken with the idea of carrying local self-government a step further in this country or is it not? If it is intended with that object, this Bill fails effectively; but if it is only a sort of periodical tinkering, then by all means go on with it and I do not object to it. I quite appreciate the extraordinary amount of industry and the careful study bestowed upon it by the Honourable Member in charge and the Hon'ble the Advocate-General and others who happened to be connected with it. I quite appreciate it, but is it not all thrown away when you enact a measure which reproduces all the bad principles of the old Act? Is that not all thrown away? As a matter of fact, you have only to wait until such time as you can get a satisfactory Bill. How many sections will you have to amend, perhaps about 20 out of 400. Now, my Lord, this Bill was introduced in this Council in this form in August last and at that time, the Government must have had before them the resolution of the Government of India and also the report of the Viceroy and the Secretary of State in which they said that the further development of local self-government must be left to autonomous provinces. It is not the reformed councils; reformed councils may come or may not come; but autonomous provinces are bound to come. They said that the further development should be left to autonomous provinces. That was published in July and in August we introduced this Bill; that is what I cannot understand. Why did you do that? There is no object whatever. If the report had been framed by responsible authorities, reforms in the wake of that must be a question of a very short time indeed. Sooner or later it must come and the Madras Government knew all these years that the only thing that stood in their way was the present absurd financial arrangement. Your system of Provincial contracts and the system of centralized finance was the only thing that was standing in the way of the Madras Government all this time. Probably you knew earlier and the public knew in July that that system was to come to an end. Would it not be reasonable to say 'we will wait'. It cannot be quite so long as we had to wait in the past; it may be one or two years at the most. When we get the powers, we will get a really good Bill and start them on the way to local self-government. The Honourable Member in charge asks 'why don't you accept the Bill and get it amended from time to time?' I have got some experience of that. My Lord, ever since I have been in the corporation, we have been sending to the Madras Government representations for the amendment of certain sections which we found unworkable. I do not know on how many occasions such representations were sent. They are innumerable and the reply comes 'the corporation's representations will be noted and will be taken up when the Act is next amended'. That will be the course adopted. If this Bill is now accepted, and you attempt to amend

(Dr. Nayar; Mr. M. Ramachandra Rao.)

[12TH MARCH 1919.]

it when the new Council comes into existence, that will be the very reply even then. It is alright if the new Council is to be with the Hon'ble Mr. Narasimha Ayyar as Prime Minister, it will take up the amendment on hand. But we are uncertain still as to what is to be the new constitution. We have to go a little slowly. Supposing we have only a modified form of the present Council, it will be rather difficult for a private member to get a Bill in and get it passed. If these dreams become true, then it will be alright. But while we do it, we may make it certain that the new Council will go through it and pay attention to this matter and that is by not legislating now. The Honourable Member in charge said that this Bill has been going on since 1910 and we must get it passed into law now. A Bill that has been going on since 1910 might very well go on till 1920. It has got used to it. This very amendment has gone backwards and forwards and has been used to it. It got a bit cut off here and a bit out off there. I do not think there should be any talk of rejecting the Bill, I myself would not be a party to reject it; but I think Government may hold it up. If Your Excellency delays giving sanction or if the Viceroy delays giving sanction, it may be brought up at another time. No one likes a Bill on which they have worked so long to be rejected. I myself would not be a party to it. But for the postponement of the consideration of it, I should be agreeable for the reasons that I have already given.

"My Lord, another point which has always to be considered in connexion with legislation in India is how many people will be placated in India, what good, substantial good will it give. As far as I have been able to find out, this will satisfy nobody. From the placative point of view, the Bill will be an absolute failure; from the substantial point of view of reforming local self-government it does not carry you far. Therefore I hope that the Government would not object to a short postponement—it need not necessarily be two years. Things may happen before that, but at the most let it be two years, so that the thing might be done in a sound and satisfactory manner."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, I have had considerable hesitation in making up my mind in regard to this motion. The reasons are obvious. We are legislating in regard to this Bill in view of the reforms and in anticipation of what is coming. The disappointment of several of my Honourable Friends is all the keener, because we do not find in the Bill the advance in regard to self-government, for which we had hoped for a long time. Speaking for myself, I have contended for years that the present system of finance in regard to local bodies is so defective that unless it is put on some basis analogous to that prevailing in the United Kingdom and in other western countries it is impossible to put it on a satisfactory basis. It was in that view in August last when this Bill came up for consideration, I was one of those who advocated that the consideration of this Bill should be put off pending the question of constitutional reform. At that time, our main reasons were that there are legislative restrictions imposed upon Provincial Governments and there are financial restrictions also imposed upon Provincial Governments which are likely to be removed. In regard to legislative restrictions, I need hardly remind Honourable Members that by an executive order, Your Excellency's Government have to submit to Government of India Legislative Bills not only before introduction, but at every important stage when every important variation is made and the authors on constitutional reform have indicated sufficiently in their report that all these legislative restrictions would be withdrawn and in paragraph 212 of the report they said that within the sphere allotted to the Provincial Governments, the Legislative power of the Councils should be supreme. Assuming, my Lord, that Your Excellency's Government were legislating on this Bill, it will be seen at once that the necessity of submitting every draft, or every important amendment to the Government of India for previous sanction would not be necessary and probably Your Excellency's Government would have been in a far better position in considering this draft if these legislative restrictions had been removed. Similarly in regard to financial restrictions, I then pointed out that excise revenue was one of those items of finance which may be allocated to the provinces and that Your Excellency's Government would be in a better position to give the fixed proportion either to the Madras Corporation or to other local bodies. On these two grounds, it was then suggested to Your Excellency's Government that, if this question of local self-government is to be finally disposed of, this Bill should be finally considered after the reforms had been given effect to. It was unfortunate that Your Excellency's Government did not see your way to comply with our request, and here we are to-day in this position. All my non-official colleagues, the representatives of the corporation and every one who has to deal with this Bill complain that this Bill has not given that satisfaction which it ought to, mainly for the reasons that the financial resources have not been improved in the way desired and also mainly because the constitution has not been settled, perhaps, more in consonance with the wishes of the corporation. I have referred to the subject of Local Finance more than once in committee appointed by Parliament and Honourable Members will see that local bodies in England are financed not merely by local rates, but by certain defined assigned revenues of which local bodies get three million pounds; there is another head—the probate duty, half of which is allocated to local bodies and distributed to them; then again there is the beer and spirit duty which corresponds to the licence duties, greatly discussed in this Council from which they derive over £3,000,000 making thus a total of about £7,000,000. This is in addition to the local rates. There are also other subventions. What my Honourable Friends have already indicated,

[2TH MARCH 1919.]

(Mr. M. Ramachandra Rao; Mr. Ranga Achariyar.)

namely, national services and also for local services—it is in these two ways by automatic adjustment of certain Imperial resources and also by compensating local bodies for taking up certain services known as national services, that local bodies are financed in the United Kingdom. What is the state of things in this country? We have mainly to rely upon our own local taxation and perchance on any doles which Your Excellency's Government or the Government of India may be prepared for the moment to give. It is this aspect which was in my mind ever since and when I was a party to that motion for adjournment, I was expecting that this great advance in local self-government which has been foreshadowed in this report on constitutional reforms would be preceded or accompanied by a change in the system of financing these bodies. It is this which causes the greatest amount of disappointment to all my Honourable Colleagues interested in municipalities, not only in the Madras Corporation, but in local bodies. I am at one with the Hon'ble Friend Dr. Nayar that if this great change in responsible Government is to be at all of any good, it must be accompanied by satisfactory financial resources. My Lord, it is perfectly true, as has been pointed out, that every resolution of the Government of India,—the resolution of 1915 and the resolution of 1918—makes absolutely no mention of the question of financing local bodies anywhere. Whenever we talk of local self-government, whenever the Government of India have referred to it in their resolutions, there is not a word on the question of local taxation. The question has been agitated in the Imperial Council more than once. The late Mr. Gokhale brought forward a resolution on this subject in the Imperial Council and the whole question has been gone into and it cannot be that the Government of India were unaware of the necessities of local bodies. Therefore, my Lord, I am very sorry that this opportunity has been missed and if I make up my mind after hearing the Hon'ble Mr. Rajagopala Achariyar in reply to vote against this motion, it would be mainly on the ground that attention should be drawn to this aspect of the matter in order to force the hands of the Government of India to come to a decision on this matter. What has been suggested by my Hon'ble Friend Dr. Nayar is eminently sound and practical. If this Bill is held up and not rejected, it will certainly force the hands of the Government of India to come to some agreement on this question of local taxation. The Hon'ble Mr. Rajagopala Achariyar made some kind of vague promise that the question was under consideration and it is quite likely that some head of Imperial resources would be set apart for local bodies and we are not quite sure what is in the air. I must therefore say that whatever may be the improvement in the constitution and in the franchise, the question of local self-government will not advance in this country unless financial resources are placed on a better footing.

"Then there are two or three other matters to which I would invite the attention of Honourable Members. That is the point which has been raised by the Hon'ble Mr. Ranga Achariyar. Independently of the question of having separate resources, the question does not seem to be quite clear even under the existing Bill whether the corporation would be very much better than it is. Here is the Hon'ble Mr. Ranga Achariyar who tells us that the improvement would be to the extent of about Rs. 90,000 and the Hon'ble Mr. Rajagopala Achariyar says, it would be four lakhs."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"The figures were supplied to me by the corporation."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I would be obliged if the Hon'ble Mr. Rajagopala Achariyar would clear up this discrepancy in the figures, between his figures and my Honourable Friend's figures. If after all, with this Bill and the scheme of taxation which has been devised in this Bill, the corporation is to have only Rs. 90,000, I should say that we have not at all advanced any further in solving the question of financial resources of the Madras Corporation. Therefore, my Lord, the whole question hinges upon financial resources. I am quite willing to recognize that under this Bill the constitution has been very much bettered than under the old Bill, the franchise has been extended, the number of elected commissioners has been extended and the whole frame-work of the Bill has undergone very careful consideration. There are, I recognize, serious differences between the non-official members of the Council as regards what would be the appropriate powers of the commissioner and the standing committee. On that matter I am at one with several Honourable Members who think that the powers of the commissioner should be restricted to Rs. 5,000 and the powers of the standing committee could have been similarly reduced. I felt at the time of the discussion that the financial responsibility of the corporation has been rather unduly shifted both to the standing committee and to the commissioner in such a way that the financial responsibility is not quite apparent. I am quite aware that budget restrictions have been removed and that the control of the Government has been minimised except that you still have the power of appointing the chief executive officer of the corporation. I am not quite sure what my Hon'ble Friend Dr. Nayar has meant by saying that the system of commissioner is an antiquated one. It is true that its origin is to be found in the report of the Decentralization Commission, but in all municipalities the chief executive officer is a permanent official, whether you call him town-clerk or commissioner or secretary. One well-paid officer should remain permanent and the question was whether the council should appoint him or whether he should be a nominee of the Government. I am not quite clear as to whether the corporation could do away with the commissioner. The question is whether he should be appointed by the corporation or by the Government. There is a clear recommendation in the resolution of the Government of India that the corporation should be consulted in the matter of the appointment of the commissioner either by the panel system or

(Mr. M. Ramachandra Rao ; Mr. Molony.)

[12TH MARCH 1919.]

in some other manner. As it is, I cannot help feeling that it is quite conceivable that the Local Government may force an officer on the corporation who may not be to their liking. Under these circumstances, the two directions in which this Bill might have been improved are in regard to the appointment of the commissioner and the respective powers of the commissioner and the standing committee. As regards the various methods of taxation suggested from time to time, Honourable Members would have noticed that there was a proposal to impose a duty on unearned increment. It is a matter for regret that the corporation has not seen its way to accept it. Then again there was a question of the surcharge on income-tax. However much in these respects the powers of the corporation on taxation may have been improved, I still believe that unless the system is so altered as to place automatically into the coffers of the corporation a certain amount of money from Imperial sources, I do not think that this question of the corporation finance or even the finance of local bodies will be satisfactorily solved. Here we have the corporation for whose benefit this Act is intended and which has to work it—my honourable friend points out that it is not to the benefit of the corporation, but it is to the benefit of the rate-payers of Madras—but the persons who are to work it are the members of the Madras Corporation and the commissioner; we have a resolution by that body saying that they do not want this Bill. I am sorry that this change in the affairs, the great change in the Madras Corporation should be initiated with such a frame of mind. I regret that no attempt has been made to reconcile the corporation to this Bill either by any negotiations for further amendments or in any other manner which might have been acceptable both to the corporation and the Government. I myself am not quite clear as to what it is that the corporation do want; they have adopted a resolution in general terms which said that this Bill did not meet with their wishes in regard to the realization of responsible Government. The directions in which they wanted improvement have not been indicated and I still believe that it would be to the great advantage of the people of Madras if the corporation could be started on this great change in their affairs, the change in their constitution, the change in the realization of responsible Government in some way which would reconcile them to this Bill. As a member of another local body and as one who has taken a great deal of interest in the progress of local self-government in this Presidency I deplore that we are starting this great experiment under these depressing circumstances. It is this aspect of it, my Lord, that has made me hesitate very much in regard to this Bill. As I have already said, I see many merits in it both in regard to the constitution of it and in regard to the financial resources and the general arrangement of the provisions with regard to public health and various other provisions; but how are we to make it acceptable to the corporation? I do not say that it is incumbent upon Your Excellency's Government to take all possible steps, but I think it is a matter in which both the corporation and Your Excellency's Government ought to see their way to place this Bill on the statute book in such a manner as to leave them in a comfortable state of mind. It seems to me that that is the aspect of the matter which has to be considered even at this stage; what could be done is a matter on which I am not quite clear. Probably my Honourable Friend Mr. Ranga Achariyar is not quite clear on the matter. I do not know what his views are. I shall wait for the Hon'ble Mr. Rajagopala Achariyar's reply in answer to the various criticisms that have been made in regard to this. I do not think he will be able to satisfy us in any manner whatever in regard to the financial resources. Government have had ample notice of our desires, in August last when we wanted this great change to be made not under the old conditions of finance, but under improved conditions of having at least one Imperial source of revenue set apart at the disposal of local bodies. In regard to that matter, we are no further than we were. Your Excellency assured us at the last meeting of the Council that a representation would be made to the Government of India. If something could be done to start it with better financial resources and with a better frame of mind on the part of the corporation, I think it will be better. It would certainly be a waste of legislative effort after all this is done to put off this measure altogether, but if a *via media* could be found I am perfectly certain that most of my Honourable Friends would be delighted to see this on the Statute book."

The Hon'ble Mr. J. C. Molony :— "I only wish to supply a few facts from my knowledge of the corporation. Possibly they may give a more cheerful tone to the debate: When the Hon'ble Mr. Ranga Achariyar proposed the total rejection of the Bill and the Hon'ble Mr. Venkatapati Raju seconded it, I thought the tone rather tragic. With all these lamentations, I cannot find any definite reason why the Bill is so bad. If I may venture to say so, the Hon'ble the Advocate-General gave definite reasons for accepting it, and in the speeches against the Bill, there was very little definite said and the little that was definite I propose to examine in the light of facts within my knowledge. As regards the people who will elect, the objections was that whereas 11,000 voters elect 20 commissioners, 46,000 voters will only elect 30 divisional commissioners. A question like this cannot be decided merely on arithmetical proportion. If this were given effect to, there should be 80 representatives on the corporation. Another point is this: I cannot see why several Honourable Members suppose that the interests of the institutional commissioners and the nominated commissioners are diametrically opposed to those of the representatives of the people. The institutional commissioners come from business institutions which have their being and can only live in the town, who are interested in the welfare of the town, and I cannot see what grounds there may be for supposing that their interests are opposed to the interests of the representatives of the general tax-payer.

12TH MARCH 1919.]

(Mr. Molony.)

With regard to the president, there may be some objections that the president's powers in detail are not great. The president now must be a whole-time officer and he at present exercises somewhat heterogeneous function of presiding over the corporation meetings. Either you must have this, or you must have a non-official president, presumably and perhaps certainly an honorary one. I submit that, if the detailed work of the corporation is to be placed on the shoulders of an honorary president, that is too much. The corporation work is not all done in the few meetings of the standing committee or in the monthly meetings of the corporation. It is on the whole a fairly laborious business. I can quote instances in support of what I say. A member of the corporation who condemned the Bill very strongly found fault with my arrangements in a certain matter in the corporation and perhaps very rightly. He seemed to be of opinion that it might be better done. He asked me for full information which I got him and sent to him in a box. I got the box back and he said 'I am a busy man, how can I read all this.'

"As regards the commissioner, the first point made against him is that he is the nominee of the Government. I venture to point out that the demand that he should not be, is a plant of extraordinarily recent growth. When the Bill was first discussed in the corporation, there was a considerable volume of opinion against the proposal of Government to give the corporation the right of appointing their own chief officers, the health officer, the engineer and the revenue officer. Things have changed; I am not speaking exactly as an official for the moment. If the corporation in course of time find they get on alright under this new system, I cannot see why they should not press for a commissioner of their own who need not be a Government servant. But I submit as I told the corporation, there is a homely American proverb that it is very much easier to get a fish hook in than to get it out. If you start with a commissioner appointed by yourself, you may find that it is very much easier to get him in than to get him out. The commissioner who is a Government official can be easily got rid of. He may be got rid of if he and his elected commissioners cannot agree. As to the great powers of the commissioner, I am sorry to say that all that it comes to is this: that the commissioner has the power of dealing directly with the contractors. I would ask my fellow commissioners: is this the be-all and the end-all; is the best privilege of councillors to come into contact with contractors? There are many present commissioners who have spoken to me of the intolerable nuisance caused to them individually by the present practice which is that when we have an important contract, they are pestered with circulars and with contractors sitting on their doors and worrying them. It is not dignified. Is it not better to put all this in the hands of the chief officer? When the corporation has decided a certain thing and whether it is to be done by a contract or otherwise, surely it is better to put it into the hands of its chief agent. As regards finance, I wish to correct the Hon'ble Mr. Ranga Achariyar's figures, though as he said I gave them to him myself. I must make a certain reservation. If you suppose that the present income from house property is to be reduced by 10 per cent, then he is certainly right. But it has been recognized all these years that a certain amount of rent is allowed to a man for his repairs. Suppose a man gets Rs. 27 rent per month. We say that he must have something for his repairs and so, instead of assessing him on the actual sum, the custom has been to allow him one month's rent and assess him on Rs. 24-8-0. If, with the coming of this new Act, every tax-payer presses for a reduction on the entered value of houses in the old registers of the corporation, the corporation will undoubtedly have to raise the rate of house-tax. But it will not, as the Hon'ble Mr. Ranga Achariyar quaintly says, place an extra burden on the goose. The tax-payer must be willing to pay what he could pay without undue discomfort. If the immediate putting into working of this reduction is insisted upon, it will have to be balanced by the increased rate of house-tax. But it will make the house-tax-payer no worse off than he is at present and it will restore equilibrium to the finances of the corporation. That is all I would say about it. On the more general point, I would submit that this Bill cannot be regarded altogether from the point of view of the house-tax-payer. No one wants to tax him unfairly but the Government of the city cannot be framed on the basis that the house-tax-payer should never, under any circumstances, pay more than he does at present. As regards municipal economy, there is one point on which I disagree with the Hon'ble Doctor Nayar. He spoke of doles, I do not know what he means by doles; it is often said that the money that the corporation receives for special works, drainage works, are doles. Speaking as president of the corporation, I dispute that. I say that this large undertaking was entered into with the sanction of the Government and it must have been with the knowledge that the carrying out of such a big work was outside the financial powers of the corporation. Undoubtedly the matter was entered into as a business arrangement and Government must have known that they should have to contribute to the municipality up to a certain limit and they have done so.

"The Hon'ble Dr. Nayar has also mentioned that this Bill reproduces all the bad principles of the old Act. Unfortunately he did not specify them but he said that in his time which I well remember, and also long before I came, the Corporation frequently sent up proposals to amend unworkable sections and the reply of the Government was that these would be attended to when the Act was amended. Is not that amendment being carried out now? If this Bill is put off, it simply means that you wish the Government to keep the municipality tied down by an Act which the municipality has often felt to be defective and which the Government have expressed their willingness to amend. I think that is all I need add. I have merely endeavoured to put in a few facts from what I know of the detailed working of the municipality. may leave the handling of the general points to the Honourable Member in charge."

(Mr. Rama Ayyangar.)

[12TH MARCH 1919.]

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, when the report of the Select Committee and the Bill reached me, I went carefully through the sections and the impression created in my mind was that we were working only in the old groove. I sent up my amendments in which I included sections 23, 73 and 80 and amendments to many other sections also. I have no doubt that the members of the Select Committee of whom we have had two mutassal municipal chairmen, the Hon'ble the Advocate-General, the Honourable Member in charge, the Hon'ble Mr. Ranga Achariyar, the Hon'ble Mr. Yaqub Hasan and others, I had no doubt that the Select Committee considered everything as carefully as they could and I have no doubt, as was pointed out by the Hon'ble Mr. Ramanuja Achariyar that they were left as much as possible to have their way and get their points discussed. But the real point which arose and which I thought has not been considered, was that they were proceeding on a draft which had been made many years before. I thought that all that had been put into the draft Bill was taken as the standard and I have no doubt they carefully discussed and tried to add to the powers of the corporation as much as they could, that they were *bona fide* in their endeavours and that they tried to do whatever was possible and whatever they thought they could. I do not object to that. But I quote the Hon'ble Mr. Ramanuja Achariyar against himself for him to come to the conclusion that it does not satisfy most of us, the public and the non-official members here. That quotation is this. In a previous meeting he said that he was himself running in a particular groove while he was a Government servant and even after some time after he joined this Council, he continued to run in the same groove. But after he was able to dissociate himself from that groove, he was able to see all points more clearly and the interests of the masses looked to him so important as to change his views and differ from the Government very often. I should quote it here for this reason. I have not the slightest doubt that he and the Hon'ble Mr. Subbarayalu Reddiyar who have been on the Committee sifted every question very carefully; but I dare say they remembered their budget of the municipal councils which used to be corrected by the Secretariat and sent back for adoption, for otherwise it would not be passed. Probably that was most in their minds at the time they sat there. Every district board, taluk board and municipal council sent forth its budget and even small alteration, by way of an addition of Rs. 50 in the pay of any individual is corrected and sent back for being adopted by the council. And they are more often forced to adopt than reject it. I have no doubt that the atmosphere created in and about them remained with them at the time when this Bill was considered in the Select Committee. Of course it may be said that they really considered other positions also, but as I said at the commencement, the impression left in my mind after I saw the report of the Select Committee and the Bill was that they were moving in that old groove and they thought that every power was with the Government and they were only trying to give away as much as they thought could be given away to the corporation. It was more or less a gift that they were making. That is the view they took of it and my impression is that in every section there was a tough fight whether there should be this gift. They did not start with the impression that as per the recent developments, the recent resolution of the Government of India on local self-government—they did not start with the presumption that the whole power and administration should be left to the whole body and only such restrictions should be placed upon those powers as were actually needed. I strongly feel that that was the position that was taken by the Select Committee and if I may be allowed to say so, the Madras Corporation and the Honourable Member representing the Madras Corporation were more or less in the old atmosphere. They did not place before the Select Committee as freely as they ought to have done, basing their position more on present principles than on what they thought they might be able to manage to get from the Government. This has been my view and when I came here and consulted the Hon'ble Mr. Ranga Achariyar in connexion with section 23 of this Bill, he thought he had gained a great point by having as clause (2) of section 24, the position where he could use it for purposes even to divert the view of the commissioner. Section 24 says: 'The standing committees and the commissioner shall be bound to give effect to every resolution of the council unless such resolution is cancelled in whole or in part by the Governor in Council.' He thought that this was an engine, that this section gave them the power with which he could so manipulate section 23 which says 'Subject to the provisions of this Act the municipal government of the city shall vest in the council, but the council shall not be entitled to exercise functions expressly assigned by or under this Act or any other law to a standing committee or the commissioner.' He thought that section 24 would enable him to control clause 23 (1) by so passing resolutions that it will become impossible for the commissioner to take action against the will of the corporation. That was the argument he advanced to me. I can quite well understand his feeling in the matter but I have no doubt that he was thinking of the old state of affairs of the draft Bill of 1910 which was amended by the draft Bill of 1916, the history of which was given by the Honourable Member in charge at the commencement. Therefore, when he was able to introduce such doubtful provisions—I do not think if the express provisions allow me to make an arrangement—he thought it was a grand success and I will accuse the corporation also of the same position. The resolution passed by the corporation is a resolution they had thought of more recently and they had not been consistently keeping the whole matter in their view. In corroboration of that statement, I will refer to the recent resolution of the Government of India, dated 16th May 1918. I have no doubt that this resolution

12TH MARCH 1919.]

(Mr. Rama Ayyangar.)

was specially made suitable to the conditions of Madras on a special representation by this Government; whether it was Your Excellency's personal interview or the representation of the Government, there are passages in this that show that though the Government of India were prepared to issue instructions for the whole of India, they would pay attention to Madras as a special case where they would restrict it to a certain extent and even in regard to the restrictions, they gave their opinions boldly and clearly. In paragraph 8 they say: 'So long as the executive officer of a city is protected from the possible caprices of a board by provisos requiring that, though his nomination may be by the board, his appointment should be approved by Government and that he should not be removed without the sanction of the Government unless by the vote of a substantial majority of the board, it is not necessary to require that the executive officer should be a Government official, and competent men can be appointed to the post who have not been or no longer are in Government service. A system of executive officers on the above general lines has been rendered possible in the cities of the Bombay Presidency by legislation passed in 1914, and in the United Provinces by the United Provinces Municipalities Act of 1916: while a similar system is contemplated by the legislation now under consideration for the corporations of Calcutta and Madras.

"I refer to this passage with respect to the question of the commissioner and his nomination and appointment. For Madras, the matter has been specially considered and what is suggested is on the lines in these places where we find that nomination vests with the corporation and if the Hon'ble Mr. Ranga Achariyar even in this present resolution recommended a panel, I thought he had not kept this in view. That was the legislation apparently discussed when this Government Order was issued. Therefore, I submit that the Select Committee did go into it, only on the provisions of the Bill as drafted prior to this Government Order and they were only confined to their experience of present control and they thought they were so much freeing the Madras Corporation from such control that they thought they were handing away so much wealth to them. I will refer to one other passage though it does not refer to municipal bodies. That matter was again specifically considered for Madras. In paragraph 9 it is said:

'The circumstances of district boards and of large subdivisional boards, such as those in Madras, are materially different from those of municipalities, since they need much more time and widely extended travelling on the part of the head of the board if the work is to be satisfactorily carried out.'

"We can see there that Madras has made a special case. The Government of India say: 'The Government of India would urge Provincial Governments to arrange for the election of chairmen, wherever this is possible, and where this is not possible to encourage the appointment of non-official chairmen.'

"Here again, they have gone into the question in detail that even when such pleas are urged that the taluk board areas are large and that we want people that must travel all through, even there, they have given specific instructions that only subject to conditions laid therein, the chairmen must be non-officials and only in special cases they would allow officials to be elected. If the Local Boards Act was started with this before us, the whole frame-work of the Act would be different from the Local Boards Act which was prepared ten years ago or after the resolution of the Government of India of 1915. My contention is that the Select Committee when they went into this were purely confining themselves to the exceptional powers they were transferring to the corporation and they thought that the corporation was the sole body to manage their own affairs and as much conditions should be put upon it as would be necessary in the interests of securing efficient administration. I can also quote a section here which would have given sufficient power to the Government to see that there is no abuse and this is clause 44 of the present Bill. I read it because I know if that power is given, it gives all the power necessary to control local bodies. Section 44 says: 'The president shall submit to the Governor in Council copies of all resolutions and all by-laws. (2) The Governor in Council may at any time by notification—(a) cancel any resolution in whole or in part on the ground that it is in excess of the powers conferred by this Act or by any rules made under this Act; (b) repeal wholly or in part or modify any by-law; provided that before taking any action under this sub-section the Governor in Council shall communicate to the Council the grounds on which he proposes to do so, fix a reasonable period for the Council to show cause against the proposal and consider its explanation and objections, if any. (3) The repeal or modification of any by-law shall take effect from the date of publication of the notification, if no date is therein specified, and shall not affect anything done, omitted or suffered before such date.' Suppose there was that one section alone which gave the Government power to interfere, I will add to it another provision that the approval of the Government is necessary for the commissioner to be nominated by the Council and that he ought not to be removed unless by the vote of a substantial majority—suppose there were only these two provisions without the Government having the power to interfere and without adding the other powers that were given there, would it not allow the corporation complete control over its affairs subject to any difficulty arising being avoided? When they misbehave so badly, that their resolution should, in the opinion of the Government be cancelled, power is reserved to the Government. The commissioner cannot be removed except by adverse voting. Any attempt at restricting their powers should be started from that basis. Then I have no doubt that several sections would not have found a place. The whole thing was discussed as though everybody was put under a bondage by the present budget rules and every bit of thing that was given away was considered so much of gift. That is the position and I have no doubt that the Hon'ble Mr. Ramanuja Achariyar was absolutely *bona fide* in his statement. If he takes the other view, I have no doubt he will be as

(Mr. Rama Ayyangar; the President; Mr. Ranga Acharyar; [12TH MARCH 1919.
Mr. Rajagopala Acharyar.)

strong in that view as he is now. He may say that he has not considered that point of view. That is the belief in my mind after a perusal of all these papers. The Hon'ble Mr. Ranga Acharyar has not also done all that he should have done and the corporation has not done all that it should have done. Even in his resolution before the Council he only recommended a panel system and there was no amendment on the point that I mentioned. I do not want to repeat the observations made by most Honourable Members; I do feel that we have spent a considerable time. I should think all this time is not wasted as was suggested by the Hon'ble Dr. Nayar; except the consideration of a few sections the rest of the Bill need not be altered. The only question is whether the corporation should be bound by so many questions especially when there is no final statement about the improvement of the finances of the corporation. The question is whether under these circumstances, it is not a matter which ought to be put off."

His Excellency the PRESIDENT:—"I shall ask the Hon'ble Mr. Ranga Acharyar to reply and then I shall call upon the Hon'ble Mr. Rajagopala Acharyar."

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"The matter has been so thoroughly discussed and all aspects have been placed before the Council that I have very little to add. Everybody is satisfied that the financial resources of the corporation have not been placed on a sound footing and, as I mentioned already, finance is the heart of every organization, political or otherwise. That can be set right in a few months as the Honourable Member in charge hopes to do; and if that be so, I do not see why the Government should not accept my motion for postponement though not for two years, at least for six months or one year. That is all I wish to say about this aspect."

"I am quite surprised to hear my Honourable Friend Mr. Ramanuja Acharyar comparing land revenue for imperial purposes of taxation with house-tax for purposes of local taxation. That he should compare the two things seems to me, with all respect to his experience, absurd. It seems to be his grievance that Madras has not come to the rescue of the mufassal in protesting against the 50 per cent land revenue policy. Having been engaged in studying these questions and educating the public on the land revenue policy of Government, I dare say he has got a legitimate grievance against the Madras rate-payers that they did not sufficiently support him; but if that is the reason which operates on his mind, I ask him to forgive Madras on this occasion and see that the city gets fair treatment. On the same principle, if the Honourable Member will only reflect for a moment it may be said, that on all house property in the mufassal municipalities, 50 per cent should be paid for local purposes. How absurd it looks. I wonder that he made any such suggestion. The Honourable Member also suggested that there is a better way of controlling water-supply and he said that we would have inexhaustible sources of revenue. The people are now using 32 gallons per head whereas they could use only 25 gallons. It should be controlled. We have now about 55,000 houses in Madras and about 40,000 connexions. We have only a few hundred meters which are now available. We have been trying to get meters, but we have not succeeded. I do not know if war conditions will permit us getting meters for another three or four years. I am really surprised that the Hon'ble Mr. Ramanuja Acharyar with all his experience should be gulled into this belief that by regulating water, we are going to enhance the resources of the corporation; on the other hand, does he not feel as one who bathes in the river Cauvery every day that we want plenty of water, not like Europeans who take a bucketful of water or who are accustomed to bathe in tubs; but we are accustomed to bathe in flowing water, and how hard it will be on the poor rate-payers if you are going to inflict this further hardship on them? Not living in Madras, he has not realized this danger which we commissioners have to face and if you are now going to put on this source of taxation to make the supply of water which is our primary duty an elastic source of revenue, as my Honourable Friend would have it, it seems to me it will be very hard. My Honourable Friend complained that the corporation gave away an excellent opportunity which was given to them to put this surcharge on income-tax. He quite forgets that that surcharge was to be levied with the previous consent of the Governor in Council and the Governor-General in Council. We know how hard the Government of India are in interfering with income-tax especially in these days. What with the increased rate of taxation, what with the excess profits tax, what with the supertax, does any sane man expect that the Government of India would give their consent to put a surcharge on income-tax? Would not the same argument apply, would not every municipality and every local body claim to put a surcharge on income-tax in every local area? Would not all these objections apply? Does not my Honourable friend see that the Government of India would have knocked it on the head even if the corporation had consented? Why blame the corporation for that?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYAR:—"The Government of India agreed to it, but it was the corporation who opposed it."

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"I hope the Honourable Member will verify that fact. I do not think that the Bill of 1916 went up to the Government of India for sanction. I know it was introduced only for the purpose of criticism. All these objections might be urged if we were to interfere."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYAR:—"I have verified that. The Government of India told us that they had no objection to a surcharge on income-tax provided it did not exceed 50 per cent. The corporation said 'we do not want it, it will affect a large number unduly' and they objected to it."

12TH MARCH 1919.] (Mr. Ranga Acharyar; Mr. Rajagopala Acharyar.)

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"I am not aware of it. I am thankful to the Honourable Member for that information. But after all, even the Honourable Member claims that it would give about 4 lakhs extra; by regrading the profession tax, we would get about 2 lakhs and odd; and therefore we have not lost much."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYAR:—"The difference would have been an extra 4 lakhs."

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"All of us felt, especially the business people felt that it would be a great hardship to allow local bodies to impose a surcharge on income-tax. The Government agreed with us and now it does not lie in their mouth to say that the fault lies with the corporation. If the corporation were so foolish, how did the Government agree to it? Why did they consent to it? The corporation has no power to enforce their demand on the Government and therefore they could not charge the corporation. In my own view, it would have been a most unpopular tax and the corporation did a wise thing in not accepting it. Therefore this method that we have adopted, namely, of continuing the professional tax is more popular. The surcharge on income-tax on the other hand, would have been most unwelcome."

"As regards the unearned increment, I do not think any one of us was enamoured of that proposal with all those logarithms and tables which very few can understand and the Honourable Member in charge had to invoke the assistance of a great mathematician in order to aid him in framing those sections; how the poor rate-payers are going to benefit by such a provision of law is rather difficult to comprehend. I know that the Hon'ble Dr. Nayar has always been a keen advocate of appropriating what is called this unearned increment. We are not now called upon to discuss the merits and demerits of that question. There again, the corporation congratulate themselves that the Government of Madras agreed with them in their view of the policy. It is merely to find an argument to give the corporation a bad name that it is mentioned now. I quite admit that the objection to the appointment of a commissioner by the Government is a recent one."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYAR:—"Very recent."

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"But it does not lose its value because it is very recent. As pointed out by the Hon'ble Mr. Rama Ayyangar, we have been moving in grooves. I do not claim that I have been taken out of the groove. I wish I had been taken out of it earlier. We are all beginning to entertain new ideas, new hopes, new aspirations and is it a crime to make this modest proposal about the appointment of a commissioner?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYAR:—"When was the proposal made?"

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"It was made in time."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYAR:—"Was the proposal made by the Corporation?"

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"They did not."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYAR:—"Did the Honourable Member make it in the Select Committee?"

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"No."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYAR:—"The Honourable Member makes it only to-day."

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"I do not make the proposal to-day. I suggested it two months ago when I sent in my amendment to the Bill about the introduction of the panel system. The Hon'ble Mr. Molony suggested that we should be satisfied with stages and that will give us some voice in the nomination of the commissioner who is going to enjoy the liberties of his office in the corporation. I quite admit that the Hon'ble Mr. Rama Ayyangar is quite right in accusing me of not having read the resolution of the Government of India, 1918, but my Honourable Friend did not read it too; because otherwise, he would have sent in notice of an amendment. I remember distinctly well after the discussion on the panel question was over, the Honourable Gentleman rushed up to me and said 'what a fool you are, you did not mention it to the Council.' I pleaded guilty and I plead guilty now. If I had read it carefully I should have. I expected the Honourable Member in charge to have read it and digested it and inwardly tried to obey it. If the Honourable Member in charge did not do it, we, non-official members who have to attend to these duties in addition to other duties which are taxing—what could we do? I plead guilty. It is not too late; I moved it at the last meeting and it might have been accepted; but the Honourable Member ridiculed the idea. What is the objection to recent amendments? If we had made it earlier, would it have been accepted?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYAR:—"I am asked what I would have done if the Honourable Member had done something which he did not do. It is profitless to speculate."

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"It is merely an empty argument which cannot carry conviction. There is no use accusing us of bringing forward recent amendments. If the attitude of the Government was one of acceptance, I would have regretted that I came forward recently, but even if I had brought it in August or in September, my Honourable

(Mr. Rama Ayyangar; the President; Mr. Ranga Acharyar; [12TH MARCH 1919.
Mr. Rajagopala Acharyar.]

strong in that view as he is now. He may say that he has not considered that point of view. That is the belief in my mind after a perusal of all these papers. The Hon'ble Mr. Ranga Acharyar has not also done all that he should have done and the corporation has not done all that it should have done. Even in his resolution before the Council he only recommended a panel system and there was no amendment on the point that I mentioned. I do not want to repeat the observations made by most Honourable Members; I do feel that we have spent a considerable time. I should think all this time is not wasted as was suggested by the Hon'ble Dr. Nayar; except the consideration of a few sections the rest of the Bill need not be altered. The only question is whether the corporation should be bound by so many questions especially when there is no final statement about the improvement of the finances of the corporation. The question is whether under these circumstances, it is not a matter which ought to be put off."

His Excellency the PRESIDENT:—"I shall ask the Hon'ble Mr. Ranga Acharyar to reply and then I shall call upon the Hon'ble Mr. Rajagopala Acharyar."

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"The matter has been so thoroughly discussed and all aspects have been placed before the Council that I have very little to add. Everybody is satisfied that the financial resources of the corporation have not been placed on a sound footing and, as I mentioned already, finance is the heart of every organization, political or otherwise. That can be set right in a few months as the Honourable Member in charge hopes to do; and if that be so, I do not see why the Government should not accept my motion for postponement though not for two years, at least for six months or one year. That is all I wish to say about this aspect."

"I am quite surprised to hear my Honourable Friend Mr. Ramannuja Acharyar comparing land revenue for imperial purposes of taxation with house-tax for purposes of local taxation. That he should compare the two things seems to me, with all respect to his experience, absurd. It seems to be his grievance that Madras has not come to the rescue of the mufassal in protesting against the 50 per cent land revenue policy. Having been engaged in studying these questions and educating the public on the land revenue policy of Government, I dare say he has got a legitimate grievance against the Madras rate-payers that they did not sufficiently support him; but if that is the reason which operates on his mind, I ask him to forgive Madras on this occasion and see that the city gets fair treatment. On the same principle, if the Honourable Member will only reflect for a moment it may be said, that on all house property in the mufassal municipalities, 50 per cent should be paid for local purposes. How absurd it looks. I wonder that he made any such suggestion. The Honourable Member also suggested that there is a better way of controlling water-supply and he said that we would have inexhaustible sources of revenue. The people are now using 32 gallons per head whereas they could use only 25 gallons. It should be controlled. We have now about 55,000 houses in Madras and about 40,000 connexions. We have only a few hundred meters which are now available. We have been trying to get meters, but we have not succeeded. I do not know if war conditions will permit us getting meters for another three or four years. I am really surprised that the Hon'ble Mr. Ramannuja Acharyar with all his experience should be gulled into this belief that by regulating water, we are going to enhance the resources of the corporation; on the other hand, does he not feel as one who bathes in the river Cauvery every day that we want plenty of water, not like Europeans who take a bucketful of water or who are accustomed to bathe in tubs; but we are accustomed to bathe in flowing water, and how hard it will be on the poor rate-payers if you are going to inflict this further hardship on them? Not living in Madras, he has not realized this danger which we commissioners have to face and if you are now going to put on this source of taxation to make the supply of water which is our primary duty an elastic source of revenue, as my Honourable Friend would have it, it seems to me it will be very hard. My Honourable Friend complained that the corporation gave away an excellent opportunity which was given to them to put this surcharge on income-tax. He quite forgets that that surcharge was to be levied with the previous consent of the Governor in Council and the Governor-General in Council. We know how hard the Government of India are in interfering with income-tax profits tax, what with the supertax, does any sane man expect that the Government of India would give their consent to put a surcharge on income-tax? Would not the same argument apply, would not every municipality and every local body claim to put a surcharge on income-tax in every local area? Would not all these objections apply? Does not my Honourable friend see that the Government of India would have knocked it on the head even if the corporation had consented? Why blame the corporation for that?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYAR:—"The Government of India agreed to it, but it was the corporation who opposed it."

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"I hope the Honourable Member will verify that fact. I do not think that the Bill of 1916 went up to the Government of India for sanction. I know it was introduced only for the purpose of criticism. All these objections might be urged if we were to interfere."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYAR:—"I have verified that. The Government of India told us that they had no objection to a surcharge on income-tax provided it did not exceed 50 per cent. The corporation said 'we do not want it, it will affect a large number unduly' and they objected to it."

12TH MARCH 1919.] (Mr. Ranga Acharyar; Mr. Rajagopala Acharyar.)

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"I am not aware of it. I am thankful to the Honourable Member for that information. But after all, even the Honourable Member claims that it would give about 4 lakhs extra; by regrading the profession tax, we would get about 2 lakhs and odd; and therefore we have not lost much."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYAR:—"The difference would have been an extra 4 lakhs."

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"All of us felt, especially the business people felt that it would be a great hardship to allow local bodies to impose a surcharge on income-tax. The Government agreed with us and now it does not lie in their mouth to say that the fault lies with the corporation. If the corporation were so foolish, how did the Government agree to it? Why did they consent to it? The corporation has no power to enforce their demand on the Government and therefore they could not charge the corporation. In my own view, it would have been a most unpopular tax and the corporation did a wise thing in not accepting it. Therefore this method that we have adopted, namely, of continuing the professional tax is more popular. The surcharge on income-tax on the other hand, would have been most unwelcome."

"As regards the unearned increment, I do not think any one of us was enamoured of that proposal with all those logarithms and tables which very few can understand and the Honourable Member in charge had to invoke the assistance of a great mathematician in order to aid him in framing those sections; how the poor rate-payers are going to benefit by such a provision of law is rather difficult to comprehend. I know that the Hon'ble Dr. Nayar has always been a keen advocate of appropriating what is called this unearned increment. We are not now called upon to discuss the merits and demerits of that question. There again, the corporation congratulate themselves that the Government of Madras agreed with them in their view of the policy. It is merely to find an argument to give the corporation a bad name that it is mentioned now. I quite admit that the objection to the appointment of a commissioner by the Government is a recent one."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYAR:—"Very recent."

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"But it does not lose its value because it is very recent. As pointed out by the Hon'ble Mr. Rama Ayyangar, we have been moving in grooves. I do not claim that I have been taken out of the groove. I wish I had been taken out of it earlier. We are all beginning to entertain new ideas, new hopes, new aspirations and is it a crime to make this modest proposal about the appointment of a commissioner?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYAR:—"When was the proposal made?"

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"It was made in time."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYAR:—"Was the proposal made by the Corporation?"

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"They did not."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYAR:—"Did the Honourable Member make it in the Select Committee?"

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"No."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYAR:—"The Honourable Member makes it only to-day."

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"I do not make the proposal to-day. I suggested it two months ago when I sent in my amendment to the Bill about the introduction of the panel system. The Hon'ble Mr. Molony suggested that we should be satisfied with stages and that will give us some voice in the nomination of the commissioner who is going to enjoy the liberties of his office in the corporation. I quite admit that the Hon'ble Mr. Rama Ayyangar is quite right in accusing me of not having read the resolution of the Government of India, 1918, but my Honourable Friend did not read it too; because otherwise, he would have sent in notice of an amendment. I remember distinctly well after the discussion on the panel question was over, the Honourable Gentleman rushed up to me and said 'what a fool you are, you did not mention it to the Council.' I pleaded guilty and I plead guilty now. If I had read it carefully I should have. I expected the Honourable Member in charge to have read it and digested it and inwardly tried to obey it. If the Honourable Member in charge did not do it, we, non-official members who have to attend to these duties in addition to other duties which are taxing—what could we do? I plead guilty. It is not too late; I moved it at the last meeting and it might have been accepted; but the Honourable Member ridiculed the idea. What is the objection to recent amendments? If we had made it earlier, would it have been accepted?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARYAR:—"I am asked what I would have done if the Honourable Member had done something which he did not do. It is profitless to speculate."

The Hon'ble Rao Bahadur T. RANGA ACHARYAR:—"It is merely an empty argument which cannot carry conviction. There is no use accusing us of bringing forward recent amendments. If the attitude of the Government was one of acceptance, I would have regretted that I came forward recently, but even if I had brought it in August or in September, my Honourable

(Mr. Ranga Achariyar; the President.)

[12TH MARCH 1919.]

Friend would have laughed it out. It is time that we leave off scoring a point in debate. We are men of business trying to deal with business matters for the benefit of a larger public. Let us not be deluded by such arguments. My Honourable Friend Mr. Molony could not understand what doles meant. At his instance, I have been begging in this Council for grants for this purpose or that purpose. As regards even the special works, water-works and drainage works, he quite rightly says that we are in partnership with Government, but even there Government refused to make us any grants last year and for a long time we were at our wits' end how to go on with the current work. We illegally appropriated the current revenues for carrying on the work; I know that the Government Member objected to it. We were about to be taken to task for having illegally appropriated our current revenues for special work. I had to force a grant out of the Government by bringing a resolution asking for the stoppage of all special works and the Special Engineer had to be called up to Ootacamund in order to plead personally with the Government in order to get that grant; and but for that, but for those special efforts made we would have had to close our special workshop last year. That was the condition of affairs. It is all quite right to say that the Government were partners; but they did not realize that responsibility as partners last year. And the Hon'ble Mr. Molony and myself are quite aware of the serious trouble we had last year over that. All these troubles are forgotten when we get a new Act. If we are going to continue in the same fashion, I refuse to be a party to any such measure, which places the corporation again in that continuous beggarly situation. That is my serious objection. My serious objections are only two. The commissioner is not a nominee of the corporation, his powers are great; and the financial resources are absolutely nil.

"I quite admit that there has been a liberalization in the sections relating to franchise. Females have been given votes, and various other internal improvements are made. They will be available for the new member. It is all there, our labour is not lost; only we will not have the credit. It is too small a matter to have the credit, it is taking too narrow a view of the situation to say that this Government will not have the credit. We are working for the good of the people; let us do it in a right royal fashion, not in this niggardly fashion, hoping for amendments. There is one statement made by the Hon'ble Mr. Molony as regards property tax. In practice this 10 per cent is allowed he says. I own 20 houses in Madras and I pay my full assessment without any reduction for repairs. He has not been kind enough to allow me any reduction and I pay a considerable sum. And there may be hundreds of cases like that. There may be stray cases here and there where reduction is allowed. But I cannot claim it and no man will claim it when the law does not allow it. I do not think that is a factor which you can count upon. There is no use saying that after careful valuation, you can increase it. Are you going to rely upon these things when you are going to place the corporation on a sound financial footing? I do not think much can be gained by that sort of thing. As regards those sections which require amendment, which the corporation have been sending round very often, they are not very urgent matters. We have got on for years. Madras is not going to suffer from a deluge because those sections are not amended. I do not think we will suffer by this Act not being passed. My Honourable Friend Mr. Rama Ayyangar has called in question, the legal interpretation about sections 23 and 24 if this Bill is going to be passed into law. I dare say that he will enter into a discussion, but I do think I am right and he is wrong in the view that he has taken. One word about the work of the Select Committee. We had to work under great pressure and in fact it was very difficult for me to attend at 4 p.m. when the court goes on till 5 p.m. I had to come late very often and although sufficient facilities were given to go back, still when we had to consider 400 and odd sections, sitting for three months almost continuously every week, if we had over-looked certain matters under such circumstances, is it a crime? We have come in time to amend those sections and if the Government do not see their way to amend them, we say that substantially this is no advance. No doubt there is an advance in the constitution. I thankfully recognize and the corporation gratefully acknowledges this. But what is the good of the constitution without something to work upon? That is the chief defect. I therefore appeal most earnestly to Your Excellency's Member to come to some arrangement with the consent of the Government of India, and I do not think it will be a great hardship indeed. I therefore strongly urge that this proposition of mine might be accepted."

His Excellency the PRESIDENT:—"We are all anxious to consult the convenience of Honourable Members. My Honourable colleague is ready to reply and finish it now. The other course will be to meet at 11 a.m. to-morrow. (Several Members were in favour of adjourning the meeting.) We will meet at 11 a.m. to-morrow."

The Council adjourned till 11 a.m. on Thursday, the 13th day of March 1919.

H. G. STOKES,
Acting Secretary to Govt., L. & M., (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Thursday, the 13th day of March 1919.

P R E S E N T :

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.S.I., G.C.I.E., Governor of Madras—*Presiding*.
The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.
The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.
The Hon'ble Mr. L. DAVIDSON, C.S.I.
The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O., O.B.E.
The Hon'ble Mr. L. E. BUCKLEY, C.S.I.
The Hon'ble Mr. A. Y. G. CAMPBELL, C.I.E.
The Hon'ble Lieut.-Col. W. J. NIBLOCK, I.M.S.
The Hon'ble Mr. W. J. J. HOWLEY.
The Hon'ble Mr. W. HUTTON.
The Hon'ble Mr. R. INTILEHAILES.
The Hon'ble Mr. N. E. MARJORIBANKS.
The Hon'ble Mr. J. O. MOLONY.
The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.
The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).
The Hon'ble Mr. H. G. STOKES, C.I.E.
The Hon'ble Mr. O. G. TUDHUNTER.
The Hon'ble Mr. M. YOUNG.
The Hon'ble Mr. R. B. WOOD.
The Hon'ble Rao Bahadur T. RANGA ACHARIYAR Avargal.
The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.
The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO PANTULU Garu.
The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.
The Hon'ble Mr. P. SIVA RAO.
The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.
The Hon'ble Mr. B. V. NARASIMHA AYYAR.
The Hon'ble Mr. K. SADASIVA BHAT.
The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.
The Hon'ble Mr. K. RAMA AYYANGAR.
The Hon'ble Sri RAJA RAO VENKATA KUMARA MAHIPATI SURYA RAO Bahadur, Raja of Pithapuram.
The Hon'ble B. RAJA RAJESWARA SETUPATI alias MUTTURAMALINGA SETUPATI Avargal, Raja of Ramnad.
The Hon'ble Mr. B. VENKATAPATI RAJU.
The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.
The Hon'ble Yaqub Hasan Sahib Bahadur.
The Hon'ble Sir GORDON FRASER, Kt.
The Hon'ble Mr. J. H. THONGER.
The Hon'ble Sir FAIRLESS BARBER, Kt.
The Hon'ble the Most Rev. JOHN AILEN, D.D.
The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR Avargal.
The Hon'ble Mr. T. RICHMOND.
The Hon'ble Sir FRANCIS SPRING, K.C.I.E.
The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NATUDU Garu.
The Hon'ble Raja, RAJA SRI RAO VENKATA KUMARA KRISHNA RAMA RAO Bahadur, of Bobbili.

(The President; Mr. Rajagopala Achariyar;
Mr. Yaqub Hasan; Mr. Richmond;
Mr. Ranga Achariyar.)

[13TH MARCH 1919.

The Council re-assembled at 11 a.m. when the discussion on the City Municipal Bill was resumed.

His Excellency the PRESIDENT:—"I call upon the Hon'ble Mr. Rajagopala Achariyar to resume the debate on the City Municipal Bill."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I think the first thing that I would ask the Council to do is to remember at what stage the Bill now is. I rather fear from the trend of the discussion yesterday that this aspect of the matter has not been quite realized. We have had a great deal of discussion as to the first principles of the Bill. We were told how, in view of the impending reforms, it was inopportune to bring this Bill forward and we were treated to a detailed criticism of a large number of its provisions. May I point out to the Council in the first place that the question whether this is the opportune moment to take up and deal with this legislation has been already disposed of when this Bill was introduced? Many of the arguments now brought forward were then brought forward. When I introduced this Bill, the Montagu-Chelmsford reforms had been announced, the resolution of the Government of India had been issued and Honourable Members knew what they were dealing with, and I distinctly remember in the debate—and I am sure Honourable Members remember the debate—that these things were considered and the Council came to the conclusion that the Bill should be accepted in principle and proceed with. The Hon'ble Mr. Ramachandra Rao rightly drew attention even at that early stage to the financial provisions. He pointed out to us how, in view of the restrictions on Provincial Governments, possibly we might not be able to go far in the direction of improving the resources of the Corporation. I quite remember that and I mention it for the purpose of indicating that it is not a new thing that he has stated now. He has stated that before; we have all considered it and the Council came to the conclusion that we should accept the Bill in that stage and proceed with the consideration of its details. Then it was referred to a Select Committee which was purposely so constituted, with Your Excellency's permission, as to give non-official members a predominating majority. Out of eleven members, four came from the Madras Corporation—the Hon'ble Mr. T. Ranga Achariyar, the Hon'ble Sir Gordon Fraser, the Hon'ble Mr. Yaqub Hasan and the Hon'ble Mr. Richmond; four came from the Corporation and two were experienced municipal chairmen in the mufassal—the Hon'ble Mr. Ramanuja Achariyar and the Hon'ble Mr. Subbarayalu Reddiyar."

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"The Hon'ble Mr. Richmond is not a member of the Corporation."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I beg your pardon. He was for a long time."

The Hon'ble Mr. T. RICHMOND:—"I was on the Corporation."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The Trades Association was represented by the Hon'ble Mr. Thonger and there were only four officials—myself, Mr. Graham, the Hon'ble the Advocate-General and the Hon'ble Khan Bahadur Aziz-ud-din-Sahib. The official element was in such a hopeless minority that we came to the conclusion at a very early stage, at the instance of the Hon'ble Mr. Aziz-ud-din, that we should not try to keep up any solidarity and that we might give ourselves a considerable amount of liberty in regard to voting. I think I am revealing no secret when I say that in several of the divisions on these sections, we had the spectacle of officials voting against officials, just as non-officials voted against non-officials. I mention that to indicate the spirit in which we entered on our labours. We did not start with a cut and dried scheme."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I wish a record had been kept of the proceedings of the Select Committee."

His Excellency the PRESIDENT:—"I wish the Honourable Member may not be interrupted."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I most heartily endorse that wish. I am mentioning the facts, but I am not going into the merits of what took place. Every one of us has got a right to change our opinions and it is far from my wish to say that any of us should continue to be of the same opinion in regard to any matter. That is the reason why we put in the last sentence of the report that this represents the view of the majority. I mention these things to indicate to the Council the spirit in which the Select Committee entered on its labours. The Select Committee went into the Bill with great care and the Bill with the report of the Select Committee again came before the Council and it was discussed for about five days and we are here now in the last stage. The first point I would ask the Council to consider is what exactly is the test that we should apply to this Bill at this stage. Is it a question of its opportuneness or is it a question of its detailed criticism or is it whether, in view of the time and labour expended on the Bill, in view of the financial situation of the Corporation, the Bill should not be passed, or whether it is so hopelessly bad that rather

13TH MARCH 1919.]

(Mr. Rajagopala Achariyar.)

than put such a rotten piece of legislation on the Statute Book, it is better to throw away all the time and labour spent upon it and to reserve the power to a later assembly three or four years hence, to start *de novo* with this piece of work?" (The Hon'ble Mr. B. V. Narasimha Ayyar:—"Hear, hear.")

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"That is the point which the Council has to consider. If any Honourable Member thinks that the Bill is so bad that it should be thrown overboard, it is his duty to vote against it; if any Honourable Member thinks that the Bill is substantially good though it does not go so far as he would wish, if he feels that though in a number of details he differs from the Bill, on the whole the Bill is one which should command his acceptance, then I say unhesitatingly that the Honourable Member is bound to vote for it. That is my construction of the duties of Honourable Members so far as this Bill is concerned. My experience of this Council, I admit, is much less than that of several Honourable Members sitting on these benches. May I venture to suggest that the distinction we generally draw between the introductory stage, the report stage and the final stage is intended to subserve a definite purpose, to concentrate attention upon particular aspects of the thing and if it is assumed that at every stage you are going to cover the whole ground and say that, till we produce a Bill which is satisfactory in every respect to every Honourable Member of the Council, it ought not to be passed, we shall commit ourselves to the absurdity that no piece of legislation can ever be passed in this Council. I do not want to over-state the case but I feel from the way in which isolated pieces of the Bill have been taken up and criticised during this final debate, as if that gave a reason why the Bill should not be passed, I rather fear that there is some amount of misapprehension in the minds of Honourable Members as to what exactly is the situation of the Bill and what test they should apply to it at this stage. I myself may not approve of some provisions in the Bill to which I have objected, but which I have accepted out of deference to my Honourable Friends in the Select Committee. It did not suggest itself to me that that would be enough for me to condemn the whole Bill."

"Having said that, let me ask Honourable Members to consider it. Do they think that the Bill is so bad that they feel bound honestly to throw it out? Can they say that this is a piece of legislation so pernicious, so rotten, so thoroughly bad that rather than put it on the Statute Book, we should throw away all the time and labour spent upon it both at meetings of this Council and at the very many meetings of the Select Committee? If any Honourable Member feels like that, he is certainly bound to vote against it; but if he does not, he takes upon himself a grave responsibility in recording his vote against the final passing of this law; in case he is voting against the Bill he will be committing himself to a view of legislation which will be found utterly unworkable in practice. I shall not, therefore, follow Honourable Members in found all those detailed criticisms which they put forward yesterday, but I admit that there are some all those detailed criticisms which they put forward yesterday, but I admit that there are some main principles in regard to which they are perfectly entitled to criticise and to say that those main principles are so thoroughly wrong in their opinion that they should throw the Bill overboard. So analysing it, I find that two main principles have been put forward in varying degrees by different Honourable Members. One was about the appointment and powers of the commissioner and another was about the financial resources. Of course, different Honourable Members stressed these two things in different ways, but I gather from a resume of the discussion yesterday that these were the two main things which were very much in their minds. Many of them felt that the appointment of a commissioner and the powers of the commissioner as they are laid down in this Bill are so thoroughly wrong that we should not accept the Bill. Many of them feel that the financial resources are so utterly inadequate that we should not accept the Bill. These are the two main objections, as far as I can remember the debate, which emerged from the discussion we had yesterday. Now I will take these two things one after another. Taking the commissioner first, there is the question firstly of his appointment and secondly of his powers. The Hon'ble Mr. Ranga Achariyar spoke very vigorously and the Hon'ble Mr. Siva Rao supported him and one or two other Honourable Members of Council felt strongly that the commissioner should not be a nominee of the Government, but should be appointed by the Corporation. I think the Hon'ble Mr. Ramanuja Achariyar pointed out that the Corporation did not at any time, or rather he said that the Honourable Member himself had not at any time asked for that being done. No amendment to that effect was brought forward in the Select Committee nor was any amendment to that effect brought forward in this Council. I say deliberately that no amendment to make the appointment of the commissioner vest in the hands of the Council was brought forward in any previous stage of the discussion, it was not put forward until yesterday. What Honourable Members might have been feeling or might have been speaking to one another about it, does not matter. No amendment was brought forward in this Council for the obvious reason that the Corporation which considered the Bill on several occasions, and which you will all admit has not been particularly friendly to this measure, has never claimed the right to appoint the commissioner, the Corporation did not at any time propose that it should be allowed to appoint the commissioner or to submit nominations to Government before the latter appoint the commissioner. At the meeting of the Corporation held on the 16th April 1917, one commissioner, Mr C. Srnivasa Achariyar, proposed that what was then clause 7 of the Bill should be amended so as to provide for the commissioner being appointed in consultation with the Corporation, but he subsequently withdrew the proposal. The feeling evidently in the minds of the Corporation and in the minds of Honourable Members here till a very late stage was that the best interests of the administration of the city would

(The President; Mr. Rajagopala Achariyar; [13TH MARCH 1919.
Mr. Yaqub Hasan; Mr. Richmond;
Mr. Ranga Achariyar.]

The Council re-assembled at 11 a.m. when the discussion on the City Municipal Bill was resumed.

His Excellency the PRESIDENT:—"I call upon the Hon'ble Mr. Rajagopala Achariyar to resume the debate on the City Municipal Bill."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I think the first thing that I would ask the Council to do is to remember at what stage the Bill now is. I rather fear from the trend of the discussion yesterday that this aspect of the matter has not been quite realized. We have had a great deal of discussion as to the first principles of the Bill. We were told how, in view of the impending reforms, it was inopportune to bring this Bill forward and we were treated to a detailed criticism of a large number of its provisions. May I point out to the Council in the first place that the question whether this is the opportune moment to take up and deal with this legislation has been already disposed of when this Bill was introduced? Many of the arguments now brought forward were then brought forward. When I introduced this Bill, the Montagu-Chelmsford reforms had been announced, the resolution of the Government of India had been issued and Honourable Members knew what they were dealing with, and I distinctly remember in the debate—and I am sure Honourable Members remember the debate—that these things were considered and the Council came to the conclusion that the Bill should be accepted in principle and proceeded with. The Hon'ble Mr. Ramachandra Rao rightly drew attention even at that early stage to the financial provisions. He pointed out to us how, in view of the restrictions on Provincial Governments, possibly we might not be able to go far in the direction of improving the resources of the Corporation. I quite remember that and I mention it for the purpose of indicating that it is not a new thing that he has stated now. He has stated that before; we have all considered it and the Council came to the conclusion that we should accept the Bill in that stage and proceed with the consideration of its details. Then it was referred to a Select Committee which was purposely so constituted, with Your Excellency's permission, as to give non-official members a predominating majority. Out of eleven members, four came from the Madras Corporation—the Hon'ble Mr. T. Ranga Achariyar, the Hon'ble Sir Gordon Fraser, the Hon'ble Mr. Yaqub Hasan and the Hon'ble Mr. Richmond; four came from the Corporation and two were experienced municipal chairmen in the mufassal—the Hon'ble Mr. Ramanuja Achariyar and the Hon'ble Mr. Subbarayalu Reddiyar."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"The Hon'ble Mr. Richmond is not a member of the Corporation."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I beg your pardon. He was for a long time."

The Hon'ble Mr. T. RICHMOND:—"I was on the Corporation."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The Trades Association was represented by the Hon'ble Mr. Thonger and there were only four officials—myself, Mr. Graham, the Hon'ble the Advocate-General and the Hon'ble Khan Bahadur Aziz-ud-din-Sahib. The official element was in such a hopeless minority that we came to the conclusion at a very early stage, at the instance of the Hon'ble Mr. Aziz-ud-din, that we should not try to keep up any solidarity and that we might give ourselves a considerable amount of liberty in regard to voting. I think I am revealing no secret when I say that in several of the divisions on these sections, we had the spectacle of officials voting against officials, just as non-officials voted against non-officials. I mention that to indicate the spirit in which we entered on our labours. We did not start with a cut and dried scheme."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I wish a record had been kept of the proceedings of the Select Committee."

His Excellency the PRESIDENT:—"I wish the Honourable Member may not be interrupted."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I most heartily endorse that wish. I am mentioning the facts, but I am not going into the merits of what took place. Every one of us has got a right to change our opinions and it is far from my wish to say that any of us should continue to be of the same opinion in regard to any matter. That is the reason why we put in the last sentence of the report that this represents the view of the majority. I mention these things to indicate to the Council the spirit in which the Select Committee entered on its labours. The Select Committee went into the Bill with great care and the Bill with the report of the Select Committee again came before the Council and it was discussed for about five days and we are here now in the last stage. The first point I would ask stage. Is it a question of its opportuneness or is it a question of its detailed criticism or is it whether, in view of the time and labour expended on the Bill, in view of the financial situation of the Corporation, the Bill should not be passed, or whether it is so hopelessly bad that rather

13TH MARCH 1919.]

(Mr. Rajagopala Achariyar.)

than put such a rotten piece of legislation on the Statute Book, it is better to throw away all the time and labour spent upon it and to reserve the power to a later assembly three or four years hence, to start *de novo* with this piece of work?" (The Hon'ble Mr. B. V. Narasimha Ayyar:—"Hear, hear.")

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"That is the point which the Council has to consider. If any Honourable Member thinks that the Bill is so bad that it should be thrown overboard, it is his duty to vote against it; if any Honourable Member thinks that the Bill is substantially good though it does not go so far as he would wish, if he feels that though in a number of details he differs from the Bill, on the whole the Bill is one which should command his acceptance, then I say unhesitatingly that the Honourable Member is bound to vote for it. That is my construction of the duties of Honourable Members so far as this Bill is concerned. My experience of this Council, I admit, is much less than that of several Honourable Members sitting on these benches. May I venture to suggest that the distinction we generally draw between the introductory stage, the report stage and the final stage is intended to subserve a definite purpose, to concentrate attention upon particular aspects of the thing and if it is assumed that at every stage you are going to cover the whole ground and say that, till we produce a Bill which is satisfactory in every respect to every Honourable Member of the Council, it ought not to be passed, we shall commit ourselves to the absurdity that no piece of legislation can ever be passed in this Council. I do not want to over-state the case but I feel from the way in which isolated pieces of the Bill have been taken up and criticised during this final debate, as if that gave a reason why the Bill should not be passed, I rather fear that there is some amount of misapprehension in the minds of Honourable Members as to what exactly is the situation of the Bill and what test they should apply to it at this stage. I myself may not approve of some provisions in the Bill to which I have objected, but which I have accepted out of deference to my Honourable Friends in the Select Committee. It did not suggest itself to me that that would be enough for me to condemn the whole Bill."

"Having said that, let me ask Honourable Members to consider it. Do they think that the Bill is so bad that they feel bound honestly to throw it out? Can they say that this is a piece of legislation so pernicious, so rotten, so thoroughly bad that rather than put it on the Statute Book, we should throw away all the time and labour spent upon it both at meetings of this Council and at the very many meetings of the Select Committee? If any Honourable Member feels like that, he is certainly bound to vote against it; but if he does not, he takes upon himself a grave responsibility in recording his vote against the final passing of this law; in case he is voting against the Bill he will be committing himself to a view of legislation which will be found utterly unworkable in practice. I shall not, therefore, follow Honourable Members in founding those detailed criticisms which they put forward yesterday, but I admit that there are some main principles in regard to which they are perfectly entitled to criticise and to say that those main principles are so thoroughly wrong in their opinion that they should throw the Bill overboard. So analysing it, I find that two main principles have been put forward in varying degrees by different Honourable Members. One was about the appointment and powers of the commissioner and another was about the financial resources. Of course, different Honourable Members stressed these two things in different ways, but I gather from a resume of the discussion yesterday that these were the two main things which were very much in their minds. Many of them felt that the appointment of a commissioner and the powers of the commissioner as they are laid down in this Bill are so thoroughly wrong that we should not accept the Bill. Many of them feel that the financial resources are so utterly inadequate that we should not accept the Bill. These are the two main objections, as far as I can remember the debate, which emerged from the discussion we had yesterday. Now I will take these two things one after another. Taking the commissioner first, there is the question firstly of his appointment and secondly of his powers. The Hon'ble Mr. Ranga Achariyar spoke very vigorously and the Hon'ble Mr. Siva Rao supported him and one or two other Honourable Members of Council felt strongly that the commissioner should not be a nominee of the Government, but should be appointed by the Corporation. I think the Hon'ble Mr. Ramanuja Achariyar pointed out that the Corporation did not at any time, or rather he said that the Honourable Member himself had not at any time asked for that being done. No amendment to that effect was brought forward in the Select Committee nor was any amendment to that effect brought forward in this Council. I say deliberately that no amendment to make the appointment of the commissioner vest in the hands of the Council was brought forward in any previous stage of the discussion, it was not put forward until yesterday. What Honourable Members might have been feeling or might have been speaking to one another about it, does not matter. No amendment was brought forward in this Council for the obvious reason that the Corporation which considered the Bill on several occasions, and which you will all admit has not been particularly friendly to this measure, has never claimed the right to appoint the commissioner, the Corporation did not at any time propose that it should be allowed to appoint the commissioner or to submit nominations to Government before the latter appoint the commissioner. At the meeting of the Corporation held on the 16th April 1917, one commissioner, Mr. C. Srivasa Achariyar, proposed that what was then clause 7 of the Bill should be amended so as to provide for the commissioner being appointed in consultation with the Corporation, but he subsequently withdrew the proposal. The feeling evidently in the minds of the Corporation and in the minds of Honourable Members here till a very late stage was that the best interests of the administration of the city would

(Mr. Rajagopala Achariyar ; Mr. Ranga Achariyar.) [13TH MARCH 1919.]

be served by leaving the appointment of the commissioner at any rate in the initial stages in the hands of the Government and I think that is a right conclusion. One Honourable Member asked us yesterday : what about the resolution of the Government of India on local self-government ? The resolution of the Government of India is from time to time brought up in this Council for this or that purpose. I have myself quoted it several times. The Hon'ble Mr. Siva Rao has quoted it several times, and I dare say in the next few days we shall quote it again ; but it is forgotten that in the whole frame-work of that resolution, it is not mandatory. It is expressly stated that these are the lines on which the Government of India would wish us to proceed. They do not lay down any rigid rules from which we should not depart. Honourable Members sometimes quote this or that passage from that resolution as though it were a sort of sruthi or smriti from which we cannot depart. The Government of India document is a human document, and with all respect to that Government, I may point out that they do not claim perfection or absolute infallibility. They have themselves warned us against acting upon that resolution in any such fashion. They have told us 'these are the lines upon which we expect the whole of India to proceed.' Being at the top they naturally wish to take a wider outlook, but they recognize that each local Government should adjust these things to its surroundings. The Hon'ble Mr. Ranga Achariyar asks us, assuming we were inattentive to this point of the commissioner being appointed by the Corporation, why did not the Government take note of it. I may venture to tell the Honourable Member that I knew it was an important point ; but it is not for me to put ideas which are wholly premature into the minds of the Honourable Members of Council. We are starting with the commissioner system for the first time in our life and is it excess of caution to say let the commissioner be appointed by the Government, so that later on, the question of his being the nominee of the Corporation may be considered ? Is it unreasonable ? I wholly fail to see the significance or the extraordinary importance which was attached yesterday to the appointment of the commissioner."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" May I ask whether that opinion was communicated to the Government of India ?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" Yes. The Government of India are in full possession of our views not only with regard to the City Municipal Bill but with regard to their own resolution and the Government of India have never attempted to force anything upon us ; and in fairness to the Government of India, I must say that the Government of India are an extremely tolerant body. Having said that, let me proceed further with the question about the powers of the commissioner. Let me first make one general observation. What is the commissioner there for ? The commissioner is intended during a transition period, when people have yet to realize completely a sense of civic responsibility, to see that the executive machinery does not suffer and therefore we are putting him in. I do not say that the commissioner system represents the last word on local self-government. No ; the commissioner is there for a transition period. When you put him in there, how can you achieve your object unless you give him adequate powers ? What is the use of putting in a commissioner on the one hand and on the other hand taking great care that he shall not have adequate powers ? When Honourable Members of Council accept any idea, I think I am entitled to say this, either accept it or refuse to accept it, but do not adopt the medium course of accepting it in one breath and nullifying it in another. Have a commissioner or do not have a commissioner. But if you have a commissioner, do not make him useless. The commissioner being there, he has to have powers. We had a great discussion about the excessive powers given to the commissioner. So far as I could remember, Your Excellency, there were only two things on which the debate centred itself in regard to the powers of the commissioner, firstly there was 10,000 ; it was said that that was a serious matter. There was no objection to his choosing contractors up to Rs. 2,000 or even up to Rs. 5,000. The difference between Rs. 5,000 and Rs. 10,000 apparently makes the difference between an acceptable Bill and an unacceptable Bill. May I venture to point out to the Council that after all, the municipal administration is something or should be something very much more important than the mere choosing of contractors ? I know contractors are a very important set of people. We all want to have the power of choosing contractors and if I am on a municipal body, I should like to have a finger in the pie ; but after all, that is, or should be, a small matter."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" May I understand what the Honourable Member means by saying 'having a finger in the pie ?'"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" I mean selection and patronage."

"Patronage is a matter dear to the heart of everybody, European and Indian, and I think my European friends will support me when I say that they are not very much better than ourselves in the love of patronage. Several men compete with each other and apply to you and you have to choose one. Another thing was brought out, namely, the question of appointments. It was said that the commissioner had excessive power of appointment, but the Hon'ble Mr. Ramanuja Achariyar pointed out that, if we want a strong executive head, it is absolutely essential that he should have the power of appointment in his charge. It is absolutely upon itself this power of making appointments, it is not convenient or satisfactory. Various

13TH MARCH 1919.] (Mr. Rajagopala Achariyar, Mr. Ranga Achariyar.)

applicants go to them. I do not say that a single man does not make mistakes, but when you put the whole establishment under the thumb of a large body, the chances are that administrative efficiency would suffer. It is for that reason that we have taken care to strengthen the hands of the commissioner and under such circumstances I appeal to the experience of municipal chairmen to say whether we are not right in that matter. We have had the corroboration of the Hon'ble Mr. Ramanuja Achariyar to that aspect of it and I am pretty certain that, if the Hon'ble Mr. Subbarayulu Reddiyar had given us the benefit of his experience, he would have corroborated the statement of the Hon'ble Mr. Ramanuja Achariyar in that respect. As a matter of fact, a perusal of this Bill would show that these are two small matters. The powers of the commissioner in a number of respects have been defined, with regard to sanitation, roads, water-supply, etc. The whole Bill is full of the most detailed provisions as to what the commissioner shall do of his own accord, what he shall do with the sanction of one or the other of the standing committees, and what with the sanction of the Corporation. The Hon'ble the Advocate-General has told you that the Government control has been greatly minimised. If, out of this large body of details in regard to the powers of the commissioner, so far only two things have emerged which are open to criticism—his powers with regard to contracts and in regard to appointments—I, as a member of the Select Committee, most heartily congratulate myself on the remarkable success with which we have framed the proposals regarding the powers of the commissioner."

"I must say in fairness to the Council that this question of the powers of the commissioner in the minds of very many Honourable Members did not appear to be so important as the financial position. What is the financial position ? In regard to that, I began when I commended this Bill to this Council for acceptance yesterday morning, by pointing out that there were two directions in which this Bill would strengthen the position of the Corporation financially. I pointed out how in regard to water-supply there is now a great deal of waste and how under the Bill as it is framed, wider powers are given to the commissioner and you will find a saving of several lakhs of rupees under that head. Then also I said in addition to that, that you will have an increased revenue of about 4 lakhs. In all, both by way of saving and positive addition of revenue, the Corporation of the future will be better off than the Corporation of to-day by about 8 lakhs and that, mind you, without any increase in the realizations from the property tax. The Hon'ble Mr. Ramachandra Rao was rather oppressed by the fact that my figures did not quite fit in with the Hon'ble Mr. Ranga Achariyar's figures. I think the Hon'ble Mr. Molony has explained the situation. I may also explain why it is so. If the Hon'ble Mr. Ranga Achariyar would allow me, I will explain. The Hon'ble Mr. Ranga Achariyar assumes that there is going to be a reduction in the total yield of the property tax. I do not assume it ; I assume that, whatever the Corporation may or may not do, they are not going to reduce their income which they are now deriving. I think the 10 per cent abatement for repairs, etc., could be set right by raising the rate. A great many people are now getting the benefit of the 10 per cent deduction even though not under the law. There is another thing which troubled the Hon'ble Mr. Ranga Achariyar, namely, about the transfer duty. He said : would the Governor-General sanction it ? The transfer duty could be imposed by us only with the permission of the Corporation. The Corporation has to resolve to impose it. The Hon'ble Mr. Ranga Achariyar's contention seems to me to be that the Corporation may be willing to put this duty on but that the Imperial Government may not agree. May I venture to point out to him that till now it is not the Corporation which has generally stood for increase of revenue and the Government against it, but it is rather the other way ? I am glad we have several members of the Corporation here ; I say this for the information of the Corporation, if the Corporation would be so good, if this Bill is passed into law, to put on that duty, it will have our unqualified support for the introduction of this duty and there need be no apprehension that this one lakh may not be realized. That brings me to the question of the property tax. My experience of property in Madras cannot possibly compare with that of the Hon'ble Mr. Ranga Achariyar who has been so good as to tell us that he owns 20 houses in Madras. Unfortunately I own only one house. I can quite understand house-owners detesting the property tax. After all, this is a fact that people dislike to pay taxes. If there is one thing which is common to the whole world of which I saw a good deal during my tour in Europe, it is this : nobody likes to pay a tax if he can help it. Our European colleagues sometimes find fault with us for not having a sufficient spirit of self-sacrifice. If I may venture to say so, in the presence of the Hon'ble Sir Gordon Fraser and the Hon'ble Mr. Thonger, when it comes to the question of paying taxes, they are quite as unwilling to pay taxes as we are."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" We are not as rich as they are."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" We are all taxed proportionate to our income. That being so, why should it be assumed that the property tax is never going to yield anything more ? When I mentioned 8 lakhs, as there was an agitation against an increase of the property tax, I said you would in any case get 8 lakhs, but why should there be this assumption that the property tax would not give anything more ? What is the basis of it ? The Hon'ble Mr. Ramanuja Achariyar has very rightly wanted to know why the Corporation should not increase the property tax. Even if it does not, we all know that the value of property is going up by leaps and bounds. We all know that rentals are going up by leaps and bounds."

(Mr. Ranga Achariyar; Mr. Rajagopala Achariyar.) [13TH MARCH 1919.]

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I know they are going up but I do not know that they are going up by leaps and bounds."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"The Honourable Member owns property, I presume, where I own my property."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I may mention for information that a house of mine which in 1906 fetched a rental of Rs. 170 to-day fetches a rental of Rs. 225. If he calls it 'leaps and bounds,' I don't know what it means."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Unfortunately things do not seem to be so very satisfactory as the Honourable Member wishes. Probably it is not in the same quarter."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"It is quite close to your bungalow."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"If the Honourable Member and myself exchange our views outside this Council, I dare say we can devise means to make people pay more of rents. Why should it be assumed that the property taxes will never have a tendency to go up? Even if you do not touch the rate, you will have at least 8 lakhs of betterment. As a result of this Bill there is bound to be a rise in the yield of the property tax."

"I understand and I quite sympathise with the feelings of those Honourable Members like the Hon'ble Mr. Ramachandra Rao, who feel when they are dealing with a piece of legislation like this that they would have far rather preferred tackling the larger problems. I have told him that we have our limitations. The question may then arise: 'Why then don't you put the Bill off?' Very good; if we could have put it off, we would have done so. Before I proceed in that direction, I might be permitted to reply to one particular suggestion which was made, in explanation as to why we are rushing through this piece of legislation. We are told, the Hon'ble Mr. Ranga Achariyar assumes that we are all fired with a spirit of emulation; this Council and the Government want to add to their credit and renown and the Hon'ble Mr. Venkatapati Raju has been so good as to say that His Excellency is apparently very anxious before he hands over charge of office to place the Madras City Municipal Bill on the Statute Book and therefore we, the members of his Government, are pushing things forward. May I venture to say in regard to this somewhat extraordinary criticism that whatever our good or bad points might have been, a desire to earn glory has not been one of them. I have often been taxed by Honourable Members who have asked me 'why don't you do such and such a thing; it would not cost you anything; it would make you more popular.' I do not blame them for that, but I may mention it to refute the suggestion. As for His Excellency putting pressure upon any of us to carry this thing through, I think without disclosing the secrets of Government, I may at once say that His Excellency has never put any pressure upon us to rush anything during the last seven years. If that is so, it may be asked 'why are you rushing it through?' The fact is that the Corporation is practically on its last legs so far as its finances are concerned. (The Hon'ble Mr. T. Ranga Achariyar:—"Hear, hear.") I understand from the Honourable Member's crying out 'hear, hear' that he concurs with me. I am extremely glad to hear that he concurs with me; and with the concurrence of the Honourable Member who represents the Madras Corporation in this hall, I say that the Madras Corporation is financially on its last legs. I hope you agree to that."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Yes."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Now what are we to do when a Corporation is on its last legs? Are we to wait for three or four years to settle all these questions, or are we to tackle them immediately, at once? I say that the Corporation is on its last legs. It is spending at the rate of 30 gallons of water per head and the law which is inadequate at present does not give the executive any control."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"We cannot control for three years more."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Why?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"For want of meters."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Let the Honourable Members pass this Bill and the Government undertake to get the meters for you. You will have priority."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I may assure the Honourable Member that the information even of the business people is that it is impossible."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"What I say is this: we were so alarmed at the position of the Corporation that we were prepared in May 1917—we wanted

13TH MARCH 1919.] (Mr. Rajagopala Achariyar; Mr. Narasimha Ayyar; Mr. Ranga Achariyar; Mr. Molony.)

to put through an emergency legislation giving them the power to work up their property taxes to 25 per cent. The situation was so grave. This is what we wrote to the Government of India: 'For these reasons it is unlikely that the Bill will be passed into law or that the increased powers of taxation conferred by it will become available for some time; in the meanwhile, the need for enhancing the resources of the Corporation has, as explained above, become very urgent. The Governor in Council has carefully considered the position and is of opinion that emergent legislation must be undertaken and that the simplest and most satisfactory form which that legislation can take is an amendment of section 129 of the Act so as to raise the maximum rate of the tax on buildings and lands from 10 to 16½ per cent of the annual value. The maximum scale of the property taxes will then be 25 per cent as provided in the City Municipal Bill. This will yield an additional revenue of about 6½ lakhs a year'."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"What is the date of the letter?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"This is what we wrote: we also said 'the actual enhancement, however, will depend upon the present means of the Corporation.' The Corporation considered it and said 'we do not want this emergency legislation.' They do not want anything which is likely even to increase their burden, the burden on property."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Is that quite correct?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Quite right. Here is the resolution. I read from the proceedings of the Corporation at the General Meeting, dated 15th May 1917. 'With reference to the proposal contained that it is the intention of the Government to apply at once to the Government of India for sanction for the introduction of the Bill to amend section 129 so as to raise the maximum rate on lands and buildings to 16½ per cent, the Corporation is strongly of opinion that it will be an unnecessary increase of taxes on lands and houses and the Corporation is further of opinion that the Government should not take further action until after consideration of the proposals made by it for augmenting its resources.' That is what the Corporation said. Fortunately at that time there was a slight improvement in the finances of the Corporation and as this Bill was coming up, we felt we might drop the emergency legislation. This is the Government Order, dated 29th August 1917: 'as the financial position of the Corporation has improved, the Government do not at present propose to undertake legislation to raise the property tax to a maximum of 25 per cent.'"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Emergency legislation indeed!!"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"We satisfied ourselves that the Corporation can carry on its work from general revenues till 1918. We were satisfied that they could carry on their work without a deficit and we said: 'in the circumstances, the Government do not propose to undertake the emergency legislation.' Having done so, we felt bound to hurry up this Bill and in hurrying it up we naturally asked the Corporation to hurry it."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Will the Honourable Member kindly explain to me how the preventing of wastage of water is going to add to the revenues of the Corporation?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"It will reduce your deficit under the water and drainage fund which is now found from the general revenue. I think I explained it."

The Hon'ble Mr. J. C. MOLONY:—"May I quote figures? After exhaustive calculation, it has been calculated that every extra gallon per day over 25 gallons per head means an expenditure of Rs. 40,000 per annum. Seven extra gallons therefore means that we are spending Rs. 2,80,000 per annum."

• The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"May I ask the Hon'ble Mr. Molony whether he is going to propose to stop the pumping station for a time?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I do not know whether the Honourable Member could ask the Hon'ble Mr. Molony what the latter's intentions are. It is better to get information as to his intentions at the meeting of the Corporation of which both are members. In deference to the wishes of the Corporation, we stopped the emergency legislation and we knew that the Corporation was on its last legs and we said we would allow them to go on till 1918 but we asked them to come to our help. One of the ways in which the Corporation helped us was by objecting to the surcharge on income-tax and the increment duties, to both of which I referred yesterday. I pointed out that in regard to these two things, if the Government had had their way, we should have been in a position to say that this Bill would have given an additional revenue of 9 lakhs instead of four."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Would the Government agree to it if the Corporation agree to it now?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I should like to know whether the Honourable Member has been authorized to negotiate with the Government in this

(Mr. Rajagopala Achariyar ; Mr. Ranga Achariyar ;
Mr. M. Ramachandra Rao.) [13TH MARCH 1919.]

matter. If he says so, then I shall consult my Honourable Colleagues and let him know. I cannot help thinking that there is a great deal in what the Hon'ble Mr. Thonger told us yesterday. It is a mistake to imagine that if you can go on increasing your revenue, it will mean better administration. Probably better administration lies as much in careful economy, in getting the best you can out of every pie you spend. That is an aspect which I would commend to the consideration of Honourable Members. Do not imagine that by piling up money, you are going to increase the prosperity of the town in a mysterious way and improve the administration. You will have to spend the money in useful directions, and probably a spell of what we call rigid economy will do more for the Corporation than anything else I can imagine at this juncture. This brings me to my last point, namely, several Honourable Members have told me, 'it is true, all that you say is true; we see all the good points in the Bill but how are we to get over the fact that the Corporation has objected?' It is far from my intention to minimise that fact. We are now engaged in passing a piece of legislation for a local body which, as now constituted, has set its face completely against it. Let me put it in that extreme form. I do not think anybody can put it in a stronger form. Having said so, I beg the Council to consider that the obligation is imposed upon us, the responsibility lies on us to examine the objections most carefully and sympathetically and if we find that those objections are at all reasonable, we should defer to the local body; but to say that because the Corporation has objected to the Bill, we have nothing else to do and we must allow that to over-bear all other considerations is to put ourselves in the position of what I call mandatories of the Corporation. The Hon'ble Mr. Ranga Achariyar sits here as the mandatory of the Corporation. He referred in somewhat feeling terms to what he called the personal aspect when he moved his motion that he, having shared along with other Honourable Members in the shaping of this Bill, has now to be in the position of opposing it. He need not be sorry at all. If I am in the Hon'ble Mr. Ranga Achariyar's position, I would have done exactly the same thing. He sits here as the mandatory of the Corporation, returned by that body. But he is the only man who sits here as the mandatory of the Corporation. None of us is returned by the Corporation. While on general grounds it is our duty to consider the objections of the local body concerned and to give it the fullest weight, to consider it most sympathetically, the position that because they object, there is nothing further to be said and we must vote against the Bill is a position which, if accepted, would lead us to startling consequences. This is not the only Bill we shall have. We are going to get other Bills. If Honourable Members now agree to renounce their right of judgment in favour of the Corporation, I say this principle is bound to have serious effects."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" May I say that I never claim any such indulgence from Honourable Members? I put it on the merits."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" Then the Hon'ble Mr. Ranga Achariyar and myself are both agreed in appealing to you not to attach any sort of mechanical importance to the decision of the Corporation, but to use your own best intellects to see whether the view of that local body is right or wrong. That is the appeal which I and the Honourable Member representing the Corporation jointly make to the other members here."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" The official benches also."

The Hon'ble Mr. Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" The official benches do not count. They sit here to vote with me. I do not think that we pretend anything else. There is no camouflage. The camouflage comes when Honourable Members on the non-official benches think one way and vote in another way when they have the fullest liberty to vote as they think."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—" It is quite possible that other official members may think differently from you."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" They may, but yet they vote with me as that is expected of them; whereas in the case of non-official members, they are supposed to be at liberty to vote as they think. When an Honourable Member is at liberty to vote as he likes, and if he votes differently from his conscience, I leave it to the Council to judge of him."

"More than one Honourable Member appealed to me and suggested 'can you not make any concession and see that matters are put at peace.' I knew that some Honourable Members who told me so were some of my best friends and they were anxious that things should get on peacefully, but from what I know of the Corporation and its methods, I know that it is an utter waste of time to enter into negotiations. If I am to judge from the records, the attitude of the Corporation in regard to this piece of legislation has been one of continued obstruction. When we put in any items of revenue which will give it money, the Corporation says 'No.' It will then put forward something which the Government of India must object to. The ball is set rolling in this way and in the meantime the Corporation is in a great financial stress. That going to take up the responsibility of saying let the Corporation continue in that grave predicament indefinitely. I very much regret that we have not got the pleasure of the Hon'ble Dr. Nayar's company just now; he told us that it is for the provincial autonomous governments to face it. Must not the Corporation survive its present troubles to face the provincial autonomous governments?"

13TH MARCH 1919.] (Mr. Ranga Achariyar ; Mr. Rajagopala Achariyar.)

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" We are quite able to survive."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" You will survive, because what is at the back of the Honourable Member's mind is the doles."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" We will stop special works and go on."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" I would ask Honourable Members who have been told about the deference due to the views of a local body in regard to its own constitution to pause awhile and consider what exactly is the history of this particular local body so far as this particular legislation is concerned. Has it acted rightly? Has it co-operated with us to set its own house in order? No; it has obstructed us at every turn and now it has done its last service after this Bill has been considered, after all amendments are passed; it has convened a special meeting, at a time when, in deference to the wishes of some, we are having the final reading—and passed a resolution saying, it will not have anything to do with this Bill."

"That being so, I think it is the right of Honourable Members other than the Honourable Member who sits here on behalf of the Corporation to exercise their independent judgment. We, the Members of the Government, are bound to put the premier local body in a sound financial condition so that it would not stand before the world as a bankrupt institution. It is the duty of Honourable Members here to support us in that endeavour. To introduce all sorts of vague allegations and to leave it to the future is simply an abdication of your functions. I have no hesitation in saying that every Honourable Member who understands the situation has a right to vote and we have a right to claim his vote, but we have no claim, I admit, on the Hon'ble Mr. Ranga Achariyar who sits here as the mandatory of the Corporation."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" I do not feel so much bound as to the mandatory character of my position."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" I am very glad to hear this disclaimer. When the Hon'ble Mr. Ranga Achariyar has expressed some signs of relenting, I think my speech has served some purpose and I hope we will have the satisfaction of passing this Bill unanimously."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" I do not say that. I wish to exercise my own independent judgment in the matter."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" We shall leave the Hon'ble Mr. Ranga Achariyar's judgment for the time being to itself. The Hon'ble Dr. Nayar, the Hon'ble Mr. Ranga Achariyar, the Hon'ble Mr. Ramanuja Achariyar, each in his own way has found fault with the Government for their weakness in having yielded to the Corporation. The Hon'ble Dr. Nayar said 'it is true the Corporation proposed the abandonment of the surcharge on income-tax, but why did you yield to it?' His criticism is perfectly just. The Hon'ble Mr. Ranga Achariyar told us, 'you have accepted the responsibility.' His criticism is also just. The Hon'ble Mr. Ramanuja Achariyar said 'you have shown a deplorable weakness.' I quite agree with him. I plead guilty to that indictment. I think Your Excellency's Government have been weak and vacillating in the past with regard to this matter, and it is for that weakness that we are paying the penalty to-day when we are finding all this difficulty in passing through the Legislative Council a Bill for setting in order the premier local body of the Presidency which is now on the verge of bankruptcy."

"Several Honourable Members have declaimed against the policy of doles. I think the Hon'ble Mr. Ranga Achariyar has told us how very much he reprobated the policy of doles. It is a pity that the people who reprobate the policy of doles do not hesitate to ask for doles."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" I plead guilty to the charge."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" It may be a source of satisfaction to the Council to see that I and my Honourable Friend are gradually coming nearer and nearer. I think the policy of doles is a mistake. With all deference to Your Excellency and my other Honourable Colleagues, I say that the policy of doles is a mistake. In regard to definite works like large drainage works or water-works, it is right that the Government should say to a local body, 'we would share it with you'—I do not grudge the Government should say to the drainage works of the Corporation. To give doles, I think, is undertaking to give funds to the drainage works of the Corporation. To give doles, I think, is a mistake. I entirely associate myself with very many Honourable Members who have declaimed against it and it is because we want to bring that thing immediately to a full stop that I am pressing for the passing of this Bill to-day. If this Bill is not passed, we cannot allow the premier Corporation to go bankrupt. That will be a terrible blow to local self-government all over the Presidency. Because we want to bring the policy of doles to a stop, because we want to teach self-reliance, because we want to teach local bodies to stand on their own legs, I press upon Honourable Members to support me in passing this Bill to-day. "In very many ways, I take the position to be serious. More than one reference has been made to the Council of the future; the Minister who will hereafter have the charge of the

(Mr. Rajagopala Achariyar; the President;
Mr. Narasimha Ayyar.)

[13TH MARCH 1919.]

department will have to face the unwillingness of local bodies to put on taxation and undergo some amount of sacrifice; and the difficulty will confront the Central Government in forcing on reforms. If the position of the Indian Member in charge of this department is so very difficult as I find it to-day, how much more difficult must the position of the future Minister be, faced with problems like these? I appeal to all of you to consider not the immediate present, not to-day or to-morrow, but to consider what the future will be. To yield to the Corporation now is like yielding to a sick man who is very sick but who, when you prescribe a medicine, wants to be left alone. To yield to the Corporation, to allow it to have its own way, to say that this Bill shall not be passed because the Corporation has objected to it, will not only seriously injure that institution but will be a serious set-back to local self-government in this Presidency and it will increase to a tremendous degree the task of those who, in years to come, will stand where I stand, to look after these local bodies as I am doing now. I appeal without any hesitation to all Honourable Members including the Hon'ble Mr. Ranga Achariyar to vote for this Bill and pass it into law."

His Excellency the PRESIDENT:—"I put the motion to the Council. The motion has been —."

The Hon'ble Mr. B. V. NARASIMHA AYYAR (*interrupting*):—"There is the amendment of the Hon'ble Mr. Ranga Achariyar."

His Excellency the PRESIDENT:—"Would the Honourable Gentleman allow me? The motion has been moved that the Bill be passed into law. Since then, an amendment is proposed that the consideration of the Bill be postponed."

The amendment was put and lost.

The Hon'ble Mr. Ranga Achariyar demanded a poll which was taken with the following result:—

For postponement of the Bill.

The Hon'ble Mr. P. Siva Rao.
" " K. Rama Ayyangar.
" " B. Venkatapati Raju.
" " T. Ranga Achariyar.
" " Yaqub Hasan Sahib Bahadur.
" " Mr. K. Chidambaranatha
" " Mudaliyar.
" " A. Suryanarayana Rao.
" " A. S. Krishna Rao.
" " B. V. Narasimha Ayyar.

Against

The Hon'ble Sir Alexander Cardew.
" " Mr. L. Davidson.
" " C. G. Todhunter.
" " A. Y. G. Campbell.
" " Diwan Bahadur R. Ramachandra Rao.
" " Mr. M. Young.
" " L. E. Buckley.
" " N. E. Marjoribanks.
" " R. B. Wood.
" " Khan Bahadur Muhammad Aziz-
" " ud-din Husain Sahib Bahadur.
" " Diwan Bahadur M. Rama-
" " chandra Rao.
" " Rao Bahadur V. K. Ramannja
" " Achariyar.
" " the Surgeon-General.
" " Mr. T. Richmond.
" " Diwan Bahadur K. Surya-
" " narayanamurti Nayudu.
" " Rao Bahadur S. R. M. Anna-
" " malai Chettiyar.
" " Diwan Bahadur A. Subbarayalu
" " Reddiyar.
" " Mr. J. C. Molony.
" " Sir Francis Spring.
" " Mr. R. Littlehailes.
" " Sir Fairless Barber.
" " Sir Gordon Fraser.
" " Mr. J. H. Thonger.
" " the Most Rev. J. Aelen.
" " Mr. W. Hutton.
" " Mr. W. J. J. Howley.
" " the Advocate-General.
" " Diwan Bahadur P. Rajagopala
" " Achariyar.
" " Mr. H. G. Stokes.

The amendment was lost, 9 voting for and 29 against it.

His Excellency the PRESIDENT:—"The motion is that this Bill be passed into law."

The motion was put and agreed to.

THE MADRAS CITY MUNICIPAL BILL, 1918 AND RESOLUTION RE 919
LEGISLATION TO CHECK JUVENILE SMOKING.

13TH MARCH 1919.]

(Mr. Narasimha Ayyar.)

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar demanded a poll which was taken with the following result:—

For

The Hon'ble Sir Alexander Cardew.
" " Mr. L. Davidson.
" " Mr. C. G. Todhunter.
" " Mr. A. Y. G. Campbell.
" " Diwan Bahadur R. Ramachandra Rao.
" " Mr. M. Young.
" " Mr. L. E. Buckley.
" " Mr. N. E. Marjoribanks.
" " Mr. R. B. Wood.
" " Khan Bahadur Muhammad
" " Aziz-ud-din Husain Sahib Bahadur.
" " Diwan Bahadur M. Rama-
" " chandra Rao.
" " Rao Bahadur V. K. Ramanuja Achariyar.
" " the Surgeon-General.
" " Mr. K. Sadasiva Bhat.
" " Diwan Bahadur K. Suryanara-
" " yanamurti Nayudu.
" " Rao Bahadur S. R. M. Anna-
" " malai Chettiyar.
" " Diwan Bahadur A. Subbarayalu Reddiyar.
" " Mr. J. C. Molony.
" " Mr. K. Chidambaranatha Mada-
" " liyar.
" " Mr. A. Suryanarayana Rao.
" " Mr. A. S. Krishna Rao.
" " Sir Francis Spring.
" " Mr. R. Littlehailes.
" " Sir Fairless Barber.
" " Sir Gordon Fraser.
" " Mr. J. H. Thonger.
" " the Most Rev. J. Aelen.
" " Mr. W. Hutton.
" " Mr. W. J. J. Howley.
" " the Advocate-General.
" " Diwan Bahadur P. Rajagopala Achariyar.
" " Mr. H. G. Stokes.
" " the Raja of Pithapuram.

Against

The Hon'ble Mr. P. Siva Rao.
" " Mr. B. Venkatapati Raju.
" " Rao Bahadur T. Ranga Achari-
" " yar.
" " Mr. B. V. Narasimha Ayyar.
" " Yaqub Hasan Sahib Bahadur.

The motion was agreed to, 33 voting for and 5 against.

RESOLUTION RE LEGISLATION TO CHECK JUVENILE SMOKING.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, the resolution I have the honour to move runs in these terms:—

"III. This Council recommends to His Excellency in Council that Government should take early steps to initiate legislation for checking the growth of juvenile smoking."

"The reason why I ask for this measure and say that Government should initiate the steps in these directions rather than any other persons, I will now mention. As for the growth of juvenile smoking, that is a fact of which almost every Honourable Member of the Council is fully aware. It is pretty well known that tobacco habit in various forms is on the increase. On the evils of juvenile smoking, we have had various pamphlets issued by a number of medical men including Rao Sahib U. Rama Rao whose advice has been of great service in bringing to light the great evils of tobacco smoking, especially when the habits are contracted by infants. I therefore feel that I am freed from the necessity of showing that juvenile smoking is harmful. If there are any Honourable Members who require any argument on that head, some of our medical friends would be in a better position than myself to point out the various evils. It is said to impair the lungs and to impair the health also permanently. It is not necessary to go into the subject at length. I consider that is a well-established fact that the habit of juvenile smoking is growing. I think I shall have done my work if I draw attention to two incidents which came to my knowledge. The Madras Presidency Students' Convention held its last

(Mr. Narasimha Ayyar.)

[13TH MARCH 1919.]

meeting at Salem and I happened to be present on the subjects committee of that body and one of the subjects on the agenda was the prevention of juvenile smoking. I noticed much to my astonishment that one young man who was not exactly a juvenile got up and said 'why do you want this subject here? This is sheer hypocrisy. Everybody smokes nowadays and why do you want a resolution to restrict it?' He said that if a resolution were passed, it would be set at naught. That frank admission, while it wished to avoid hypocrisy, was a clear confession that this habit of juvenile smoking is one which you might well despair of controlling. This habit is very much on the increase. I can also refer to some of my constituencies which have moved in this matter. Two years ago, my Erode constituency, the Erode Municipal Council, passed a resolution on this subject. I just now have in my hands a resolution of the Erode Municipal Council that juvenile smoking should be interdicted by law and that Government should undertake legislation on this matter. That is the pronouncement of a responsible body and that bears evidence of the increasing vice. I think it is unnecessary for me to adduce further evidence of the increase of this habit. I shall therefore proceed to consider why legislation is the means best fitted for meeting this evil. I know the Hon'ble the Director of Public Instruction and his predecessors are quite as keenly alive to the evils of this habit and they have done what they could in their own way. They have issued instructions to see that juvenile smoking is put down in hostels and schools over which they have control and possibly they have, I believe, recommended it to the institutions which receive aid from Government that this habit should be put down. It is one thing for us to ask wardens of hostels to put down smoking and another thing to combat it by legislation. If the evil is widespread, the percentage of victims of this vice attending schools is very small as we know from the statistics supplied by the census. Therefore, it will be recognized that the steps taken in the Department of Public Instruction will not be adequate in regard to the numbers. Next in regard to the effectiveness of intervention, one may point out that the Hon'ble the Director of Public Instruction can only do his best by issuing the necessary instructions. If the juvenile attending a school goes to a corner and buys the worst bidi and suffers, I cannot blame the authorities of that institution. We have to recognize that the evil is so great, so serious and insidious that it requires other steps besides the issuing of circulars. This necessity for legislation has been recognized in other provinces and it is unnecessary for me to remind the Honourable Member that in other provinces, in British India, legislation has been undertaken and carried out. I may also point to the Native States where similar legislation has been carried out and enforced. Therefore, I think I have done quite enough to point out that legislation is recognized as a more adequate remedy for the suppression of this vice than the other forms previously adopted, such as the issuing of circulars. Still, before I recommend legislation to this Council, there are certain objections that have to be met, objections which had so much weight with me that in the past I frequently hesitated to recommend this measure. At least on one previous occasion, I came forward with a resolution of this sort and did not move it. That was with reference to some objections that I am going to mention presently. It is pointed out that in this country we have not got the same liberties and privileges as citizens of various other countries, that in a free country like England, it would not very much matter if you introduce legislation giving some more power to the executive and to the subordinates of the executive to interfere with the liberty of the subject in certain respects, because people are quite capable of asserting their own rights and they know what is due to them and they know how exactly to snub or put down any interference and any over-zealous policeman is more likely to be handled roughly by the populace than in a country like this. Here, if you pass legislation authorizing every policeman to pluck away cigars from every young man and to report against him, to seize tobacco from merchants who deal with juveniles, then you are giving a great deal of power which is capable of being misused. That has given me anxious thought. I recognize that it is a very forcible argument, it is a serious handicap to the utility advocate any measure which would give more power to the lower officials of that department; and yet I stand before this Council suggesting that the Government should take early steps. Why do I do so? I do so because of two reasons. In the first place, the fact that this vice is so rapidly increasing is oppressing me and the physique of the young Indians of the later generations is a matter which cannot be ignored. I therefore thought it necessary to place my apprehensions both as to the fact of this increasing vice and as to the possible dangers of legislation before this Council for their adoption of adequate remedies and, if they desire legislation as I do, also to place before them possible checks. We can intervene or advise for the purpose of counteracting officialism or any other danger which might flow from a rigorous enforcement of this Bill. For instance, we must remember that in similar matters, we have had customs or domestic arrangements made by Hindus and Muhammadans and yet in such a matter it has been possible for Native States to introduce legislation as to the age of marriage and to render it penal for a father to give away his daughter in marriage before a certain age. Penalties safeguarding people against malicious prosecutions by insisting that in the case of prosecutions the experts to devise the necessary measures to prevent this law becoming an oppressive one. That is why, all things considered, I thought it my duty to place before this Council a recommendation that legislation should be adopted for suppressing this growing vice.

"Lastly, I have to explain why I ask the Government to take steps instead of bringing up a Bill myself. There are two reasons. In the first place, when I last moved in the matter,

13TH MARCH 1919.]

(Mr. Narasimha Ayyar; Mr. Davidson.)

Government promised to consider this question in connexion with some legislation which was still on the anvil. Government have still the Children's Bill in their own hands or perhaps before a committee which they can control. The second reason which I put forward in connexion with this is the fact that Government control all legislation. We just now saw that in the teeth of protest of non-official members, practically for more than one day, in spite of almost a pitched battle for eight or nine hours, Government have been able to have it their own way and pass the City Municipal Bill. When I asked for permission to remove the badge of helotry and infamy from the poor depressed classes, when I asked that the most obnoxious clause with regard to stocks should be removed, Government were able to put forward their huge official block against me and even the permission to introduce a Bill was denied to me. We know therefore with what powerful force Government could wield their official block and with what fatal effect to any Bill. With that thought in my mind, I thought it was wiser to ask the Government themselves to take up the measure. Once they make up their minds, as the Hon'ble Mr. Rajagopala Achariyar said, once they make up their minds, it is quite easy for them to get the majority here. We see the way in which they carry on things in this Council. For these reasons it struck me that the present shape is the shape in which I could put forward this resolution and I commend it to the Government for acceptance."

The Hon'ble Mr. A. Suryanarayana Rao seconded the resolution.

The Hon'ble Mr. L. DAVIDSON:—"Your Excellency, this question of juvenile smoking and the prevention thereof by legislation is not a new issue before this Council, having come before it at one time or another in the shape of questions or resolutions ever since 1906. On the first occasion, the suggestion proceeded from the Madras Total Abstinence Association and the answer to a question then was that no action was taken because no attempts had been made to produce evidence of any increase in juvenile smoking. That was in 1906. In 1909, following the example of the United Provinces, Government passed on to the Director of Public Instruction a circular on the subject of restricting or prohibiting the practice of smoking among schoolboys. In 1913, the Triplicane Sociological Brotherhood revived the question and again the Government gave the answer that there was no evidence that the habit of juvenile smoking was so prevalent as to render legislative interference necessary. I think it was the Hon'ble Mr. Narasimha Ayyar himself who next raised the question in an interpellation in May 1914 and asked the Government to issue instructions to the Director of Public Instruction on the subject. Instructions were issued accordingly and circulars were sent by the Director of Public Instruction to the heads of all educational institutions. That dealt only with smoking by schoolboys on school premises or in the play-grounds. It was recognized by the Government however, and the Director of Public Instruction has emphasized it quite recently, that the real requisite in this matter is more efficient parental control. In May 1915, the Hon'ble Mr. Narasimha Ayyar was informed as he has reminded us to-day that the Government had under consideration a Children's Bill and might include therein some provisions on the subject of juvenile smoking on the model of the English Children's Act of 1908. Certain sections in that Act provide penalties for the sale of tobacco to children and young persons and the forfeiture of tobacco found in their possession. The Government were also aware that there was a special Ordinance in Ceylon and regulations in Baroda and Mysore dealing with these points. In November 1915, the Hon'ble Mr. Narasimha Ayyar gave notice of a resolution much in the same terms as the present one, but he withdrew it and the brief discussion recorded in the proceedings of the Council at that meeting suggests that he withdrew it because Sir Harold Stuart said he would consider the issue in connexion with the Children's Bill. The Bill was then in an embryonic stage. Sir Harold Stuart did give very careful consideration to the issue and the first step he took was to call for the results of practical experience in Ceylon and Mysore. The result of his inquiry was information that in Ceylon there were very few prosecutions and the Ordinance did not produce any particular effect. This was in October 1915. Though the regulation had been introduced into all headquarter districts in Mysore, and also in the Kolar goldfields with effect from the beginning of the year 1912, the Darbar, by the end of 1915, thought that it would still take some time before the provisions of the regulation could be widely known and strictly enforced; and all that they could say was that there were 95 prosecutions, of which 90 terminated in warnings for first offences. Consequently, Sir Harold Stuart had practically no information as to the result of the special legislation there and from the note which he left on the record it is clear that he was of opinion that the application of the criminal law was not a satisfactory way of dealing with this evil if it existed apart from the fact that there was no evidence before the Government regarding the extent to which the habit of juvenile smoking prevailed. It is evident that these were the grounds why provisions regarding juvenile smoking were deliberately removed from the Children's Bill, as stated in the statement of objects and reasons. So recently as last March, a question was put by the Hon'ble Mr. P. Siva Rao and the answer given was that the Government did not contemplate any general measure to prevent juvenile smoking. My Honourable Colleague Sir Alexander Cardew has just drawn my attention to the fact that the City Municipal Bill which has just been passed into law touches on this subject since rule 4 (r) of the Financial rules in Schedule V of the Bill mentions as one legitimate object of expenditure in the City of Madras the organizing and maintaining associations for preventing juvenile smoking and cruelty to children. But that is not quite the same thing as legislation to provide against juvenile smoking. I have now brought the history of the case up to 1919. I may say that there was a period of three years in which local interest in the subject flagged—1916, 1917 and 1918; with the exception of the Hon'ble Mr. Siva Rao's question, interest dropped until at the end

(Mr. Davidson; Mr. Narasimha Ayyar; Mr. Siva Rao.) [13TH MARCH 1919.

The Hon'ble Mr. L. DAVIDSON:—"Action will also have to be taken to ascertain the practical effect of special legislation of this kind in other provinces and in Native States. These things will take some time and I cannot hold out any hope of provisions being introduced in the Madras Children's Bill. It is not a question of mere formality. The position of the Government at present is that legislation is not expedient, and that if any action should be taken, it would be necessary to follow the precedent of Bengal, where it was left to a private Bill. That is the chief reason of my answer to the Honourable Mover's original speech."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"As both these assurances have been given, I do not press the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE DEVELOPMENT OF EDUCATION IN THE CEDED DISTRICTS.

The Hon'ble Mr. P. SIVA RAO:—"The resolution I have the honour to move runs thus:—

IV. This Council recommends to His Excellency the Governor in Council that special steps may be taken for the development of education in the Ceded districts, by opening of more schools, by the grant of fee concessions or scholarships, by the appointment of school-attendance committees and otherwise.'

"Your Excellency, it is a notorious fact that the educational advance in the Ceded districts is at a very low ebb. It is classed as the most backward educationally of all the districts in the Presidency. To convince Honourable Members of this Council, one has to take them to the account of the educational progress which appears in the Gazetteers of the several districts. Speaking of education in the Bellary district, it is stated in the Bellary District Gazetteer 'According to the statistics of the last census, an abstract of some of which will be found in the separate appendix to this Gazetteer, Bellary is backward educationally, though slightly less behindhand than its neighbours, the other Ceded districts. Between 4 and 5 in every hundred of its people can read and write but the large majority of these are to be found among its male population and in the education of its girls it is inferior to every district in the Presidency except the jungly agencies of Ganjam and Vizagapatam. The district is also ranked by the educational department among the backward areas of the Presidency'. Coming to the number of pupils that are undergoing instruction in the elementary schools and the secondary schools, we have an account of it in the appendix printed in the same Gazetteer at page 34.

"From these statistics it is plain what low percentage, the number of those that are receiving instruction in the secondary schools bears to the whole school-going population. It is also noted here that not many of these primary schools go up to the upper primary and speaking of the conditions in the other districts, Anantapur, Cuddapah and Kurnool, they are all similar. Cuddapah seems to be somewhat better, but it is still backward. 'In regard to education', it is stated 'the foundation of the formidable structure of statistics elaborated at the census is literacy defined as the ability of a person to write a letter and read a reply thereto. Measured by this standard, the Deccan is educationally the most backward division of the Presidency except the Agency, but within this division, Cuddapah is the most advanced.' It is needless for me to give the statistics of the number of people undergoing instruction in the secondary schools. It is stated in the same Cuddapah District Gazetteer that the total number of pupils undergoing instruction in the secondary schools is 520. In the higher elementary school for boys, it is 290; in those for girls, 102; and those that are undergoing instruction in the lower elementary schools,—the total number of them comes to 23,801. It is needless to refer to the statistics relating to Kurnool and Anantapur. Anantapur seems to be the most backward in this respect. An account of it appears in the District Gazetteer relating to that district. It is stated that only 4 in every 100 of the population of boys and 4 in every 1,000 of girls possess this accomplishment. It is true that the district is also classed by the Educational Department as backward. Looking to the statistics of the number of pupils undergoing instruction in the secondary schools, it is the lowest in the Presidency, it is about 722 in all. I need not refer Honourable Members of Council to the state of things in Kurnool. As I stated in the beginning, things are very similar. What can be done to remedy the state of things and to bring these districts on a level with the other districts of the Presidency? Government have to take up the situation seriously on hand. I am aware of what the Government have been doing in the matter. They have recently started a first grade college for the Ceded districts at Anantapur and they are also bearing the net cost of three or four schools in the Ceded districts but my submission is that much more need be done before these districts can be put on the same level with the other districts in the Presidency in point of educational advance. What I suggest in this resolution is that elementary schools and secondary schools may be started, liberal grants may be promised for aided schools and fee concessions and scholarships may be granted and school-attendance committees may also be appointed. All these steps are very necessary to foster education in these districts. I am aware that something

13TH MARCH 1919.] (Mr. Siva Rao; Mr. Littlehailes; Mr. Venkatapati Raju; the President.)

is done for the improvement of the education of backward classes, but if the principle is recognized that the backward classes have to be pulled up, the principle should be recognized that backward tracts and districts also should be improved. I do not think it requires many words on my part to commend this resolution for the acceptance of this Council and I think it ought to command the sympathy of the Government and the Honourable the Director of Public Instruction."

The Hon'ble Mr. B. V. NARASIMHA AYYAR seconded the resolution.

The Hon'ble Mr. R. LITTLEHAILES:—"Your Excellency, the Honourable Mover has adduced statistics to indicate that the Ceded districts are educationally backward. That is the case; but I may suggest to him that other districts are also educationally backward. It is the endeavour of Government, as it always has been, to continue to open schools, to give grants and subsidies for the opening of schools, as many as possible, in the Ceded districts as far as funds will permit bearing in mind the needs of the other parts of the Presidency. This we have done as is indicated by our opening a college in Anantapur, by our bearing the net cost of maintenance of the municipal high schools of Bellary, Kurnool, Anantapur and Cuddapah and also another school at Koilkuntla recently taken over by the Board. Out of a total of 433 and 738 new schools opened in two recent years, 69 and 117 have been in the Ceded districts. This is a fact which indicates that the department is doing quite a lot towards the advancement of education in the Ceded districts. Turning to the request for the award of fee concessions and scholarships, the area of the jurisdiction of the Inspector of schools of the Third Circle is approximately the area of the Ceded districts. I think only 5 per cent of the total number of pupils reading in secondary schools in the Presidency are reading in schools in the Ceded districts and yet 8 per cent of the total number of available scholarships in secondary schools are awarded by the Inspector of Schools, Third Circle, that is to say, to the students who are reading approximately in the area of the Ceded districts. With reference to the appointment of school-attendance committees, it is I think, within the powers of the local bodies even now to appoint committees which will look after the interests of education and represent those interests to the local bodies concerned.

"Sir, what I have said very briefly would indicate the fact that we have borne in mind the needs of the Ceded districts, that we shall continue to bear them in mind and provide facilities for education in the Ceded districts as far as the funds at our disposal will permit."

The Hon'ble Mr. P. SIVA RAO:—"I am quite satisfied with the reply of the Honourable the Director of Public Instruction."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, we are not unaware that the Government have started a college in the Ceded districts. We have heard from the Honourable the Director of Public Instruction that every possible step is taken to increase education in the Ceded districts, but there is one statement made by the Honourable the Director of Public Instruction and that is that the want is not only confined to that portion of our Presidency but that it is felt in several other districts. It is no satisfaction to us. On the other hand, it shows that the Government should pay more attention to the matter of the expansion of primary education."

His Excellency the PRESIDENT:—"That is not before this Council. The general extension of primary education is not before the Council. The resolution is confined to this: we are discussing about the development of education in the Ceded districts and the Honourable the Director of Public Instruction, therefore, confined his remarks to the Ceded districts. We are not talking about the general education of the Presidency."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I am quite aware that the resolution is confined to the Ceded districts. The Honourable the Director of Public Instruction has referred to the fact that a similar want is felt in other districts. I am referring to that point and I say that it does not give satisfaction: I am not concerned with the expansion of education in the Presidency. The Honourable the Director of Public Instruction was kind enough to say that he has opened many schools. I hear various complaints that buildings were constructed and schools were opened and teachers employed but there were no students to study. This is due to the fact that the local people where the schools are started were not consulted when the schools were opened."

His Excellency the PRESIDENT:—"Is the Honourable Gentleman referring to the Ceded districts?"

The Hon'ble Mr. B. VENKATAPATI RAJU:—"This refers also to the Ceded districts."

His Excellency the PRESIDENT:—"If he is not referring to the Ceded districts, he is out of order."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"It is more applicable to the whole Presidency. I have direct knowledge of my district; I have no such direct knowledge of the Ceded districts."

His Excellency the PRESIDENT:—"This resolution does not refer to the rest of the Presidency but refers to the Ceded districts."

(Mr. Davidson ; Mr. Krishna Rao.)

[13TH MARCH 1919.]

of 1918 when there was some revival. As the honourable mover told us, his constituency in Erode took up this problem. I suggest that was the result of special legislation in Bengal where leave to introduce a Bill on the subject was granted in November 1917 and actual discussion took place on the 3rd September 1918, when the Bill was referred to a select committee. The sponsor for that Bill, Doctor Shurawardy, drew attention to similar measures in other parts of the world, Baroda, Mysore and Hyderabad, and also to the recent passing into law of the Punjab Smoking Bill. I have not got copies of these enactments—they were not available in the Secretariat when notice of this resolution reached me—but I may refer to the debate which took place in September 1918 in the Bengal Legislative Council in order to draw attention to the attitude taken up by the Bengal Government at the time, as that is the most recent pronouncement of a Provincial Government on such a subject. The spokesman on behalf of the Bengal Legislative Council was the Maharaja of Burdwan. In explaining the attitude of the Government he said that it was one of strict neutrality, that the Government would neither support nor oppose the motion but wished that there should be frank and free discussion and gave official Members of the Legislative Council liberty to speak as they liked on the understanding that they should abstain from voting as the Government desired the decision to rest entirely with non-official representatives. That was, I may say, in accord with a prominent sentence in the speech of the mover, who said: 'I hope I have made it abundantly clear that the preponderance of Indian public opinion is in favour of the Bill. The measure before the House is primarily one for Indian opinion.'

"It was this discussion which probably revived interest in the matter in Southern India. The first indication of the revival was in the Erode Municipal Council where Mr. E. S. Ganapati Ayyar, a municipal councillor, moved a resolution on the subject. What he proposed was an amendment to sections 188 and 255 of the Madras District Municipalities Act, 1884, so as to empower municipal councils to license the sale of smoking requisites subject to conditions prohibiting sale to juveniles and also to promulgate by-laws rendering parents and guardians responsible. He recognized, as the Director of Public Instruction has told us more than once, that the chief origin of the vice of juvenile smoking is neglect of duty on the part of the parents and guardians. Mr. Ganapati Ayyar thought that legislation was necessary to eradicate the practice and hoped that this would stimulate parental interest. The municipal council adopted his resolution and he then addressed circulars to the chairmen of other municipalities in the Presidency as an endeavour to elicit public opinion at least in urban areas. Out of 72 municipal councils in the Madras Presidency, only 15, however, sent any reply. These all considered that legislation of this description was expedient. The case then came up before my Honourable Colleague Mr. Rajagopala Achariyar on the particular issue whether any amendment in the sense desired should be introduced in the Madras District Municipalities Act and his conclusion was that no such amendment was desirable, partly because there was no weight of opinion behind it and partly because he thought that such a prohibition would be unworkable.

"That is the history of the case. I cannot agree with the Hon'ble Mr. Narasimha Ayyar in his basic assumption that juvenile smoking is a vice which is rapidly increasing to an oppressive degree. There is not before the Government any evidence on that point. It may be a fact, but I am bound to say, so far as my limited experience goes, I do not see small boys smoking very often. It came to me as a surprise to find in a pamphlet of Doctor Rama Rao on the evils of smoking written five years ago the statement that 'all of us are aware that young boys of 10 or 12 smoke cigarettes to excess.' And I cannot accept generalizations based on the admission of the Hon'ble Mr. Narasimha Ayyar's young friend in Salem that everybody smokes nowadays and there is no need to impose any restriction, any more than I can accept the resolution of the Municipal Council of Erode as a sufficient confirmation of that testimony. If Government are to move in the matter, they must first collect a substantial body of evidence to show that the practice is widespread and that it is increasing and that public opinion really does desire legislation against it. I do not want any evidence of the fact that juvenile smoking is bad for the young, because everybody knows that. But the issue is whether legislation is to be attempted to check it or whether this is not a matter which might be left to parents and guardians to check. It is not only a question of gathering evidence as to the practice prevailing, but as to the view taken by popular opinion, by which I mean mainly Indian opinion, on the matter; and it is also a question of examining further what has been the practical effect of legislation in those provinces and in the Native States in which it has been introduced. I do not think there is before the Government at present any shred of evidence beyond what Sir Harold Stuart had at the end of 1915, but we shall be quite ready to ascertain by reference to district boards whether they think that legislation would do good and to give further consideration to the matter. It is possible that in some places evidence may be available to show that legislation has been an effective factor for good. Those are reasons why the Government cannot undertake legislation on this matter, but if any private individual should think fit to bring forward a Bill, the Government will be quite ready to direct an inquiry in the directions indicated, first to collect such evidence as can be found as to the prevalence of juvenile smoking in Southern India and whether it is on the increase, then as to the practical effect of preventive legislation in other provinces and as to the Indian public opinion on the need for legislation as distinguished from the admitted desirability of preventing juvenile smoking. I have nothing more to say than that under the circumstances Government are unable to accept the resolution."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I am sorry that the Government have not been able to accept the resolution in the form proposed. It will be remembered that, so far as

13TH MARCH 1919.]

(Mr. Krishna Rao ; Mr. Narasimha Ayyar ; Mr. Davidson ; Mr. Rajagopala Achariyar.)

juvenile smoking is concerned, there is and there has been no difference of opinion. The only point urged by the Hon'ble Mr. Davidson is that there has not been evidence as to the widespread desire among the people of the country to check juvenile smoking nor as to the extent of the evil in the country. He has been good enough to remind us of the legislation undertaken in the province of Bengal and in the Punjab. I may draw the attention of the Council to the fact that when the Madras Children's Bill was introduced in March last year, there was a discussion as to the general principles of the Bill. It was urged by some non-official members that provisions may be incorporated in the Madras Children's Bill to check juvenile smoking. The Bill, it will be remembered, was chiefly on the model of the English Children's Act of 1908 which contains specific provisions regarding the prevention of juvenile smoking as was referred to by the Hon'ble Mr. Davidson in the course of his remarks. It was urged by several non-official Members that such provisions might be incorporated in the Act itself. Whether a separate Bill is introduced for the purpose of checking juvenile smoking or not, whether leave to introduce the Bill is proposed to be given when any Member seeks permission to introduce such a Bill, I think that if the Government are agreed, the proper occasion for doing it is in connexion with the Madras Children's Bill now under consideration. These principles were discussed when the Bill was introduced in the Council; but the Government did not come to any specific conclusion regarding that question at that stage. The matter was referred to a Select Committee and the Select Committee are likely to meet in the course of next month. I have all along been under the impression that once this new Bill is before the Select Committee there can be no objection to such provisions being incorporated there. But the reply of the Hon'ble Mr. Davidson suggests that there are some obstacles in the way of such provisions being incorporated. Whatever may be the result of this resolution, I would suggest that nothing which has been said on behalf of Government would prevent the incorporation of those necessary provisions in the Madras Children's Bill now under consideration. Nothing should be left out which is likely to add to the benefit and welfare of the children. I request that this attitude of the Government need not commit them to any particular view as to the desirability of having these provisions in the Madras Children's Bill. I myself wanted to propose this amendment in the Select Committee which is to meet on the fifteenth."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"The Hon'ble Mr. Davidson is prepared to inquire into the need for it, to inquire into the question how far this vice is increasing and how far popular opinion is in favour of legislation. That is a proper attitude for the Government to take if I may say so with all deference. But I do not quite understand why the Hon'ble Mr. Davidson should require as a necessary pre-requisite for such an inquiry a proposal from some private member to introduce legislation on this subject. As my Honourable Friend on the right pointed out, there is, at present, legislation connected with this matter—the Children's Bill—and there is my motion which I have now put forward before the Council and this is the occasion which has brought the matter to the notice of the Government. I believe we need not care so much as to questions of form whether this is in the shape of a Bill from a private member. Government may be pleased to refer this matter to the various local bodies to ascertain their opinions as to the existence of this vice and as to the existence of a sufficiently strong basis of public opinion in this matter. As the Hon'ble Mr. Davidson pointed out, when a private gentleman refers the question to 72 municipalities, only 15 of them have extended the courtesy to him of a reply. Others are in their strange way, not caring to reply. That does not mean that in their opinion there is no need. We are all familiar with the ways of municipal councils and for various reasons they are apathetic. It does not mean that if the matter is placed before the Council, the 57 municipalities which have not replied will be against it; perhaps they may be able to reply in the same way as the 15 that have replied. These 15 municipalities, in reply to Mr. Ganapathi Ayyar, said that they perceived the necessity of preventing this vice. If the Hon'ble Mr. Davidson would be kind enough, in consultation with the Hon'ble Mr. Rajagopala Achariyar to have it submitted to the local bodies for their opinion giving them copies of this debate, that will be quite enough. As to consulting the various Darbars and the Ceylon Government, I believe that also may be done in view of the motion that I have made and the discussion that has followed thereon and the proposed amendment to the Children's Bill. The Children's Bill will not wait for introduction by a private member which now under the rules requires two months' time. The only thing wanted by the Hon'ble Mr. Davidson is the immediate issue of a paper for introduction by a non-official Member to introduce the Bill. I am prepared to send up one to-morrow. But I believe the Hon'ble Mr. Davidson would not stand in need of such a formal piece of paper. May I suggest to him that he may send a copy of these proceedings to the various local bodies and elicit opinions from the various local Governments? If the Government would give me that undertaking, I would not press this matter because I feel that the Government do feel the necessity of getting further information."

The Hon'ble Mr. L. DAVIDSON:—"I have no objection to complying with the substance of the wish of the Honourable Member. Copies of the discussion will be communicated to local bodies if my Honourable Colleague sees no objection to such a reference"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Certainly I have no objection."

928 RESOLUTIONS RE PUBLIC INQUIRY INTO THE ECONOMIC CONDITION OF THE BELLARY DISTRICT AS A PRELIMINARY TO RESETTLEMENT; DELETION OF PARAGRAPH ON POLITICAL SITUATION FROM THE PRESIDENCY ADMINISTRATION REPORT; MEMBERS OF THE INDIAN CIVIL SERVICE AND THE REFORM SCHEME AND EFFECT TO BE GIVEN TO CERTAIN RECOMMENDATIONS IN THE RESOLUTION ON LOCAL SELF-GOVERNMENT.

(Mr. Chidambaranatha Mudaliyar; Sir Alexander Cardew; the President; Mr. Siva Rao.)

[13TH MARCH 1919.]

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"Your Excellency, the Hon'ble Sir Alexander Cardew evidently conceives that the Manual itself provides for such an enquiry. What is really wanted just now is that that inquiry should be a real inquiry and not merely an inquiry in name. That is apparently what happens very often when resettlement takes place. The Hon'ble Mr. Siva Rao is, I think, perfectly reasonable in claiming that that inquiry should be given proper notice of to the people and every one who is interested in the matter should be given an opportunity of placing before that officer all that he has to place before him on such an occasion. The resettlement of the district is a matter which vitally affects the interests for all time of the agriculturists and in such a matter I believe your Excellency's Government will be fair and reasonable in acceding to that request and providing for a public inquiry not only in the case of Bellary but also in the case of every district which comes in for resettlement."

The Hon'ble Sir ALEXANDER CARDEW:—"I will only say one word. The resolution we accepted four years ago said that the special settlement officer should give public notice of the operations before they commenced, and should notify that he is prepared to receive and consider representations either oral or written from persons interested in the economic condition of the tracts. The Government Order which was placed on the Editors' table said: "it is not intended that there should be any formal, or semi-judicial inquiry such as the examination or cross-examination of witnesses by vakils, but any person desirous of placing facts before the special settlement officer should be given all reasonable opportunity of doing so in an informal way. If the Honourable Member will furnish me information that this has not been carried out, I will ask my Honourable Friend Mr. Buckley to inquire into the position and try to have it remedied."

His Excellency the PRESIDENT:—"Will the Honourable Gentleman be satisfied?"

The Hon'ble Mr. P. SIVA RAO:—"These instructions should be sent over to settlement officer. I am afraid that has not been done."

The resolution was put and lost.

RESOLUTION RE DELETION OF PARAGRAPH ON POLITICAL SITUATION FROM THE PRESIDENCY ADMINISTRATION REPORT.

The Hon'ble Mr. P. SIVA RAO:—"I do not propose to move it."

With the permission of His Excellency the President, the following resolution was not moved:—

"VI. This Council recommends to His Excellency the Governor in Council that in the introduction to the Report on the Administration of the Madras Presidency the portion relating to 'Political situation' may be deleted."

RESOLUTION RE MEMBERS OF THE INDIAN CIVIL SERVICE AND THE REFORM SCHEME.

The Hon'ble Mr. P. SIVA RAO:—"I do not propose to move it, in view of the statement made on the 7th of March."

With the permission of His Excellency the President, the following resolution was not moved:—

"VII. This Council recommends to His Excellency the Governor in Council that suitable action may be taken to prevent the members of the Indian Civil Service in this Presidency from joining in an agitation against the Reform Scheme."

RESOLUTION RE EFFECT TO BE GIVEN TO CERTAIN RECOMMENDATIONS IN THE RESOLUTION ON LOCAL SELF-GOVERNMENT.

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, the resolution refers to certain recommendations contained in the resolution of the Government of India which is so often quoted in this Council. The recommendations that I suggest are contained in this resolution:—

"VIII. This Council recommends to His Excellency the Governor in Council that the following recommendations of the Government of India contained in their resolution, dated 16th May 1918, may be adopted and carried into effect:—

(i) The District officers should utilize their district boards more fully than at present for consultation and advice in matters of general concern.

RESOLUTION RE EFFECT TO BE GIVEN TO CERTAIN RECOMMENDATIONS IN THE RESOLUTION ON LOCAL SELF-GOVERNMENT. 929

13TH MARCH 1919.]

(Mr. Siva Rao.)

(ii) The local bodies should have full liberty to impose or alter taxation within the limits laid down by municipal laws.

(iii) If a municipal or rural board has to pay for a service, it should control it.

(iv) The local bodies should have a free hand with regard to their budgets.

(v) The local bodies should, subject to certain exceptions, have full control over their establishments.'

I will take the recommendations one by one. The first is that the district officers should utilize their district boards more fully than at present for consultation and advice in matters of general concern. The history of this question is briefly as follows: the proposal to liberalise district administration is a very long-standing one. Honourable Members of Council will remember that this point as to advisory councils for the district officer was vehemently pressed before the Royal Commission on Decentralisation with the result that they negatived the proposal; they vetoed the proposal and they said that no advisory councils were necessary because one or two witnesses said that what the advisory councils are expected to fulfill, the district boards might do. In paragraph 534 of the said report, the Commissioners stated: "We also agree with those witnesses who spoke against a separate advisory council for the Collector. We consider that the district boards which include leading officials of the district as well as representative non-officials afford a convenient instrument for furnishing advice to the Collector upon matters which although not included in their administrative sphere, affect the district generally or important portion of the people. We understand that some Collectors do already make use of their district boards in this way but we should like to see this practice extended." Then they also stated: that consultation with the district boards by the Collector should not be a private consultation. So while negativing the proposal to appoint advisory councils to advise District Collectors in matters pertaining to administration, they stated that the district boards can as well fulfill the same purpose and there was no necessity for creating fresh bodies. The bodies that were already in existence, the district boards, might be utilized and this was the recommendation made by the Decentralisation Commission and the same recommendation has been adopted in the resolution of the Government of India, dated 16th May 1918. They say in paragraph 5 of the resolution: "It should be recognized that by whatever method this may be effected, a substantial increase should be secured in the present elective element in the local bodies and in view of this contemplated increase, the Government of India desire that district officers should, as recommended in paragraph 534 of the Decentralization Commission's report, utilize their district boards more fully than at present for consultation and advice in matters of general concern which lie outside the sphere prescribed for the activities of these boards." This is the recommendation which I propose should be carried out in practice. This is a very old question, My Lord, and time after time, resolutions have been brought forward in this Council regarding this matter. As I said, this was vehemently pressed before the Council and a resolution in respect of a similar matter was brought before the Imperial Council in 1912. In February 1912 a resolution was brought into this Council by the Hon'ble Mr. Ramachandra Rao in these terms: "This Council recommends to His Excellency the Governor in Council that the present functions of local boards should be enlarged, and that statutory provision should be made in the Local Boards Act now under revision empowering local boards to express their views on all subjects relating to the various branches of district administration." The resolution which the Hon'ble Mr. Ramachandra Rao brought then is not the same as the resolution I am now moving before this Council. That resolution suggested that the functions of district boards should be increased so as to comprise all matters relating to the administration of the District Collector and he also proposed that there should be some statutory recognition. If this resolution had been carried, it would have come to this; that in all those matters which are now in the province of the District Collector, it would be proper for the members of the district board to intervene. He also suggested that he would not stop there but he wanted that they should be consulted, and their advice should be taken and he also suggested that they should have administrative functions as well. In other words, he went far beyond the famous resolution of the late lamented Mr. Gokhale and said that district boards should be vested with more administrative functions. What the District Collector is now doing or most of it, could be transferred to the district board. The resolution I am moving now is in consonance with the latest resolution of the Government of India. There is a proposal to multiply functions of the local bodies, but that is a separate matter. It may be in course of time that some matters which appertain to the province of the District Collector may be thought fit matters to be within the province of the district board and the district boards might have some administrative responsibility in regard to them. My proposal is that in all matters, whether they are within the purview of the district boards or not, in all matters relating to district board administration, the district board members should be consulted and their advice should be taken in all important matters. There is a lot of difference between this resolution and that. It simply proposes that he should consult them. Their advice is not binding on the District Collector. Several Collectors were examined before the Decentralization Commission and one and all of them said that that was what they had been doing. If they had been doing that, why the practice should not be officially countenanced,

926 RESOLUTIONS RE DEVELOPMENT OF EDUCATION IN THE CEDDED DISTRICTS AND PUBLIC INQUIRY INTO THE ECONOMIC CONDITION OF THE BELLARY DISTRICT AS A PRELIMINARY TO RESETTLEMENT.

(Mr. Venkatapati Raju ; Mr. Siva Rao ; Sir Alexander Cardew ; Mr. Krishna Rao.) [13TH MARCH 1919.]

The Hon'ble Mr. B. VENKATAPATI RAJU :—" Then leaving out that point in deference to your Excellency's wish, I may point out that there must be an extension not only of elementary and secondary but collegiate education. Constitutional freedom is barred unless people are enlightened. It is absolutely necessary that steps must be taken immediately in the Ceded districts as also in the other districts when occasion arises. I consider that it is not enough, the attention paid is not enough to carry primary education to the doors of the people. Additional attention must be paid to it in order to see that more people are educated."

The Hon'ble Mr. P. SIVA RAO :—" Your Excellency, the Honourable the Director of Public Instruction pointed out that there were other backward districts also. I may tell him that these are the most backward districts. I am quite alive to the fact that the Government are doing a lot for the extension of education, but a lot more remains to be done. For instance, the number of graduates turned out from the Ceded districts last year was about 40 or 45. This is very poor. The number undergoing instruction in colleges is very meagre. That is due to the poverty of the people. Government have been giving scholarships for instruction in the secondary schools. I humbly ask the Honourable the Director of Public Instruction whether it would not be possible to extend scholarships for students reading in the colleges as well as in the Ceded districts. I am quite satisfied with the sympathetic attitude shown by the Honourable the Director of Public Instruction. I am quite satisfied with the assurance that Government will continue to bestow the same attention to those backward districts. I have no wish to press the resolution. I only want the Honourable the Director of Public Instruction to note whether he could not give a few more scholarships to students from the Ceded districts who are pursuing their college course in the college classes."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE PUBLIC INQUIRY INTO THE ECONOMIC CONDITION OF THE BELLARY DISTRICT AS A PRELIMINARY TO RESETTLEMENT.

The Hon'ble Mr. P. SIVA RAO :—" Your Excellency, the resolution I have the honour to move runs thus :—

'V. This Council recommends to His Excellency the Governor in Council that a public inquiry may be held into the economic condition of the Bellary district before proposals are made for its resettlement.'

"I may tell Honourable Members that resettlement is in full operation in the district of Bellary and inquiries are going on in the taluk of Adoni. Before I proceed further, I wish to draw the attention of Honourable Members of Council to the low economic conditions of the ryots in the Bellary district. When it is so, it becomes all the more necessary to conduct a thorough public inquiry into the economic condition of these people before any further rise is voted for. At page 101 of the Bellary Gazetteer, it is stated : 'The result is that the average ryot of Bellary is poor. His house is inferior to that of his brother in the south, his household utensils more primitive, the jewels on his womankind are far fewer, he has less luxuries in the way of fruit, vegetables and condiments and he can seldom indulge in the delights of civil litigation. His food supply depends on the rains of June and July ; if two successive monsoons fail, his cattle die in thousands and he himself, as will be seen later, lives from crop to crop and has usually hardly emerged from one famine before he is submerged under another.' That is the economic condition."

The Hon'ble Sir ALEXANDER CARDEW :—" May I save the Honourable Member the trouble if I say that I can accept the resolution if the word 'public' is omitted ?"

The Hon'ble Mr. P. SIVA RAO :—" As regards this enquiry, Government in 1915 accepted a resolution moved by the Hon'ble Mr. A. S. Krishna Rao in the following terms :—

'This Council recommends that His Excellency the Governor in Council be pleased to direct that, when the re-settlement of any tract is undertaken, the Special Settlement Officer shall give public notice of the operations, before they commence, and notify that he is prepared to receive and consider representations, oral or written, from persons interested, as to the economic condition of the people in the tract.'

"This resolution is practical in the terms in which I have worded mine. By the word 'public' I mean that ample notice should be given to the public that the Settlement Officer would hold an enquiry into the economic condition of the ryots, that he will give notice of the enquiry, it will be accessible to the public and it should be held in a public place and any evidence that is coming should be recorded and brought on record. There will be no cross-examination."

The Hon'ble Mr. A. S. KRISHNA RAO :—" Your Excellency, I second this resolution. I do not know if my Honourable Friend has accepted the suggestion of the Hon'ble Sir Alexander Cardew. I have not heard any statement from him that he accepted the suggestion of the Hon'ble Sir Alexander Cardew."

RESOLUTION RE PUBLIC INQUIRY INTO THE ECONOMIC CONDITION OF THE BELLARY DISTRICT AS A PRELIMINARY TO RESETTLEMENT. 927

13TH MARCH 1919.] (Mr. Krishna Rao ; Sir Alexander Cardew ; Mr. Siva Rao.)

"I do not know if there is any harm in retaining the word 'public'. The Hon'ble Mr. Siva Rao reminded this Council that on a former occasion, my resolution which was practically in the same form as the one now suggested by the Hon'ble Sir Alexander Cardew, was accepted. The word 'public' does not mean that it should be a judicial inquiry ; but it simply means that public notice should be given of the enquiry. If the word 'public' is omitted, this resolution will read thus :—" This Council recommends to His Excellency the Governor in Council that an inquiry may be held into the economic condition of the Bellary district before proposals are made for its resettlement." These are the standing rules. Even now, I believe, it is the rule that no resettlement of any district should be undertaken without an inquiry into the economic condition of the district. If the word 'public' is omitted from the resolution, I do not think that the resolution will advance the position an inch further. I would not advise my Honourable Friend to consent to the omission of the word 'public'. The Hon'ble Sir Alexander Cardew would agree with me that by the omission of the word, it does not make any change. It may be a purely departmental inquiry if the word 'public' is not accepted. We will merely reaffirm the provisions already contained in the rules of resettlement operations."

The Hon'ble Sir ALEXANDER CARDEW :—" Your Excellency, there is very little between me and the Honourable Gentleman. The rules already provide for a full economic inquiry and Government in 1915 undertook and carried out the undertaking that full public notice should be given of the operations and that the settlement officer should receive any representation either oral or written from the public and they are quite ready to give the assurance that the settlement officer will receive any representations from any person interested in the matter who wishes to approach him. I think Honourable Members interested will see that, in effect, they have all the opportunities desirable and Government wish to have full information as to the Ceded districts, and are anxious to have all the information that may be given to the settlement officer and there is no objection to receive any such representation as may be made. But they do not want a public inquiry in which witnesses are called who are to be cross-examined ; that will not help to ascertain the truth. We do not want to turn the settlement officer's room into a special court. If the Honourable Member will see the Settlement Manual, he will see how great is the necessity for a settlement officer to collect information. The very first direction is to carefully enquire and study the economic condition and the material progress of a district. Rules 5 and 6 refer to that. Rule 5 says :—" The settlement officer may, in addition to the above, collect information on any other points such as the effects of droughts, indebtedness of ryots which he may deem necessary for the elucidation of the economic condition of the people in the tract to be re-settled." Rule 6 says :—" The settlement officer should also, by a careful inspection of the different tracts and localities of each taluk and by consulting revenue officials and intelligent ryots, acquire such a thorough knowledge of the circumstances of the district or tract to be resettled as will enable him to proceed with confidence in framing the proposals for re-settlement." So, in every respect full opportunity is given for the collection of all information which the public can lay before the settlement officer. I suggest to my Honourable Friend that he need not press this resolution because he has got in the Settlement Manual a guarantee of a full, careful and complete inquiry."

The Hon'ble Mr. P. SIVA RAO :—" It is because the Resettlement Manual does not provide for a full and public inquiry, I came forward with this resolution. The Resettlement Manual only insists upon an inquiry being made. Nothing is specified regarding the mode of inquiry. Rule 2 simply says that a study of the economic condition should be made and statistics must be collected. He may do it at any time or call anybody he likes. It is also stated that the settlement officer may collect information on any other point. It states also that the settlement officer should, by inspection of the different tracts and localities of each taluk and by consulting revenue officials and intelligent ryots, acquire such thorough knowledge of the circumstances of a district or tract to be re-settled as will enable him to proceed with confidence in framing the proposals for resettlement. There is absolutely nothing in any of these rules which insist on a public inquiry being made. It is only an inquiry. Nothing is prescribed regarding the mode of inquiry. He may consult a few ryots, he is not bound to record evidence. Under the rules, it is incumbent upon the settlement officer to make an inquiry. What is the harm in the Government accepting this resolution ? I did not intend that witnesses should be examined by one party and cross-examined by another. I only intended that he should sit in some central place and notify that between such and such hours, anybody who likes may come forward with statistics and evidence will be taken. It will be recorded and embodied in the scheme report before resettlement proposals are made. I have some representation from my constituencies that this has not been done. Some of the richest landholders who were ready with figures of cultivation expenses, commutation rates and charges, — their evidence was not taken. Wherever evidence suits the official purposes, that is taken but not other evidence. That is the information given to me by my constituents in the Adoni taluk. A public inquiry, is a harmless thing ; it is not a judicial inquiry, let him notify the places where he will record the evidence, let it be done at a public place where the public, if they choose, may attend. Without the word 'public' it is not worth while moving the resolution."

932 RESOLUTION RE EFFECT TO BE GIVEN TO CERTAIN RECOMMENDATIONS IN THE RESOLUTION ON LOCAL SELF-GOVERNMENT.

(Mr. Siva Rao ; Mr. Rajagopala Achariyar.) [13TH MARCH 1919.

unexceptionable and that in the near future he will carry out these recommendations. Whether a revision of the rules or an amendment is necessary, that will be done. Whether we amend the rules or whether Government Orders are necessary it is time that this should be seriously considered. He also stated: 'We find that we have been doing most of the things which the Government of India have asked us to do. We started doing them before the resolution of the Government of India came to us and it was a satisfaction to us that what we were doing were on the lines laid down to us subsequently. Now I ask especially as regards the recommendations about the District Boards, the Local Government had it in view that the Local Boards and District Boards should be consulted in general matters affecting the administration of the district. I do not foresee any difficulty whatever in Government accepting this resolution.'

The Hon'ble Mr. K. Sadasiva Bhat seconded the resolution.

The Council then adjourned for a short interval.

The Council re-assembled at 3 p.m. when the discussion was resumed.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the mover of this resolution wound up his speech with the expression of the hope that, as on a previous occasion, the Government would announce their intention of loyally carrying out the policy of the resolution of the Government of India in these respects. Let me assure him at once that that is our intention; just as in November last I said in connexion with several matters that came up, that it was our intention to carry out the policy laid down by the Government of India, so it would be our endeavour to carry out the policy laid down by them in regard to most of those things. Having said so, I venture to point out that in regard to the resolution of the Government of India, which is brought up from time to time, I fear it is not fully recognized that the Government of India themselves do not contemplate the whole thing being carried out immediately in a rigid sort of way. What they say in their resolution is: 'the Government of India fully recognize that it will not be possible to make all the injunctions formulated below of absolutely uniform application and are therefore willing to reserve to the local Governments the power to modify their application in specific cases and for specific reasons. But they expect that in the absence of such specific occasions, a substantial advance should now be made on the lines laid down and, from indications received in the course of their recent communications to heads of local Governments, they believe that the local Governments, each in its own degree, are also anxious to adopt a forward policy in general conformity with the wishes of the Government of India.' In the next paragraph they lay down the general policy; they say 'the general policy must be one of the gradual removal of unnecessary Government control and of differentiating the spheres of action appropriate for Government and for local bodies respectively.' While therefore, I have no hesitation in saying that it will be our endeavour to carry out the policy of the Government of India, I do hope that Honourable Members will realize that the Government of India expect us in applying those principles to take note of local conditions and to modify their application to suit those conditions. No useful purpose will be served by this Council committing itself to a general resolution saying that the Council recommends to the Governor in Council that the following recommendations of the Government of India may be adopted and carried into effect. I may point out that, without any recommendation from the Legislative Council, the Government of Madras are bound to carry out the declared policy of the Government of India. There need be no doubt about it; only it will be as well that we should not commit ourselves to any specific recommendations which make no allowance for local considerations, which ignore the fact that there may be differences in different localities which may need some change of procedure. Having said that, I will now take these things one by one. First, it is said that district officers should utilize their district boards more fully than at present for consultation and advice in matters of general concern. The Hon'ble Mr. Siva Rao has pointed out that this is different from the resolution which came before us over a year ago when it was proposed by the Hon'ble Mr. Ramachandra Rao that the boards should have statutory powers in this respect. There is nothing to prevent district officers utilising their boards for consultation and advice, and I believe several of them do so. I take it that it is not proposed to put the matter on a higher platform than that. If I may venture to point out to the Council, the Report on Indian Constitutional Reforms specifically says that the reformed representative district boards of the future should be utilized by district officers for the purpose of consultation and advice. Taking this report along with the resolution of the Government of India, the Council will see that this consultation is supposed to come in not now, but after the district boards are reformed and made fully representative. But at the same time, I do not want to take any technical ground; all that I want to suggest to Honourable Members is that we should not make any rule in the matter, but that we should allow a certain amount of elasticity in the working of these recommendations, and so also in regard to the other things, numbers 2, 3, 4 and 5 of the recommendation. These are all principles about the correctness of which there need be no doubt. It is our endeavour to embody them into laws. For instance, we dealt only this morning with legislation about the premier local body of the province and the legislation in regard to it has been passed and that legislation will show how, with the concurrence of the Council, we applied these principles to that body. Later on, the District Municipalities Bill which has gone up to the Government of India will, in due course, come before this Council and, in examining it, both in the Select Committee and afterwards, the Council will have an opportunity of seeing how far these principles have been carried out. If, in any case, it is shown

RESOLUTION RE EFFECT TO BE GIVEN TO CERTAIN RECOMMENDATIONS IN THE RESOLUTION ON LOCAL SELF-GOVERNMENT. 933

13TH MARCH 1919.] (Mr. Rajagopala Achariyar ; Mr. M. Ramachandra Rao.)

that we should go further than in the Bill, we shall be glad to do so. So also in regard to the Local Boards Bill. But if it is intended to commit the Council to definite propositions now, in regard to what should be immediately done, Honourable Members will see that it would mean an examination of each one of these principles and every one of those laws as also any number of local considerations, all of which will mean not an affair of a day or two days, but of probably several days. If I am to explain here, how each one of those recommendations is proposed to be carried out, it will mean a repetition of a substantial portion of what we have done in the City Municipality Bill and probably a long account of what is going to be done in the District Municipalities Bill and in regard to the Local Boards Bill. Also, I would venture to point out that the restrictions which are imposed not by law but by the Municipal and Local Fund Codes have been under examination by a committee presided over by my Honourable friend Mr. Todhunter and of which I think the Hon'ble Mr. Siva Rao was a member. The recommendations of that committee are under consideration. I wonder whether the Hon'ble Mr. Siva Rao has signed the report of that committee. Yes; his suggestions as a member of that committee shall receive the most careful consideration and it will be our endeavour to go as far as we can in the matter. I trust the Honourable Member will see that, under these circumstances, it is neither desirable nor fair to ask the Council to commit itself to a number of cut and dry recommendations like these and that he may accept my assurance in the matter."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"My Lord, the Hon'ble Mr. Rajagopala Achariyar has referred to the two committees that were appointed for the revision of the Local Fund Code and the Municipal Account Code. Perhaps it is better to explain the exact position in which we were when those committees were appointed. The terms of reference made to that committee made it quite clear that it was the intention of Government that any recommendation made by these committees for enlarging the powers of local bodies should be within the four corners of the existing law."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I agree."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"That being so, we had a great deal of difficulty and I may say though several of us felt that we might go much further than we did, we had to consider the existing law in making our recommendations. I may perhaps illustrate it by reference to our budgets. Under the existing law, the budgets of local bodies have to be sent up to the Government for orders and all appointments made by municipalities and local boards should be approved of by the Government. Although we felt that in those matters a larger discretion might be vested in the local bodies, we found it impossible to give effect to it. What my Honourable Friend Mr. Siva Rao wishes to do is to re-examine the question not necessarily with reference to the existing law, but as to what is desirable in view of what has been stated in the last resolution of the Government of India on Local Self-Government in 1918 and also with reference to the idea that the first step in responsible government should be in the field of local self-government. Judging from this aspect, it seems to me, my Lord, that the question has to be very thoroughly examined in view of what the Hon'ble Mr. Rajagopala Achariyar has said, that the two Bills had already been sent up."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"One of them has been sent up and another is likely to be sent up."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"When they come again for consideration, we shall be exactly in the same position as we were in the case of the Madras City Municipal Bill. Those directions in which we would like restrictions to be removed will be found in this Bill; directions with reference to finance, with reference to budget and all the directions which have been the subject of debate, will be almost the same as at present. If the Hon'ble Mr. Rajagopala Achariyar says that in this new aspect of enlarging local self-government embodied in the last resolution of 1918 as well as in the light of the Report on Constitutional Reforms, these two Bills have been considered in this larger vision, I have nothing further to say on that matter. If he gives me that assurance that these new Bills, one of which has gone up and the other is likely to go up to the Government of India, have been examined with this larger vision by the Government, I should have nothing further to say on this matter. Otherwise, the question is one which requires examination and the whole object of my Honourable Friend is to focus attention at this stage so that we may not again start complaining that these two Bills had gone with the old ideas, as has been stated by the Hon'ble Mr. Ranga Achariyar. That is the whole question which is now under discussion and it is this aspect that my Honourable Friend Mr. Siva Rao wishes to draw attention to. If for that purpose, a committee is necessary and I think the Honourable Member should not hesitate to appoint a committee. I may say that other local Governments have taken action in the direction suggested by my Honourable Friend. The Bombay Government, I remember to have read in the newspapers, have appointed a committee after the issue of the resolution of 1918. I met two or three members of that committee in Poona last June."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Does the Honourable Member propose a committee now?"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"It is for the Government to decide. I do not want the Hon'ble Mr. Rajagopala Achariyar to look at it from a purely technical aspect. Let us go to the substance of it. I believe in Bengal recently, I remember to have read a paragraph in the newspapers, that a committee was appointed to examine this question in the light of the remarks of the Government of India. My feeling is

930 RESOLUTION RE EFFECT TO BE GIVEN TO CERTAIN RECOMMENDATIONS IN THE RESOLUTION ON LOCAL SELF-GOVERNMENT.

(Mr. Siva Rao.)

[13TH MARCH 1919.]

I would leave to the Council to judge. A similar resolution was moved in this Council in November 1918 without indicating the lines on which it should proceed. It suggested that a committee of officials and non-officials should inquire into the present system of district administration and make the district board more representative of popular opinion. That was moved by the Hon'ble Mr. Krishna Rao. He proposed also that some typical functions which he mentioned, should be entrusted to the district boards. But my resolution is not that. It says that in all matters which do not legitimately appertain to the activities of the district board, in all matters they may be given the right of consultation and advice and the Collector may or may not act upon it, but for the present, I would only go so far. When the Local Boards Act comes up for revision and the District Municipalities Act also comes up for revision, when it is thought that some more functions could be usefully conferred upon local bodies, that is a different matter; but whether or not these functions rightly pertain to these bodies is another matter. But in all matters in which the District Collector exercises his discretion and judgment, he could consult the members of the district boards. It is an extremely easy thing for him to do. Sometimes twice a month the district board meets and then when he has got a general matter he may place it before the district board who may record their opinion. It only means that there should be something like a conference, something on the lines of what is done in Mysore; under official auspices, a conference takes place at certain places and the members may move resolutions, informal resolutions and it gives full opportunity to the District Collector to act as he likes. This is the spirit in which this recommendation is made and I hope there may not be any difficulty in adopting that resolution of the Government of India.

"Secondly, my recommendation is that the local bodies should have full liberty to impose or alter taxation within the limits laid down by municipal laws. I have thought it very opportune to bring forward this resolution in view of the fact that the Local Boards Act and the District Municipalities Act are under revision and anything that we may say and decide upon in this Council may be embodied in that Bill to be introduced into this Council. This recommendation is contained in paragraph 10 of the resolution of the Government of India where they state: that it is open to the Government to fix the maximum of house and drainage tax up to 15 per cent within the limits laid down by law; it should be open to the local bodies to vary it as they chose, they may have it at 14 per cent one year and 15 per cent another year provided they do not exceed the maximum limits laid down by law. They make one important proviso in the case of the indebted municipalities where before any alteration is made in taxation, the sanction of the Government is necessary. That is a harmless proposal and I think it is time enough that this recommendation should be accepted.

"My third recommendation is 'if a municipal or rural board has to pay for a service, it should control it.' That is contained in paragraph 12 of the resolution of the Government of India. They say: 'The Commission proposed that, if a municipal or rural board had to pay for a service, it should control it: and that, where it was expedient that the control should be largely in the hands of Government, the service should be a provincial one'. I refer to this service especially to the educational service and the medical service. Most of the money is spent out of local funds in the educational service, but I may say that the local bodies have very little control over education, even elementary education. I think elementary education is mostly in the hands of these local bodies but even with regard to elementary education they have not a free hand. The Decentralization Commission made elaborate proposals as regards education. As it is, in the case of high schools we are dictated to by the Inspector of Schools, in the case of the elementary schools we are dictated to by the assistant inspector and sub-assistant inspector of schools. Even the casual leave applications of a teacher in the primary school have to pass through the sub-assistant and assistant inspectors and probably custom and tradition requires that we should conform ourselves to the recommendations of the officers. In the case of the high schools, we have necessarily to seek the advice of the inspectors in making appointments, disposing of casual leave applications and in increasing the pay even by one rupee of any teacher. We have got no doubt, the advice in the guise of a request. But it is a real mandate. There are certain constitutional checks if we disregard that mandate. In making appointments carrying a salary of more than Rs. 100 we have to consult the inspector of schools and in certain cases, in the expenditure of money over a certain sum we have to take the sanction of the Director of Public Instruction. So every detail of educational matters is solved for us by the inspector and the result is that we do not feel or realize any such responsibility in the matter. In paragraph 75; this is what the Decentralization Commission said:—

'The local Governments make substantial contributions towards the educational expenditure of the boards, but we do not think this a valid argument for taking the practical management out of the hands of these bodies. Evidence has been given that they do not take any real interest in educational matters; and this is not unnatural since they are so closely restricted by departmental rules and Provincial educational codes, which settle the school curricula, the extent to which grants-in-aid may be given, the proportion of masters to scholars, holiday, etc., that their management can be little more than nominal.'

"Probably the Members of the Council did not know that even casual leave applications have to be sent up to the sub-assistant inspector. In weighty matters they may consult the inspector but there need not be anything like compulsion. They also say that they recommend that all these restrictions should be removed. Again in the case of the medical service, we have hardly any control; we have no control over the medical institutions. Hitherto, before the Government took over charge of the district head quarter hospitals, the municipalities had to manage them; and though these are now taken over by the Government, the

RESOLUTION RE EFFECT TO BE GIVEN TO CERTAIN RECOMMENDATIONS IN THE RESOLUTION ON LOCAL SELF-GOVERNMENT. 931

13TH MARCH 1919.] (Mr. Siva Rao; Mr. Rajagopala Achariyar.)

municipalities are still in charge of the dispensaries and I may say we are not at liberty to appoint our own men. Under the Code, we are bound to appoint a man for the sub-assistant surgeon's cadre. It must be a Government man, we cannot appoint a private man. We cannot have direct correspondence with the medical subordinates in our charge and if we issue orders or instruction to the sub-assistant surgeon—never mind orders—if we sent instructions, the sub-assistant surgeon would remind us of the right formality in the matter, that it should be sent through the district, medical and sanitary officer. Promotions are in his hands, leave is in his hands and everything is in his hands. Every indent that comes to us comes through the District Medical and Sanitary Officer; even in the case of midwives and ward boys, all these proposals come through the District Medical and Sanitary Officer. The result is we do not feel any responsibility. Under the Local Fund and Municipal Codes, the District Medical and Sanitary Officer has got real control over these institutions with regard to which the Commission observed: 'We consider that the hospital at each district headquarters should be taken over by the Government.' That recommendation has been carried out. They also say 'other hospitals and dispensaries in the rural tracts should ordinarily be under the control of the sub-district boards and the staff of assistant surgeons should, as far as possible, be converted into regular board servants.'

"Then it is also stated that the district boards would ordinarily recruit for this service men possessed of qualifications approved by the Surgeon-General in Madras.

"So far as regards medical service. I may refer to one other service and that is the plague service which has been my favourite theme in this Council. We have to pay the money, recently there has been a classification of the expenditure, as to which operations should be paid for by us and which by the Provincial Government. We have to pay for the rat destruction but it has to be decided by the Collector."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Does not the Municipal Council carry out rat destruction?"

The Hon'ble Mr. P. SIVA RAO:—"When we have to pay money, Rs. 200 or 250 per mensem, the Council has to resolve and come to a decision that in certain town, rat-destruction is necessary. In regard to other matters, whenever we pay the money we must have control over that service. Applying that maximum to this case, then we must have full control of the service."

"Then my fourth recommendation is that the local bodies should have a free hand with regard to their budgets. I know this recommendation has been accepted by the committee which was appointed some time ago for the revision of the Local Fund Code and Municipal Code, with a slight modification. In the case of the city municipality I see that the Government have gone the full length of this recommendation, the Government have prescribed one lakh and in the case of mufassal municipalities it is 5 per cent of the normal revenues which is the minimum balance that is prescribed. Subject to the minimum standing balance and subject to the repayment of loans, I think they must have a free hand in drawing up their own budgets and Government should not have any power to interfere. Notice may be given to the heads of the department just for their information. But they must not have any power to deal with them. Incidental to this recommendation, that they should have the power of framing the budget, comes the power of re-appropriation. Even if we want to raise the peon's pay from Rs. 7 to Rs. 8, we have to get the sanction of the Collector. Even in such small matters we are not trusted and how can we ever realize responsibility?"

"My last recommendation is that the local bodies should, subject to certain exceptions, have full control over their establishments. The exceptions they make are in the case of the engineer, the health officer and the revenue officer, or the secretary or the chief executive officer of the Corporation. In all other cases, they must have a free hand in appointing their officers without any regard to outside sanction. They must have full liberty to punish them and the local body should not be put to the necessity of referring the matter to Government.

"These are the recommendations that I propose may be adopted. I know that in August 1918, a resolution was moved by the Hon'ble Mr. A. S. Krishna Rao that a committee may be appointed to carry out the recommendations contained in this resolution and then there was an elaborate reply made by the Hon'ble Mr. Rajagopala Achariyar. I have closely studied the reply as to whether he made any statement as to the intentions of the Government in regard to these matters. That reply does not contain any statement of the policy in regard to these matters which I have moved. It contained what the Provincial Government have done by way of extension of franchise, by way of the improvement of the constitution of the Councils and by way of substitution of election wherever nomination prevailed and by the appointment of non-official chairmen wherever official chairmen presided. Those matters were elaborately dealt with, but these matters have not been dealt with. It is also stated in the reply of the Honourable Member in charge that whatever the Government of India have stated, they would loyally abide and there was no necessity for a committee in that matter. This is what the Honourable Member in charge stated: 'I would first of all point out that the principles laid down by the Government of India are the principles laid down by a higher authority. They are binding on us. It is our function to carry them out. Though there are several points on which we have not come to a conclusion, the general conclusion that we have come to is, that the resolution of the Government of India is unexceptionable and must be carried out.' I expect the same reply to these recommendations. I expect the Honourable Member in charge to say that they are

936 RESOLUTION RE IMPERIAL GRANT FOR THE DEVELOPMENT OF
THE INDUSTRIES IN THIS PRESIDENCY.

(Mr. Venkatapati Raju; Mr. Ranga Achariyar;
Mr. Narasimha Ayyar; Mr. Siva Rao; Mr. Krishna Rao;
Mr. Suryanarayana Rao; Mr. Sadasiva Bhat; the President.) [13TH MARCH 1919.]

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Except resolutions No. XVI and No. XIX, I will move all the rest. I will make a statement regarding resolution No. XIX as to why I will withdraw. The Director of Public Instruction says he would consider the matter."

With the permission of His Excellency the President, Resolution No. XIX was withdrawn.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I shall move XXI and I shall not move XXII."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I do not move Nos. XXIII and XXIV."

The Hon'ble Mr. P. SIVA RAO:—"I shall move XXV."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I am moving XXVI and am doubtful about XXVIII, XXVII and XXIX will be moved."

"I shall make a statement to-morrow about XXVIII."

The Hon'ble Mr. A. SURYANARAYANA RAO:—"I shall move XXX, XXXI and XXXII."

The Hon'ble Mr. K. SADASIYA BHAT:—"I shall move XXXIV."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I shall move XXXV."

His Excellency the PRESIDENT:—"The Hon'ble Mr. Ranga Achariyar has asked that resolution No. XXI be taken up next. If the Council has no objection, we will ask him to move No. XXI."

RESOLUTION RE IMPERIAL GRANT FOR THE DEVELOPMENT
OF THE INDUSTRIES IN THIS PRESIDENCY.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I am obliged to the Council for allowing me to move resolution No. XXI at present out of its place. The resolution I have the honour to move runs thus:—

"XXI. This Council recommends to His Excellency the Governor in Council that they may be pleased to apply to the Government of India for an initial grant of one hundred lakhs of rupees and a recurring annual grant of fifty lakhs of rupees for a period of ten years to enable the Madras Government to develop the industries in the province."

"By this resolution, I wish to emphasise two matters of vital importance so far as this province is concerned. The two matters which I wish to emphasise are these: the absolute backwardness of Madras as an industrial province in India apart from the question of the backwardness of India itself. That is a matter with which I am not at present concerned. The second point which I wish to emphasise is the great injustice which has been done for years as a matter of history by the Government of India to the Government of Madras in the matter of the financial relations between the two Governments. Madras unfortunately is labouring under various disabilities as regards industrial development. It has no natural resources; it has a port which was until the other day merely a nominal one and it is only in recent years that the port has come to be regarded as one worthy of consideration. If the name 'benighted Presidency' is applicable to this province it is in industrial matters that that term is aptly applicable; and that backwardness is due not so much to the lack of initiative or enterprise of the people or of the Government of the land as to the disabilities which were imposed upon that Government and upon the people by far off Simla, Calcutta and Delhi. Madras has been unfortunate in many respects. The people have not enough resources left to themselves to help themselves. Whereas rich Bengal contributes only 750 lakhs of rupees as revenue and industrial Bombay contributes only 1,001 lakhs of revenue, Madras has the good fortune and the misfortune to pay nearly 1,400 lakhs of revenue. That is, more is taken from the poor people of Madras by way of taxation than from the rich provinces of Bengal and Bombay thereby leaving little to the people with which they can help themselves. Not only that. Looking at it from the point of view of the Government, all the money raised here is not in the hands of the Government for it to apply to the Provincial needs; whereas Bengal contributes only about 69 lakhs per annum to the central Government and Bombay contributes only about 88 lakhs per annum to the central Government, Madras has been contributing for years past nearly 400 lakhs. This disproportion how any one could have allowed to take place all these years, is beyond my comprehension. This injustice has been going on for years together. I know now and then as we non-official Members in this Council have been helplessly wailing just satisfaction of seeing the Finance Member helplessly wailing against the predominant partner, the central Government; but his voice was the voice of feebleness and was never heard with that violence which I could have expected from this Government. In these days, nothing pays

* The Hon'ble Mr. B. VENKATAPATI RAJU:—
"This Council recommends to the Governor in Council that the Government be pleased to make a grant of Rs. 50,000 or any lesser amount that has lapsed to the Government for the hostel accommodation to Mrs. A. V. N. College, Vizagapatam."

RESOLUTION RE IMPERIAL GRANT FOR THE DEVELOPMENT OF 537
THE INDUSTRIES IN THIS PRESIDENCY.

[13TH MARCH 1919.] (Mr. Ranga Achariyar; Mr. Rajagopala Achariyar.)

like violence. It would have served the purpose of Madras if our Government had been more violent and insistent in their demands and if our people also had helped the Madras Government by raising a howl about this continued injustice which is referred to as matter of satisfaction by the Montagu-Chelmsford Report. They say this is the historical condition and therefore they propose to leave it there. Not only has the injustice been there, but they propose to continue it in the recent proposals; if there is any unsatisfactory feature in the proposals of the Montagu-Chelmsford Report it is this aspect about it, that they want to continue this injustice in the financial relations between the Madras Government and the central Government. I wanted to bring out that aspect of it very strongly indeed at least so that some reparation may be made for past injury and that is the reason why I brought forward this proposition. I am quite aware that I may be told that this is an inopportune moment, an unfortunate occasion for us to raise the question. The Honourable Member in charge will say that the financial relationship between the local Government and the central Government is in the course of correspondence and consideration and especially provincial autonomy is going to come and he will ask 'why are you proposing this at this stage.'

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I am not going to say that."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I am glad you are not going to make that statement. My object is that this Government should accept this resolution and forward it as the demand of this province for reparation for past injuries. We are not concerned how they are going to make it; let them rob it out of other provinces that have grown rich at our expense. The whole revenue raised in Bengal does not represent one year's jute crop there and if you consider that Bengal has been let off with 69 lakhs contribution to the central Government, you will realize the magnitude of the injustice done to Madras; so much so that these jute merchants have invaded the south and Ootacamund was characterised by a friend of mine as Jutacamund. There is nothing left for us; our surpluses have been appropriated and it was a great folly to have allowed our surpluses to accumulate. There was absolutely no necessity to raise all this revenue out of the people when our local needs did not require such large taxation and having raised it, to have allowed the surplus to remain there for the central Government to take it away was an act of folly. But there is no use of bemoaning the past. Let us make preparation for the future. It is for that, that I come forward with this suggestion. The Honourable Member might perhaps ask, what is the good of making a proposal to ask for Rs. 100 lakhs initial grant and a recurring grant of 50 lakhs. What is the out and dry scheme that you have—how are you going to spend the 50 lakhs? I hope he will not put such a question. There is so much to do. What with the recommendations of the Indian Industrial Commission, what with the proposals which the Madras Government have been keeping in view for years past, but which they have not been able to carry out owing to financial embarrassment and also to interference from above—there is much to be done. If we consider the history of the industrial movement in Madras, we cannot but feel very sad indeed. I remember in the very early eighties, the Madras Government taking active interest in developing local industries in the province and they went on inquiring into the matter and there was an Industrial Conference after some years and then the Madras Government embarked upon an active industrial policy. But the Honourable Member representing commerce will forgive me if I may say that owing to the shortsighted opposition of the then European merchants, the Madras Government were disabled and prevented by the Secretary of State from carrying on the very useful work which they have set before themselves. Their activities were circumscribed, their duties were defined in a way that it was impossible for the Madras Government to do anything effectively to develop the industries of the province. But I am glad to note that there is a change in the angle of vision. The Industrial Commission have reported that in future the Government must play an active part in the industrial development of the country with the aim of making India more self-contained in respect of men and material; and it is impossible for Government to undertake that task unless provided with adequate administrative equipment and fore-armed with reliable scientific and technical advice and various other matters. If one-fourth of what the Madras Government had in view for all these years were to be carried out, we will require large sums of money. I will mention one instance which has natural resources. Madras is very deficient in natural resources. There is at least one natural source which may be availed of, I mean the water power. I remember there was a great movement to tap the Periyar for water power and a project which was then new was thought of in this connexion and investigations were undertaken and all of us were indulging in the hope and expectation that water power would be developed to develop industries. This was about the year 1890 or 1900 and there are various other things which are still hanging. We have simply to refer to the Government Order issued on the 1st of April 1918, No. 368, where, in prescribing the functions of the Director of Industries, the following functions were ascribed to the Director of Industries:—
(1) to collect information as to existing industries, their needs and the possibility of improving them or of introducing new industries;
(2) to carry out and direct experiments connected with local inquiries;
(3) to keep in touch with local manufacturers, to bring the results of his experiments to their notice, and to obtain their co-operation in the conduct of experiments on a commercial scale;
(4) to supervise the training of students; and
(5) to advise Government with regard to technical matters involving legislation."

(*Mr. M. Ramachandra Rao ; Mr. Rajagopala Achariyar ;* [13TH MARCH 1919.
Mr. Krishna Rao.)

this; when these two Bills come up again, we shall probably have to complain that some principles embodied in this resolution are not in these two Bills. The Hon'ble Mr. Rajagopala Achariyar feels that the Government have already taken action. If so, we have nothing further to say. If he is not satisfied in that matter, I should suggest that the matter should be gone into from this larger aspect. I may say there is one paragraph about district boards being consulted on general matters. Am I to understand from the Hon'ble Mr. Rajagopala Achariyar that the Bill about district boards embodies a provision to that effect, or do you find it necessary to place it on a statutory basis?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“ It is not proposed to put it on a statutory basis.”

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"The first part of the resolution says that district officers should utilise their district boards more fully than at present for consultation and advice in matters of general concern."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—“Does it mean that it should be put on a statutory basis.”

The Hon'ble Divan Bahadur M. RAMACHANDRA RAO :—“ I believe so. If the Honourable Member means that they should be advisory bodies, irresponsible advisory bodies, we entirely disagree with him.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“That is what the Hon'ble Mr. Siva Rao has proposed.”

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"On that matter we have a difference of opinion with him. There are matters which have to be set right. There is the larger aspect of decentralising as much power to local bodies and freeing them from outside control. If the Honourable Member says that, in both these Bills, both these ideas have been carried out, it is all right. So far as I am concerned, I have no information."

The Hon'ble Mr. A. S. KRISHNA RAO :—“ I wish to make a few remarks on this resolution. So far as the first portion of the resolution is concerned, it suggests that ‘ the following recommendations of the Government of India contained in their resolution, dated 16th May 1918, may be adopted and carried into effect.’ So far as that portion is concerned, I do not think there is any difference of opinion, and it was pointed out on a former occasion by the Hon'ble Mr. Rajagopala Achariyar that these recommendations are binding on the local Government and effect will be given to them as early as possible. When we come to the detail embodied in this resolution, I must confess I am not enamoured of the recommendation contained in the first portion, namely, that District officers should utilise their district boards more fully than at present for consultation and advice in matters of general concern. This recommendation was first embodied in the Report of the Decentralization Commission in 1908 and it was embodied in the further resolution of the Government of India; and as has been pointed out by the Honourable Member in charge even it was stated in the Report on Constitutional Reforms, that this measure may be adopted in the case of reformed district boards. I believe, my Lord, that it is even now open to the district officers to consult the district boards; and we have advanced much since the days of the Decentralization Commission. Within the last ten or twelve years, the time has come when we can ask, reasonably and justly, for an enlargement of the administrative functions of these boards and for a gradual devolution of powers. It is not that I object to their being utilized more fully for purposes of consultation and advice; but that position does not meet the requirements of the case. That is a very mild and modest proposal. If we can advance in the proper direction, we may leave the details to their discretion. We should advance in certain definite directions. That is what I wish to say.

“ I shall make a few remarks with reference to some observations of the Honourable Member of this resolution. While making out a case for the municipality controlling the service which it pays for, he mentioned the instance of the control exercised in the case of educational institutions. One might naturally think that from his experience of the working of these educational institutions, the educational officers are exercising undue control over elementary schools in charge of local bodies. I do not like that we should go away with the impression that educational officers have any real power in respect of educational institutions; and that local bodies are not exercising real power. The Educational Inspection Code provides even now that the management of these institutions is with the local bodies themselves and that educational officers are mere advisers to these local bodies. It is suggested merely that they should be consulted in the matter of appointments; and that correspondence should go through them. They have no right to interfere with the discretion of local bodies in the matter of appointments; and if we are merely called upon to utilise them for purposes of consultation and advice, I do not think we need take serious objection to that. The Hon'ble Mr. Siva Rao must have experienced some difficulty and some educational officers there must have put obstacles in the way. If that is so, the Hon'ble the Director of Public Instruction might take notice. As a general rule, I would not subscribe to the position that they have a right to interfere, so long as certain formalities are complied with. From my experience, there have

13TH MARCH 1919.] (Mr. Krishna Rao ; Mr. Siva Rao ; Mr. Rajagopala Achariyar ; the President ; Mr. Rama Ayyangar.)

been very few instances in which they have interfered; and the real administration and management of the schools have been with the local bodies. It is expressly laid down in the Educational Code that the officers are merely to advise them. If any difficulty is experienced in the working of it, it will be for the local body to make a complaint against the educational officer and for the Hon'ble the Director of Public Instruction to take note of it. I want to make mention of this, lest we should go with the impression that the Government should now give us further powers. We have the power and we are exercising that power without any difficulty whatever. If we request the Government to consider this question, I do not know what it will lead to. It may lead to an enhancement of the powers or it may lead to a curtailment."

The Hon'ble Mr. P. SIVA RAO :—“ Your Excellency, there seems to be some difference of opinion in regard to my first recommendation. I never said that the administrative functions of the district board should not be multiplied. In fact, I welcome it. It is not going to be that all the functions now exercised by the Collector are going to be vested in the district board. He may consult them in regard to those functions. As regards the devolution of functions now exercised by the Collector, I have no objection whatever. As regards the educational restrictions, the Hon'ble Mr. A. S. Krishna Rao observed that there is no need for a change. If there had been no need for a change, there was hardly any necessity for the recommendation of the Decentralisation Commission. Is it not necessary for the casual leave applications to be sent up to the sub-assistant and the assistant Inspector? Is there no rule that the sanction of the Inspector of Schools is necessary if the appointment is on a salary which exceeds a certain amount? and that the sanction of the Director of Public Instruction is necessary if it is some other amount? All these matters are matters of advice. We have the real management in theory, but is that so in practice? Does the Inspector of Schools reconcile himself to the position if his recommendation is disregarded by the municipality? No doubt, it is tendered in the form of advice to us, but if it is set at naught, it will lead to serious consequences. It may be left to the chairman or to the head of the local body to consult them on any proper occasion, but why should you insist on his having this indispensable advice on all occasions? These are the restrictions which the Decentralisation Commission after recording voluminous evidence recommended should be done away with. So long as there is an assurance from the Honourable Member in charge that these recommendations will be loyally carried out, I do not see any use in pressing this resolution to a division. I thankfully accept the assurance and withdraw it.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—“ I would answer the query of the Hon'ble Mr. Ramachandra Rao. He wanted to know whether the District Municipalities Bill, which we sent up to the Government of India was examined afresh ; yes, before we sent it up, we examined it with reference to this resolution. This is the letter we wrote on the 22nd October 1918 :—‘ When the Bill, after revision, was about to be submitted to the Government of India, the resolution of that Government on Local Self-Government, dated the 16th of May of 1918, was received. The Governor in Council has again examined the Bill in the light of the policy laid down in that resolution, and the draft now enclosed embodies such modifications as are considered necessary to give effect to the conclusions arrived at by this Government on the subjects dealt with in the resolution.’ Then here is the letter to the Government of India which has not yet been sent up and which the Government propose to send up with reference to the Local Boards Bill. ‘ When the Bill, after revision, was about to be forwarded for administrative approval, the resolution of the Government of India on Local Self-Government, dated the 16th of May of 1918, was received. The Governor in Council has again examined the Bill in the light of the policy laid down in that resolution, and the draft now submitted contains such modifications as are considered necessary to give effect to the conclusions arrived at by this Government on the subjects dealt with in the resolution.’ These two quotations would show that we have not forgotten the matter. It is not unlikely that, when the Bills are published, Honourable Members may feel that we should have gone further than we have in making alterations in the frame-work of the Bills ; in which case, they would have ample opportunities of getting that done both in the preliminary meeting and in the Select Committee. I have said in reply to a question that we will publish the Bills before introducing them. I would also like to refer to the point about educational institutions. Wherever the

"I would also like to refer to the point about educational institutions. Wherever the theory of it gives the local body the power, there is no use complaining that the local body has no power to exercise. Unless you exercise it, you have no case. I am sure the head of the Medical Department who is here, the head of the Education Department who is also here will be glad to meet the Honourable Members from time to time if they bring forward any complaint of cases in which the officers of these two departments have been unreasonable. I suggest that is the proper course. As the Honourable Member has withdrawn the resolution, I have nothing further to say."

With the permission of His Excellency the President, the resolution was withdrawn.

His Excellency the PRESIDENT:—"We might look at the Agenda. We have got down resolution No. X. There are requests from Honourable Members to take up particular resolutions. Will the Hon'ble Mr. Rama Ayyangar move resolutions Nos. X and XI?"

The Hon'ble Mr. K. RAMA AYYANGAR:—"I do not move resolution No. XI" at the sitting."

938 RESOLUTION RE IMPERIAL GRANT FOR THE DEVELOPMENT OF
THE INDUSTRIES IN THIS PRESIDENCY.

(Mr. Ranga Achariyar ; Mr. Suryanarayana Rao.)

[13TH MARCH 1919.]

"If we take the functions which are allotted to Provincial Governments on these recommendations of the Industrial Commission, we will find that there is a lot to be done—

The direct encouragement of industries, including a large share in industrial research work, the provision of technical advice and assistance to industrialists, the examination of applications for special concessions, and the grant of loans to small and cottage industries."

"I wish to lay emphasis on this aspect of the question before I leave it. My Lord, there is great scope indeed in this Presidency for improvement and we can do a lot of good to the people by developing very largely and there is great room for employing money usefully to develop the small cottage industries and again when we consider the other recommendations—

"The collection and distribution of commercial and industrial intelligence; the work of passing Government indents and of purchasing and inspecting certain classes of Government stores; the organization of markets for local products; the conduct of special inquiries and industrial surveys; the holding of industrial exhibitions and the management of commercial and industrial museums.

"And one of these taken by itself will give ample scope for the employment of money usefully which if we can get from the Government of India, can be usefully applied. I therefore point out that as the Government of India have been unjust to us in the past we should ask them to repair it in a very small degree indeed by making these grants. Let us make them alive to the necessities of the situation. Unless this Government go to the Government of India armed with public opinion in this matter, they are not likely to meet with success. Past history will repeat itself. Madras is a far-off place for those who have the control of the purse of the Government of India. The voice of Madras is seldom heard there and therefore it is that it is necessary that Your Excellency's Government should apply to the Government of India early enough before they make their financial adjustment with other provinces. Other provinces must be told that injustice has been done to Madras in the past and that it cannot be perpetrated any longer and that it must be repaired to some small extent at least; not only in the matter of taking away our money have the Government of India acted harshly towards Madras, but even in the matter of making grants and loans out of their surplus, Madras has been treated in a step-motherly manner. Therefore, having regard to the past history, I hope the resolution that I have proposed will be acceptable to the Government and also to my Honourable Colleagues of this Council. As I have already stated, I would attach great importance to the development of cottage industries. Another subject which I will mention for consideration now is, how to use the co-operative movement in this direction. That is a matter which will have to be very carefully considered and I dare say if that movement is also directed in the direction of developing industries, instead of being merely as it is now mainly directed to developing credit, I think the co-operative movement will have done most useful work. May I, in conclusion, My Lord, utter a word of warning in the words of Sir Frederick Nicholson: In doing anything to develop the industries of this province, Sir Frederick Nicholson in his noble words emphasized this:

"I beg to record my opinion that in the matter of Indian industries we are bound to consider Indian interests firstly, secondly and thirdly,—I mean by 'firstly' that the local raw products should be utilized, by 'secondly' that industries should be introduced, and by 'thirdly' that the profits of such industry should remain in the country."

"We object to the profits of these industries going out of the country. My friends, the English merchants in Madras, have hitherto been paying their attention more to commerce and agencies than to industries unlike their fellow Scotsmen in Calcutta. I hope hereafter the Scotsmen in Madras will turn their attention to develop the industries and not to carry away the profit out of the country. Let them remain with us, be of us, and we have no objection to condition is forgotten we will object to Irish, English or Scot merchants coming here and exploiting the country and taking away the profits out of the country. Let them join hands with us in developing the industries of the country. My Lord, the subject is of vast importance and I know Your Excellency's Government, the Madras Government, from 1890 onwards, have been off and on paying attention to this question of industries. I know the Honourable Member in charge of that department is anxious to develop the industries of this province and it is only to clothe him with financial resources, in order to develop this question, I have brought forward this proposition; and I hope it will meet with the acceptance of Government."

The Hon'ble Mr. A. SURYANARAYANA RAO:—"My Lord, I beg to second this resolution that has been so ably moved by the Hon'ble Mr. Ranga Achariyar. Though I do not belong to the industrial line, I take great interest in the industries of the country and I specially support this resolution because I have the interest of the district of Vizagapatam in my heart and in this connexion there is the mining industry to be considerably developed in the district of Vizagapatam, Jaipur and Bobbili, and some of these zamindaris are supposed to possess very valuable mineral wealth and nothing has been done regarding this. In Jeypore, there is a lot of electric current that can be utilized for several purposes and some rivers, I think, may be utilized and we can have electric current produced and supplied to the whole district. When there are these two possibilities in regard to Vizagapatam and there are similar conditions in other districts, if the Government do not utilize them, if the Government do not step in at the right time, it is possible that Tatas may step in and take over the industry. If only the zamindars applied to Tata or some other firm they will take it up. Otherwise, the European firms will step in and this—mining industry and other industries will go into the hands of European

RESOLUTION RE IMPERIAL GRANT FOR THE DEVELOPMENT OF
THE INDUSTRIES IN THIS PRESIDENCY. 939

13TH MARCH 1919.] (Mr. Suryanarayana Rao ; Mr. Suryanarayana Murthi Nayudu ;
Mr. Rajagopala Achariyar ; Sir Gordon Fraser ;
Mr. Ranga Achariyar.)

firms and the country will be deprived of all the profits. I think Government should step in and see that these things are taken advantage of at once and the people are given a due share in the profits. Otherwise, as the Hon'ble Mr. Ranga Achariyar has clearly put it before us, some the profits. European firm, Messrs. Best & Co., or some Calcutta firm will come and take it up and the country will be deprived of the profits. I am therefore, strongly of opinion that the Government should take it up at the earliest moment, and apply to the Government of India for the sanction of this grant of 100 lakhs. It may be said that there are no schemes. But there is no difficulty in getting schemes prepared. Some persons may be deputed to see what schemes can be developed in the near future. With these words, I second this resolution."

The Hon'ble Diwan Bahadur K. SURYANARAYANAMURTHI NAYUDU:—"Your Excellency, I beg to support this resolution. The report of the Industrial Commission is now before us, and it does not require many words to commend this resolution to the acceptance of the Council. The industrial backwardness of our Presidency is its bane. Reform in that direction must occupy the foremost attention of Government and industries in different directions must be encouraged. So, I hope Government will accept this resolution and try to get some money from the Government of India to help the industries in this Presidency."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the Honourable mover has covered a lot of ground. He has said a great deal about the way in which this province has been treated by the Government of India in the past. I am not in a position to refer to all that correspondence. But I can assure him that this Government have always stood up for the Presidency and that is a point about which our conscience is quite clear. I do not think at any time any Government in Madras, either of Your Excellency or Your Excellency's predecessors, ever allowed a suitable opportunity to pass without protesting against the way in which we are treated. We have said that we did not consider it to be a fair or reasonable treatment. So far as we are concerned, our conscience is quite clear in the matter. The Honourable Member has referred to other presidencies and asked what we are doing. I can only speak on behalf of this Government and I am sure the Hon'ble Sir Alexander Cardew will bear me out that the Madras Government have always stood out for justice and fairplay in our financial relations with the Government of India. We have done our very best for the pro- vince and I have no hesitation in saying that. In regard to industrial matters, it is true that this Presidency has had a start. We had a conference in 1908 but then the policy with regard to industrial matters was somewhat different then. The then Secretary of State, Lord Morley, ruled out development and asked us to cry halt. Later on, the Industrial Commission reported and that report is now before the Government of India and a reference about it has come to us, which we are dealing with. I venture to assure Honourable Members that we would do the very best that we can for our province; and we will make out as strong a case as we can for our development. We are unable to accept this resolution in this particular form, because we have really no scheme worked out, and there is no justification to go up to the Government of India at present. Unless we are in a position to put forward some details, we will not be able to do any good just now. Reference from the Government of India has come and I have every reason to believe that they are anxious to see industrial development started as soon as possible. As soon as that is started, we will have a separate Industrial department and a strong stimulus will be afforded to the industrial development of the province. With regard to the utilizing of water-power for generating electricity, I am indebted to my Honourable Friend Mr. Howley for the information that a special staff has been deputed for a detailed inquiry into hydro electricity. Two members have been to Madras recently and they have considered several things and the particular thing which the Honourable Member referred to—the Periyar is one of the things that have gone up to the Government of India. I hope the Council will accept my assurance—this is a department in my charge—that it will be my continuous end and effort to push the matter forward as vigorously as I can. You may rest assured that the interests of the province will not suffer, and in view of the policy which the Government of India have now taken up, I think the future is one which we can look forward to with hope. Under these circumstances, I trust that the Honourable Member would not insist on taking a division, because we have not got a detailed programme."

The Hon'ble Sir GORDON FRASER:—"I expect the Honourable mover of the resolution will be surprised to hear that I propose to support it."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I am not at all surprised. I knew my Honourable Friend would support me."

The Hon'ble Sir GORDON FRASER:—"I consider that the Government of Madras do subscribe more than their fair share to the Government of India and although this resolution as it is worded cannot bring in any actual result, I am perfectly sure that it will show the feeling in this Presidency. We hope that in times to come, the Madras Presidency will be treated better than it has been in the past. On the present lines of the resolution I do not think anything will happen. The Honourable Mover mentioned the experiments of co-operative societies and personally I have great faith in the usefulness of co-operative societies and I think they will go very far in helping the industries of this Presidency. The Honourable mover made a remark that English firms turn their attention more to commerce than to industries. I am afraid I cannot agree with him there and it is hardly necessary to argue the point because

940 RESOLUTION RE IMPERIAL GRANT FOR THE DEVELOPMENT OF
THE INDUSTRIES IN THIS PRESIDENCY.

(Sir Gordon Fraser; Sir Fairless Barber;
Mr. Venkatapati Raju.)

[13TH MARCH 1919.]

the country itself contains full evidence to the contrary. In the lines of commerce the Indian merchant can hold his own with the European merchant but when it comes to industries, manufacturing of all sorts, up to date—I would not say in future—there is no doubt that the English industrialist has more than held his own. The Indian has not come up to that standard. The chief reason is that he prefers to put his money in land, and he does not care to put it in industrial concerns. Also throughout India, agriculture has up to date been the general occupation and not industries. If you have to start industries, you cannot run the industries and factories without experts; and up to date there has been great reluctance on the part of the Indian merchants and traders against bringing out experts from England and other places to initiate industries.

“Then as regards water-power, the Honourable Seconder seemed alarmed at the prospect of English merchants coming in or even at the prospect of Tata's coming and taking up the water-power schemes. When I gave my evidence before the Industries Commission, I strongly recommended that Government should, without loss of time, investigate this question and see whether it will not be possible to develop some of the water-power schemes of this Presidency. We must have motive power for practically all industries. We in Madras are very badly handicapped for coal and if we have to compete with other industries, and bring coal from 1,200 miles away, we are seriously handicapped; if we have water-power the position is the reverse. One of the greatest difficulties in Southern India is that the water-supply of South India is so intermittent and liable to failure and the rivers dry up; but I think we can rest assured that Government are fully alive to the importance of developing any water-power scheme that is put forward. As the Hon'ble Mr. Rajagopala Achariyar has just mentioned, the matter is now under investigation.

“The remarks of the Honourable Seconder of the resolution regarding the objection to English merchants opening up industries and mining concerns, I am afraid that displays extraordinary ignorance of the whole subject; it would be quite impossible for me to go into the whole question here. It is a very big question and there is no doubt whatever that whoever opens up industries, he is going to benefit the country. Because an Englishman starts an Indian industry, to say that he is going to rob the country of the benefits of the industry is too absurd. I will not go into that question, however, because it is too large a subject, to deal with here.

“One difference of opinion between the Honourable Mover and the Honourable Seconder of the resolution is on this particular point. The Honourable Mover pointed out that English firms kept to commerce and did not take to industries. The Honourable Seconder is very much alarmed that they might take up industries. As I said at the commencement, I support the resolution simply as a protest against the extraordinary inequality in the treatment of the different presidencies by the Government of India in the past. It is high time for Madras to cry out for more fair treatment and if we protest strongly now, we may have some chance of a better treatment in the future, although personally I think that on this resolution as it stands, nothing will result.”

The Hon'ble Sir FAIRLESS BARBER:—“Your Excellency, I wish to oppose the resolution. In the first place, I think it is too general and in the second place I think it is inopportune. I say it is too general because it deals with industries at large and I do not think that industries should be developed in this Presidency unless those industries are connected with agriculture. Recently in the Viceroy's Legislative Council there have been railway schemes largely budgeted for. It is surely an industrial expansion and yet we have the representative of this Council in the Viceroy's Legislative Council opposing the grant for railways. Not very long ago there was a proposal for railway expansion in Malabar, and no money was forthcoming locally; because they would sooner put any money on land giving a return of 4 per cent. In regard to what the Honourable Seconder said, the inference is that Indians could not start industries without Government assistance while the Europeans can. He assumes that if there is no Government assistance the Europeans will start them. I do not think Europeans will start industries in this Presidency unless they were assured of the results and I take it that Indians will take the same point of view.

“I say this resolution is inopportune for, with the present shortage of grain, I think any money that is forthcoming should be spent more on cultivation. In the Montagu-Chelmsford report it is said ‘how much more should India have been able to contribute to the war if India had been industrially more prosperous.’ I fancy she could have contributed very much more if she had been agriculturally more prosperous.”

The Hon'ble Mr. B. VENKATAPATI RAJU:—“Your Excellency, we are glad to learn from the Hon'ble Mr. Rajagopala Achariyar that the Government have protested on every occasion possible, against the inequality of treatment by the Government of India. We are thankful to him for that, but we generally judge from the results. We have not received any such benefit. But we found that the Government tamely submitted all these years, but anyhow the past is past. Let us try and co-operate with the Government at least in securing our legitimate share from the Government of India in future. The second point is that the Hon'ble Sir Gordon Fraser has been rather sarcastic in referring to the Hon'ble Mr. Suryanarayana Rao's statement that he prefers the exploitation by Indians rather than by Europeans.”

The Hon'ble Sir GORDON FRASER:—“That is a very wide interpretation of what I said.”

RESOLUTION RE IMPERIAL GRANT FOR THE DEVELOPMENT OF 941
THE INDUSTRIES IN THIS PRESIDENCY.

13TH MARCH 1919.]

(Mr. Venkatapati Raju; Sir Gordon Fraser;
Mr. Rajagopala Achariyar; Mr. Narasimha Ayyar.)

The Hon'ble Mr. B. VENKATAPATI RAJU:—“He says that Indians would come forward otherwise Europeans would come and take it up.”

The Hon'ble Sir GORDON FRASER:—“The Honourable Member is not quoting me correctly.”

The Hon'ble Mr. B. VENKATAPATI RAJU:—“I understand it to be so. If the Hon'ble Sir Gordon Fraser does not complain of the reference by the Hon'ble Mr. Suryanarayana Rao that the Indians do not like that money should be taken away from the country, if the Hon'ble Sir Gordon Fraser agrees with that view, then there is an end of the matter and it is alright. All the same, what we want is that the country should be exploited by experts. What the Hon'ble Mr. Ranga Achariyar wants is that the profits should not leave India. I do not think the Hon'ble Sir Gordon Fraser will leave his profits in India. He will take them away for his kith and kin in England. The Hon'ble Mr. Ranga Achariyar wants the profits to be kept here. The suggestion is that Government should come to the aid of the people in order to work these industries. So far as home industries are concerned, any amount can be spent. My Honourable Friend asked for one crore, but we can spend several crores. No foreigner can compete with us either on equal terms or on any terms whatever. We can succeed in spending any amount in promoting home industries so that the whole profits that would be received will be in the country. We have sad experience of exploitation. The Indians would receive the royalty.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—“I do not want to interrupt the Honourable Member, but all these remarks about exploitation do not help the debate much. I quite see that there may be a difference in the point of view. But whether on the resolution now before the Council any useful purpose will be served by going into the question of exploitation by foreigners, I do not know; nor does it appear to have any bearing on the resolution on the paper.”

The Hon'ble Mr. B. VENKATAPATI RAJU:—“It has no bearing except that the Hon'ble Sir Gordon Fraser made the remark.”

The Hon'ble Sir GORDON FRASER:—“I simply replied to the remarks of the Honourable mover and the Honourable Seconder. I did not open any new ground.”

The Hon'ble Mr. B. VENKATAPATI RAJU:—“I do not mean anything, but everybody is anxious to keep the money in India and for that purpose we want the Government to come to our aid. Because we are impoverished, we want money; and Government are in a position to spend money and, instead of investing it in other places and giving it on loans, let it be given to Indians in order to develop Indian resources to enrich the people. Therefore, the modest request of the Hon'ble Mr. Ranga Achariyar is to get one crore from the Government of India. The Hon'ble Mr. Rajagopala Achariyar says that we have not got a definite scheme. I am quite sure that this state of things will continue not for one year, but for a decade, unless we force the hands of the Government to prepare a scheme. Our object in bringing forward resolution is to make the Government prepare a scheme. They have their expert advisers and the Hon'ble Mr. Rajagopala Achariyar can, if he wants, get them prepared for several crores, not only for one crore in a few months—.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—“The Honourable Member is giving me credit for a capacity which I would never dream of aspiring to.”

The Hon'ble Mr. B. VENKATAPATI RAJU:—“There is more expert advice at the disposal of the Government. As they prepare the budget for several crores, I think they can prepare—.”

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—“For industries?”

The Hon'ble Mr. B. VENKATAPATI RAJU:—“We want some substantial move made in this direction of industrial development. If the Government undertake to move in this direction, I think the Hon'ble Mr. Ranga Achariyar will be satisfied. What is the use of saying merely ‘we will consider’? We have been considering for the last one hundred years.”

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—“I do not know whether the Government are really opposing this proposition. It appears to me that it is hardly a proposition which the Government should oppose. It strengthens the hands of the Government in making a demand—it may not be exactly for 100 lakhs non-recurring and 50 lakhs recurring grant—, but what we non-officials want to do is to strengthen the hands of Government in making a demand upon the Imperial Government. So far as I can follow the speech of the Hon'ble Mr. Rajagopala Achariyar, in substance he agrees with us. We are quite willing, the Hon'ble Mr. Ranga Achariyar will be the first person, to agree to the principle of the proposition being accepted, the details being left to be worked out by the Government. I could not quite follow the Hon'ble Mr. Rajagopala Achariyar when he was asking my Hon'ble friend Mr. Venkatapati Raju whether really there was any necessity to go into the details. There is no difficulty in understanding the well-established historical fact of foreign or British exploitation of India. All that we want is more money for industries, and what is recommended is that this Government should apply for more. Oliver Twist will ask for more but, instead of getting more food, he may get more blows. The Madras Government have got only the latter in their dealings with the Government of India. But this resolution will strengthen the hands of the Madras Government in making the request. We non-officials stand almost united, except the

942 RESOLUTION RE IMPERIAL GRANT FOR THE DEVELOPMENT OF
THE INDUSTRIES IN THIS PRESIDENCY.

(Mr. Narasimha Ayyar; Mr. Ranga Achariyar;
Sir Fairless Barber; Sir Alexander Cardew.) [13TH MARCH 1919.]

Hon'ble Sir Fairless Barber, and wish to strengthen the hands of Government in making this request. I hope this Government will not let it go forth, that they are loath to have any scheme prepared to have their hands strengthened, by the demand of the non-official members."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"My Lord, as I began so I propose to end. My object was to draw pointed attention to two aspects of the question. The financial injustice and the reparation for that injustice is the first point. The second point is that reparation is needed for the development of industries of the province. These were the two objects that I had in view. We are sadly in a backward condition with regard to industries. These were my two objects. In regard to them, I am glad to have the assurance of the Honourable Member in charge that the Government have got the second object in view, namely, the development of industries. But the Honourable Member is not quite clear. I did not hear him say that he would draw the attention of the Government of India and that by means of this resolution he would bring home to the attention of the Government of India the past injustice that has been done to us by that Government. We want reparation in that matter so as to develop our industries. If the Honourable Member will give us an assurance that he will draw the attention of the Government of India to that aspect of the question, I would be satisfied for having brought forward this resolution. These two points must be emphasized. We want money badly and we want it for developing the industries of the province. The last thing I said was that, in spending that money, you should spend it for the masses, namely, in developing cottage industries, and keep an eye on one aspect, namely, that the profits are prevented from going out of the country. I dare say all of us are agreed about that point and let us not drag in unnecessary matters. Only one remark about the statement of the Hon'ble Sir Fairless Barber. He wants only agriculture to be developed."

The Hon'ble Sir FAIRLESS BARBER:—"I said industries connected with agriculture."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I quite agree with him. Being an agriculturist myself, I should welcome industries in that direction being developed, but not at the expense of industries really so called. In fact, this country has been for centuries developing agriculture and this Government have been neglecting the other industries of the province; the other indigenous industries have been killed by foreign competition and we want to develop the indigenous industries of the province. I do not think so much is needed in the direction of agriculture as in the case of other industries. This is far more important now and we cannot live merely on agriculture. That has been brought home to us in this recent war and to all the nations of the world that, unless we have agriculture and the other industries, no country can thrive. Those points are well brought out by the Industries Commission and I dare say their report is engaging the attention both of this Government and the Government of India and I am sure that in my life time great things will be done in this direction and I hope to live to see the day when India will be not only agriculturally great but industrially great. I want a word of assurance that the injustice done to Madras, when we in Madras feel very strongly on the past financial injustice of this province, will be repaired somewhat by making some reparation in the shape of grants more substantial grants than to other provinces. We want to be more partially treated. In working out the recommendations of the Industries Commission, Madras should have a more favourable treatment than the other provinces. On these two grounds the other provinces are more fortunately situated a ready and people have greater resources at their disposal whereas Madras has not. We get more revenue from the people and leave them little to live upon. If these points are brought home to the Government of India and if we can persuade them to give greater grants in future, and to say that Madras will get preferential treatment, I shall be satisfied."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, the Honourable Member in this matter has been basing his arguments so much on financial grounds that I should like to say a word or two about the terms of the resolution. His main point is that Madras has paid more than her fair share towards the general expenditure for Imperial purposes. That is undoubtedly a fact and the Government have on several occasions in years past represented this to the Government of India, but without any success, partly because until lately the relative shares which were payable by the different provinces were so obscure in the Financial Statement that it was impossible for any Provincial Government to be sure of their share. That has been cleared up in connexion with the Reform Scheme. In that Scheme, as Honourable Members are aware, there is a fresh proposal altogether about the reallocation of funds between the Provincial Governments and the Imperial Government and I can assure the Honourable Member that the Madras Government are fully aware of the objections to the scheme and they have stated in the most unequivocal terms that they have not enough funds at their disposal and they have stated their objections to it. I cannot go further. The matter is before the Government of India and they are considering it. We have stated our objections fully and when these despatches are published, this Council will see that the Madras Government have not been remiss in putting forward the claims and the interests of this Presidency. Then there is a practical point. Will all this discussion serve any profitable purpose? To ask for one crore for objects which we have not yet ascertained, will leave us a balance and we shall be disturbing our own financial arrangements. The budget figures show that, under 'Industries' 5½ lakhs was provided in 1917-18; and in 1918-19 it was a little over 8 lakhs,

943 RESOLUTIONS RE IMPERIAL GRANT FOR THE DEVELOPMENT OF
THE INDUSTRIES IN THIS PRESIDENCY AND COMMITTEE TO
INQUIRE INTO EXPENDITURE ON THE POLICE DEPARTMENT.

13TH MARCH 1919.] (Sir Alexander Cardew; Mr. Ranga Achariyar;
Mr. Rama Ayyangar; Mr. Davidson.)

and 1919-20 it is 12½ lakhs, showing an advance of 20 per cent. To get a crore would involve an enormous expansion of these operations, but I do not think it will really serve any useful purpose to ask for one crore now; when the substantial proposals of the Industries Commission are brought under review and the Madras Government find sufficient cause, they will ask for further allotment on this account. Undoubtedly they will ask for it, but at present I do not think we have a scheme which will hold water. Last year we did ask for a grant of 30 lakhs for the development of our roads and the Government of India simply replied, 'we will not give it to you, you can take it out of your balances.' Then we took the amount out of our balances. The Imperial Government had a deficit about 6 millions sterling and with the excess profits taxation, when the expenditure due to the war is cleared, it will take a year or two for the loss to be built up, with the enormous loss of silver; I would suggest to the Honourable Member that it is hardly a practicable suggestion to ask for one crore now. It is not practical politics. He may depend upon it that we shall do all that we possibly can do to see that Madras gets a fair share under the new financial arrangement."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I do not think it necessary to press this point. My object was to draw pointed attention to the matter and I hope in making a further demand upon the Government of India, the Government of Madras will make a more insistent demand and say that the Government of Madras will not be satisfied unless Madras is preferentially treated hereafter as compared with the other provinces. I do not press the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE COMMITTEE TO INQUIRE INTO EXPENDITURE
ON THE POLICE DEPARTMENT.

The Hon'ble Mr. K. RAMA AYYANGAR:—"The resolution that I propose to move runs as follows:—

'X. This Council recommends to the Governor in Council that a committee of officials and non-officials be appointed to inquire into and report upon the expenditure on the Police department with a view to put it on a permanent basis and reduce the expenditure, if possible, as far as it could be done.'

"My Lord, this is practically a resolution which I moved in the year 1915 in the March meeting of this Council. I do not propose to detain this Council with a full examination of all that I had said on that occasion. Reference to the discussion on the resolution in 1915 will show that I divided the subject into eight parts and I wanted there should be an inquiry made into each one of them. The points were: the organization of village police on the lines suggested by the Police Commission."

The Hon'ble Mr. L. DAVIDSON:—"Which of the discussions in 1915? The Honourable Member moved three resolutions in 1915."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I am referring to Resolution No. XXII in the meeting held on the 31st of March 1915. That was in these terms:—'This Council recommends to the Governor in Council that a committee of officials and non-officials be appointed to inquire into the condition of crime since the police organization was introduced into this Presidency and report on the propriety and necessity of the existing establishment and on the distribution of the areas (such as station-house, taluk, circle and division charges) and on the suitable location of the police buildings to be constructed.' I brought to the notice of the Government then eight heads under which this would have to be considered."

"I fully discussed the recommendations of the Police Commission and referred to the improvement of the village police organization as suggested by the Commission. The second point that I noticed was the strength of the forces as compared with the recommendations of the Police Commission. The third point related to the station charges and the sub-inspectors to be in charge of these stations and their relationship with the head constable and the police inspector. The next point was the separation of the several branches of the Police department into the prosecution branch, the preventive establishment and the detective establishment. The next point was the duty which was being then discharged by the police to serve the processes of criminal courts and the eighth point was the formation of criminal settlements and work under the security chapters and other preventive chapters. I dealt in detail with each one of these and the arguments of the Government as advanced by Sir Harold Stuart were that the Commission had sat and effect had been given to the report of the Commission only partially only about 1908 or 1910; though it began to be given effect to in 1906, it was not till 1910 that the matter had been given a fair or a complete start. Therefore, it was contended that within about five years of that state of affairs it was not proper to reconsider or reconstitute a committee to go into the whole question and that some more time should be given. After this resolution was moved, I just took up one or two points in connexion with that, about the

944 RESOLUTION RE COMMITTEE TO INQUIRE INTO EXPENDITURE
ON THE POLICE DEPARTMENT.

(Mr. Rama Ayyangar.)

[13TH MARCH 1919.]

relationship of the sub-inspector towards the head constable and the inspector and the question of the village police on different occasions. The second occasion on which this question of the relationship of the sub-inspector was considered was at the meeting held in February 1916. The resolution then was: 'This Council recommends to the Governor in Council that steps might be taken to reorganize the police staff so as to draft the head constables into a grade of the constabulary and circle inspectors into the sub-inspectors or other grades by forming suitable grades in these offices so as to improve the efficiency of the work of the sub-inspectors and the assistant and deputy superintendents of police.' It was in that connexion suggested by the Honourable Member in charge, Sir Harold Stuart, that a trial would be made in select districts and I know that since then, in Kurnool and Trichinopoly and in a modified form in Coimbatore, trials were made to see that the sub-inspector was directly placed in charge of divisional police I brought up on the 7th of February 1917 and the question of reorganization of the village charge said that he would pay attention to my remarks and would consider the question. These were his last words: 'this question of the selection and appointment of village headmen is, I believe, engaging the attention of the Government; and I shall certainly bear in mind all that the Honourable Members have said on this resolution. I shall look into the matter and see whether it is possible to evolve any system whereby we can distribute responsibility. I think we cannot have more than one person responsible for a particular area.' That was in the discussion in 1917.

"I have to point out that the arguments that I advanced during the discussion in 1915 now apply with still greater force. We find that while the expenditure has increased from 98 lakhs then to about 108 lakhs, exclusive of village police which is added on now and the total is 120 lakhs according to the revised estimate for 1918-19, if we deduct that transfer from the Revenue department to the Police department, it was 98 lakhs then it is about 108 lakhs now. There have been already an increase of about 10 lakhs recurring expenditure. We do not include in this expenditure, the expenditure on police buildings which we have not been incurring during the war period, but we had been incurring steadily before, to the extent of about 7 or 8 lakhs per annum; so that the police charges now would be 116 lakhs inclusive of building charges if they were on the programme. The cost has increased but what we find is that neither the number of serious crimes nor the total number of cognisable crimes has materially diminished except in one or two places as is shown in the recent Administration Report of 1917. In Trichinopoly and Coimbatore there has been a decided increase in the number of cases of detection and the success in detection. In few other places like Vizagapatam, Chittoor and other places, there is a tendency in that direction and the Administration Report of the Inspector-General of Police explains what steps were taken in each one of these districts and how it was possible to keep down the crime in these places. He complains of the insufficient numbers in the village police and he also refers to the good work done by the deputy superintendents who had come into contact with the village officers more than before and he refers to the good work done by the sub-inspectors when they are placed in charge of stations and when they are placed directly in charge under deputy and assistant superintendents. In fact, I have made a note of it. At page 7 in the latest Administration Report for 1917—that is the one available—it is stated 'The insufficiency of their (the village police) numbers continues and consequently the surveillance of bad characters and strangers and patrolling are still defective.' Again he notices that crimes have decreased and he says: 'In this district the subdivision scheme was recently introduced and the superintendent states that the talayari who is generally recruited from the criminal classes is now successfully employed to watch the movements of his criminal confederates. The Superintendent of Trichinopoly where the subdivision scheme has been working for more than a year reports that the deputy superintendents have come into closer contact with village officers and the public, and have recognized all instances of co-operation, that consequently the relations between the regular police and the village police have improved and that the latter have realized their responsibilities to a larger extent than before.' Later on he says: 'No serious outbreak of crime occurred on the railways but there was a general increase in the number of thefts especially of railway materials such as brass or iron-work, due to the prevailing high prices and partly also to the insufficiency of lights and watchmen in several stations.' In another place he says: 'the attention of all superintendents has been particularly drawn to the importance of the system inaugurated in this district, the main principles of which are now receiving attention in all districts.' Similarly on these various points, there are observations which go to support the views that I have pressed in this Council on those occasions. As I submitted, though there is an increase in the expenditure there is really no proportionate advance in the reduction of crimes or in their detection. Therefore the arguments that I advanced then apply now and the whole matter deserves looking into and what I said applies with greater force just now. To an interpellation which I sent in for this meeting, No. 89, the answer says that the Government are not yet in a position to make a definite pronouncement on the scheme relating to circle inspectors and sub-inspectors. There is a separate police prosecuting staff which has been strengthened but in respect of the other preventive staff no proposals have been made and the Government have not considered them. I beg to draw the attention of the Government to all these points. As we find that the police charges are steadily going up, I am not sure that the increased charges are being incurred in the right direction. There was an addition of about 800 stations when the Police Commission report was brought into force and there was an addition of about 44 stations and outposts about 200 and odd, so that we have 900 and odd police stations and 278 outposts. It is found that though we have added to the staff, the police force

RESOLUTION RE COMMITTEE TO INQUIRE INTO EXPENDITURE 945
ON THE POLICE DEPARTMENT.

13TH MARCH 1919.]

(Mr. Rama Ayyangar.)

that was recommended by the Police Commission was Rs. 26,000, before that it was Rs. 23,000, on the date of the previous discussion we went up to Rs. 34,000 and now we have a police force of Rs. 36,000. In spite of that, we find that whereas this has been intelligently applied as in the case of Coimbatore, Trichinopoly, Chittoor and a few other districts, where we find that efficient working has reduced the crime, in the case of the rest of the presidency, that is not the effect I submit therefore that it is not mere increase of the staff but a proper utilization of it and proper application of the money that is spent on the staff that will enable the department to do its work properly. One of the points brought out in the recent report which is merely a reiteration of a point in the previous reports is that a little reward of money acts as a considerable help in the detection of crime. Similarly it has been pointed out that the ordinary police constables are not able to do much work as people who are in charge of investigation and the preventive departments and even there, protection is more important. It has been found that with the sub-inspector who is in charge of the station and a clever deputy superintendent or an assistant superintendent who puts his heart into the work, it has been possible by proper supervision of these officers to reduce crime and control the riot and infuse confidence in the villagers. These are the points that I raised previously. All these together show that in the particular districts that I refer to, there is no additional expenditure but there is really more efficient work done. This is a matter that deserves looking into, though I should not fail to draw the attention of the Honourable Member in charge to a memorandum that I submitted after the discussion in 1915 to members of this Council. That was subsequently acknowledged, as one that dealt with the position fairly well and Sir Harold Stuart was kind enough to acknowledge that and was prepared to adopt some of the suggestions and since 1914, that was the latest report at that date, the reports acknowledged fully that the points that I brought out, in those discussions deserved great attention and they were adopted and they actually improved the efficiency of the police. I dare say the Hon'ble Mr. Davidson would, with his usual keen scrutiny, go into the questions that I now raise and satisfy himself that many of the suggestions are held by the department to be suggestions found to be successful in some cases and in other cases to be worth being adopted. The four years' reports will clearly show that. Under these circumstances, I thought it was my duty at this stage, to bring this up, four years after the previous discussion when we have no improvement in the reduction of the total crime or the serious crime or the ordinary cognizable cases in this presidency; it has been found that where it has been intelligently worked, it has produced much better results and crime has gone down by 300 or 400 cases. I submit there is force in the contention that the matter must be examined fully. In fact Sir Harold Stuart was Secretary to the Police Commission and he had full knowledge of the whole question and he at first thought that most of the suggestions were against the spirit of the recommendations but subsequently held that they were useful; and the department has recognized them to be useful and it is for the Government now at least to make up their minds that the whole matter should be gone into. I have been always contending that if the efficiency of the Police department requires more expenditure, that is a thing that should not be grudged by this Council. I do not think Government have at any time grudged the expenditure on the department if the efficiency of the department or the needs of the department required that expenditure. I am not going to contend that that should be sacrificed for the sake of expenditure but my firm belief is that it is not by adding to the expenditure or by the entertainment of additional hands that we can effectively manage it, but by so arranging the Police department and so dividing the staff that a mechanical portion of the work will be done by the staff whereas the intelligent portion of the work will be done by the efficient staff who will have complete control of the work they are doing. It has been proved that such staff have been able to reduce crime more successfully and manage the Police department better. One answer to the interpellation that I already referred to, shows that there is no provision made for keeping extra staff other than the staff of police employed in the detective, preventive and prosecution staff. The answer says: 'No proposals such as those referred to by the Honourable Member are under the consideration of the Government'. This is in answer to clause (d) of the question which is: 'What is the total number of constables proposed to be allotted to each station and what extra staff of head constables and constables is proposed to be kept in the mufassal in the presidency over and above those in the police stations?' This matter is important and I will only refer to the recommendations of the Police Commission and it will be seen that in the provision they made, they wanted a total strength of 23,000 and they expected a reserve of persons who might be called upon to attend to particular riots that may happen in certain districts and who may be kept at headquarters. That has not been paid attention to till now. That is a point that may be taken into consideration. The question which is often very difficult in this Council to carry and which is often viewed with great disfavour by the Government is the question of a committee of officials and non-officials being asked for any purpose. I must bring home to Honourable Members of this Council that the various points that I place before this Council now cannot be done simply by any one officer, even if he is placed on special duty without taking a little evidence as to how the recommendations of the Police Commission have to be altered to suit the conditions of the province. In the matter of trial of the sub-inspectors and the Divisional Officers in charge, explanations have been given why it has not been successful. What are the conditions to effect success?—that may be one of the points. But however, the points that deserve to be noticed in that connexion will have to be elicited and the whole matter of the scheme and the force for the province such as would be needed under the schemes as proposed will have to be fixed. There is a temporary staff also which has run up to the strength of about 1,800 or so. Whether it is to be a temporary or a

(Mr. Rama Ayyangar; Mr. Venkatapati Raju; [13TH MARCH 1919.
Mr. Davidson.)

permanent staff would have to be considered. This appears in the statement I attached to the report and the observation of the Inspector-General of Police in the paragraph that I read out previously shows that the location of police stations in the Kurnool district also contriutes to the inefficient work of the police in that district. That was a point which I placed before the Government on a previous occasion also and any reports in connexion with the question of the police stations will have to be considered. All these cannot be disposed of by one special officer non-officials. On the previous occasion, the commission consisted of both and they recommended things for the whole of India and they said that it must be adjusted to the needs of the province. I do not want to refer to it again. It will be very proper to go into the question and fix the police force, the police stations, the number of sub-inspectors and assistants and deputy superintendents and circle inspectors needed and the charges which the Government have to incur in respect of such a force—all these questions are fairly complicated and important questions and it cannot be said that we can put off these matters indefinitely. It is necessary that the efficiency of the department should be kept up and if we find practically during the last four years that the strength of the department is not kept up, on the lines on which it ought to be kept up, but that it is only worked on other lines, it is time for us to see and consider how the matter may be finally judged and placed on the budget of this province so far as the Police department is concerned. My Lord, I have briefly referred to these various points and I do not think it necessary to refer to further points. They have been referred to in a previous discussion and therefore I do not think it necessary to repeat all the arguments again. The recommendations of the Police Commission, if only the head notes are referred to, will clearly show that all the points that I raise are important points and they have considered and have come to the conclusion, and after a complete survey of the situation they have recommended, that the force should be 23,000; whereas we have now 36,000 and the charges they recommended were Rs. 63 lakhs whereas we are now incurring Rs. 118 lakhs per annum. All these must be scrutinized. I do not want to refer to the points urged by the Honourable Member in charge then not to have a committee at that stage, and to the fact that some of the observations I made have been found useful. I hope the Honourable Member in charge will therefore find his way to accept this resolution and see that the Police department is placed on a sound basis and is not subjected to any attack."

The Hon'ble Mr. B. VENKATAPATI RAJU :—" Your Excellency, I second this resolution. This subject was discussed thread-bare on several occasions. I must state that there is a complaint that money is being spent in greater proportion than the benefit which the people are receiving. Property recovered as stolen property is not at all in proportion to the better condition of police than before nor is it better in the matter of detection of crimes. While we are spending nearly 200 or 300 times our former expenditure on police, it is but fair when the Honourable Member asked for an inquiry into the economic aspect of the question whether the whole amount is necessary or whether economy can be observed in the matter of securing the same object, it should be granted. This is a subject which requires inquiry and I naturally expected the Government to be ahead of popular demand in economizing expenditure ; it should not be left to Members of Council to move resolutions year after year. Government then saying that there is no use. We know what we are about, what we are spending ; care should be taken to see that it is really and usefully spent."

The Hon'ble Mr. L. Davidson :—“ Your Excellency, I do not propose to follow the Hon'ble Mr. Rama Ayyangar through the maze of his discourse on the administrative details of the Police department. In virtue of his long study he may be able to find his way about in that maze but I am afraid I cannot. I may say that he has been responsible during the last five years for seven resolutions on the administration of the Police department. For the purposes of this debate I studied the discussions on some of these but I regret that owing to my own lack of application or to an error in the Secretariat, my attention was not given to the resolution on which he has based his speech. I have since referred to the discussion of that resolution and find that after a somewhat heated debate between the Honourable Member and Sir Harold Stuart it ended in a very definite rejection of the idea of a committee. The discussion to-day seems to have followed in some respects the same lines. Sir Harold Stuart was a past-master in March 1915, the more so, as I find he gave detailed reasons in regard to a very similar resolution in November 1913 brought forward by the Hon'ble Mr. Narasimha Swara Sarma. One year later than 1915, in 1916, Sir Harold Stuart was pressed to withhold increased expenditure on the Police department in a resolution of which notice was given by the Hon'ble Mr. Ramachandratuart demonstrated that there was then no question of extravagance in the expenditure on the Police department and hardly any specific economy was urged on that occasion. He accounted in detail for the excess expenditure in 1916-17 as compared with that of 1914-15 when the total was 116.71 lakhs. This resolution asks for the appointment of a committee to inquire into and report upon the expenditure on the Police department with a view to put it on a permanent basis and reduce the expenditure if possible as far as it could be done. If there is a valid ground for the appointment of such a committee, it should not be difficult to show that there has been unwarranted expenditure since 1916. As for the idea of placing the expenditure of

13TH MARCH 1919.]

(Mr. Davidson; Mr. Rama Ayyangar.)

the Police department on a permanent basis, obviously no department of the public service can have its expenditure placed on a permanent basis. Changes in the price of necessities alone would make it impossible. The only practical issue therefore is reduction in expenditure.

“Has there been any unwarranted increase in the expenditure since 1916? That is the only point with which I propose to deal. The budget estimate of the department for 1919-20 is put down at 136.51 lakhs. That represents since 1916 an increase of 19.80 lakhs beyond the figure which Sir Harold Stuart proved to be necessary in the previous debate. Of this increase of 19.80 lakhs, two-thirds, 13.50 lakhs, relates to the provision for enhanced wages allowance and I do not suppose that any one will dispute the necessity for that. Three lakhs and nineteen thousand represents a revision in the pay of the constabulary in the mufassal. The introduction of this revision actually began in the budget year to which Sir Harold Stuart was referring, 1916-17. The reorganization was sanctioned by the highest authority and partly took the shape of additional increments for additional years' service with the result that enhanced expenditure has been growing from year to year. Criminal settlements in which there have been large developments since 1916 account for an increase of 1.03 lakhs. If you leave these items out of account, the residuum is just over 2 lakhs, which is under 2 per cent of the aggregate outlay in 1916-17 and represents an annual increment of only 0.6 per cent on the department. I do not think there is any evidence in these figures of any undue expenditure and still less when you consider that the 0.6 per cent, which Secretariat notes put down as the ordinary expansion of the department, is actually found to include two factors which were specially due to war conditions, namely, increased price of clothing for uniform and increased expenditure on railway warrants owing to the enhanced scale of passenger fares. In these circumstances I may fairly contend that the expenditure on the Police department has, except for causes the validity of which no one can dispute, not increased since 1916-17 when Sir Harold Stuart succeeded in satisfying the Council that the expenditure on this department was not extravagant. It seems to me therefore that the demand for a special committee to inquire into the financial aspects of the Police department is *prima facie* not supported by good reasons and I ask the Council to reject this resolution.”

The Hon'ble Mr. K. RAMA AYYANGAR :—“The Hon'ble Mr. Davidson has disposed of the resolution on a short ground. He took it up for the year 1917.”

The Hon'ble Mr. L. DAVIDSON :—"One thousand nine hundred and sixteen."

The Hon'ble Mr. K. RAMA AYYANGAR :—“Therefore it was that I referred to my resolution in 1915. Also as will be seen from the discussion which the Hon'ble Mr. Davidson has not had time to go through, from the full discussion it will be seen that at that time it was contended that the police force in the way in which it was being expanded, was necessary. The whole question was raised then and it was only experimentally tried as the resolution in 1916-17 will show. The question of utilising the sub-inspectors and the Deputy Superintendents in charge of divisions and the removal of inspectors and the question of the establishment of a number of police stations—all these were unsettled questions at that stage. Sir Harold Stuart at that time did say that these questions could not at that stage be said to be questions set at rest. He said it was only a few years since the Commission sat and the report of the Commission was given effect to and so the whole matter was open and the question that I now raise is one that is supported by the subsequent administration reports which practically prove as I said, that where in some districts it has been worked on particular lines it has been successful and efficient. In other districts, irrespective of the distribution of money and the staff, it has not been worked successfully and the reason why in these districts I referred to, it was not successful was explained in the administration report. The Honourable Member in charge may come to other conclusions on examination, but I am not at all concerned with that. The whole matter is open for consideration and it is kept open by the Government also. Sir Harold Stuart when he gave effect to some of the recommendations promised to try them in some of the districts and he did say that there was considerable force in the contentions raised and that the effect of it would be considered in due time. Even the reply that was given by the Government to me shows that the Government have not come to a definite conclusion on the question of the number of police stations, the number of Deputy Superintendents and the number of inspectors to be retained, the number of constables to be given to each station. The whole question therefore is a thing that will have to be gone into sooner or later. I must indicate, my Lord, that the reply of the Honourable Member has not really touched the points that have raised. I thought I was able to persuade the Government to see that there are important questions to consider and they are being tried. Under these circumstances, I am not satisfied with the pronouncement made by the Hon'ble Mr. Davidson. I should not make it a point to divide this Council if it is possible to get an assurance that the matter will be looked into. I must certainly say that the view taken by the Hon'ble Mr. Davidson that he may take up the question from 1916 and account for the 3½ expenditure does not answer the point.”

The Hon'ble Mr. L. DAVIDSON :—“ It is 19.80 lakhs.”

The Hon'ble Mr. K. RAMA AYYANGAR :—"I leave that out of account. I did treat the war allowance portion as a portion peculiar to the year. I never took it into account. Therefore I said 15 lakhs."

The Hon'ble Mr. L. DAVIDSON :—“ The Honourable Member referred to village police and not to war allowance.”

944 RESOLUTION RE COMMITTEE TO INQUIRE INTO EXPENDITURE
ON THE POLICE DEPARTMENT.

(Mr. Rama Ayyangar.)

[13TH MARCH 1919.]

relationship of the sub-inspector towards the head constable and the inspector and the question of the village police on different occasions. The second occasion on which this question of the relationship of the sub-inspector was considered was at the meeting held in February 1916. The resolution then was: 'This Council recommends to the Governor in Council that steps might be taken to reorganize the police staff so as to draft the head constables into a grade of the constabulary and circle inspectors into the sub-inspectors or other grades by forming suitable grades in these offices so as to improve the efficiency of the work of the sub-inspectors and the assistant and deputy superintendents of police.' It was in that connexion suggested by the Honourable Member in charge, Sir Harold Stuart, that a trial would be made in select districts and I know that since then, in Kurnool and Trichinopoly and in a modified form in Coimbatore, trials were made to see that the sub-inspector was directly placed in charge of divisional officers who were to be deputy superintendents and the question of reorganization of the village police I brought up on the 7th of February 1917 and the Hon'ble Mr. Gilman who was then in charge said that he would pay attention to my remarks and would consider the question. These were his last words: 'this question of the selection and appointment of village headmen is, I believe, engaging the attention of the Government; and I shall certainly bear in mind all that the Honourable Members have said on this resolution. I shall look into the matter and see whether it is possible to evolve any system whereby we can distribute responsibility. I think we cannot have more than one person responsible for a particular area.' That was in the discussion in 1917.

"I have to point out that the arguments that I advanced during the discussion in 1915 now apply with still greater force. We find that while the expenditure has increased from 98 lakhs then to about 108 lakhs, exclusive of village police which is added on now and the total is 120 according to the revised estimate for 1918-19, if we deduct that transfer from the Revenue department to the Police department, it was 98 lakhs then it is about 108 lakhs now. There have been already an increase of about 10 lakhs recurring expenditure. We do not include in this expenditure, the expenditure on police buildings which we have not been incurring during the war period, but we had been incurring steadily before, to the extent of about 7 or 8 lakhs per annum; so that the police charges now would be 116 lakhs inclusive of building charges if they were on the programme. The cost has increased but what we find is that neither the number of serious crimes nor the total number of cognisable crimes has materially diminished except in one or two places as is shown in the recent Administration Report of 1917. In Trichinopoly and Coimbatore there has been a decided increase in the number of cases of detection and the success in detection. In few other places like Vizagapatam, Chittoor and other places, there is a tendency in that direction and the Administration Report of the Inspector-General of Police explains what steps were taken in each one of these districts and how it was possible to keep down the crime in these places. He complains of the insufficient numbers in the village police and he also refers to the good work done by the deputy superintendents who had come into contact with the village officers more than before and he refers to the good work done by the sub-inspectors when they are placed in charge of stations and when they are placed directly in charge under deputy and assistant superintendents. In fact, I have made a note of it. At page 7 in the latest Administration Report for 1917—that is the one available—it is stated 'The insufficiency of their (the village police) numbers continues and consequently the surveillance of bad characters and strangers and patrolling are still defective.' Again he notices that crimes have decreased and he says: 'In this district the subdivision scheme was recently introduced and the superintendent states that the talayari who is generally recruited from the criminal classes is now successfully employed to watch the movements of his criminal confederates. The Superintendent of Trichinopoly where the subdivision scheme has been working for more than a year reports that the deputy superintendents have come into closer contact with village officers and the public, and have recognized all instances of co-operation, that consequently the relations between the regular police and the village police have improved and that the latter have realized their responsibilities to a larger extent than before.' Later on he says: 'No serious outbreak of crime occurred on the railways but there was a general increase in the number of thefts especially of railway materials such as brass or iron-work, due to the prevailing high prices and partly also to the insufficiency of lights and watchmen in several stations.' In another place he says: 'the attention of all superintendents has been particularly drawn to the importance of the system inaugurated in this district, the main principles of which are now receiving attention in all districts.' Similarly on these various points, there are observations which go to support the views that I have pressed in this Council on those occasions. As I submitted, though there is an increase in the expenditure there is really no proportionate advance in the reduction of crimes or in their detection. Therefore the arguments that I advanced then apply now and the whole matter deserves looking into and what I said applies with greater force just now. To an interpellation which I sent in for this meeting, No. 89, the answer says that the Government are not yet in a position to make a definite pronouncement on the scheme relating to circle inspectors and sub-inspectors. There is a separate police prosecuting staff which has been strengthened but in respect of the other preventive staff no proposals have been made and the Government have not considered them. I beg to draw the attention of the Government to all these points. As we find that the police charges are steadily going up, I am not sure that the increased charges are being incurred in the right direction. There was an addition of about 800 stations when the Police Commission report was brought into force and there was an addition of about 44 stations and outposts about 200 and odd, so that we have 900 and odd police stations and 278 outposts. It is found that though we have added to the staff, the police force

RESOLUTION RE COMMITTEE TO INQUIRE INTO EXPENDITURE 945
ON THE POLICE DEPARTMENT.

13TH MARCH 1919.]

(Mr. Rama Ayyangar.)

that was recommended by the Police Commission was Rs. 26,000, before that it was Rs. 23,000, on the date of the previous discussion we went up to Rs. 34,000 and now we have a police force of Rs. 36,000. In spite of that, we find that whereas this has been intelligently applied as in the case of Coimbatore, Trichinopoly, Chittoor and a few other districts, where we find that efficient working has reduced the crime, in the case of the rest of the presidency, that is not the effect I submit therefore that it is not mere increase of the staff but a proper utilization of it and proper application of the money that is spent on the staff that will enable the department to do its work properly. One of the points brought out in the recent report which is merely a reiteration of a point in the previous reports is that a little reward of money acts as a considerable help in the detection of crime. Similarly it has been pointed out that the ordinary police constables are not able to do much work as people who are in charge of investigation and the preventive departments and even there, protection is more important. It has been found that with the sub-inspector who is in charge of the station and a clever deputy superintendent or an assistant superintendent who puts his heart into the work, it has been possible by proper supervision of these officers to reduce crime and control the riot and infuse confidence in the villagers. These are the points that I raised previously. All these together show that in the particular districts that I refer to, there is no additional expenditure but there is really more efficient work done. This is a matter that deserves looking into, though I should not fail to draw the attention of the Honourable Member in charge to a memorandum that I submitted after the discussion in 1915 to members of this Council. That was subsequently acknowledged as one that dealt with the position fairly well and Sir Harold Stuart was kind enough to acknowledge that and was prepared to adopt some of the suggestions and since 1914, that was the latest report at that date, the reports acknowledged fully that the points that I brought out in those discussions deserved great attention and they were adopted and they actually improved the efficiency of the police. I dare say the Hon'ble Mr. Davidson would, with his usual keen scrutiny, go into the questions that I now raise and satisfy himself that many of the suggestions are held by the department to be suggestions found to be successful in some cases and in other cases to be worth being adopted. The four years' reports will clearly show that. Under these circumstances, I thought it was my duty at this stage, to bring this up, four years after the previous discussion when we have no improvement in the reduction of the total crime or the serious crime or the ordinary cognisable cases in this presidency; it has been found that where it has been intelligently worked, it has produced much better results and crime has gone down by 300 or 400 cases. I submit there is force in the contention that the matter must be examined fully. In fact Sir Harold Stuart was Secretary to the Police Commission and he had full knowledge of the whole question and he at first thought that most of the suggestions were against the spirit of the recommendations but subsequently held that they were useful; and the department has recognized them to be useful and it is for the Government now at least to make up their minds that the whole matter should be gone into. I have been always contending that if the efficiency of the Police department requires more expenditure, that is a thing that should not be grudged by this Council. I do not think Government have at any time grudged the expenditure on the department if the efficiency of the department or the needs of the department required that expenditure. I am not going to contend that that should be sacrificed for the sake of expenditure but my firm belief is that it is not by adding to the expenditure or by the entertainment of additional hands that we can effectively manage it, but by so arranging the Police department and so dividing the staff that a mechanical portion of the work will be done by the staff whereas the intelligent portion of the work will be done by the efficient staff who will have complete control of the work they are doing. It has been proved that such staff have been able to reduce crime more successfully and manage the Police department better. One answer to the interpellation that I already referred to, shows that there is no provision made for keeping extra staff other than the staff of police employed in the detective, preventive and prosecution staff. The answer says: 'No proposals such as those referred to by the Honourable Member are under the consideration of the Government'. This is in answer to clause (d) of the question which is: 'What is the total number of constables proposed to be allotted to each station and what extra staff of head constables and constables is proposed to be kept in the mufassal in the presidency over and above those in the police stations?' This matter is important and I will only refer to the recommendations of the Police Commission and it will be seen that in the provision they made, they wanted a total strength of 23,000 and they expected a reserve of persons who might be called upon to attend to particular riots that may happen in certain districts and who may be kept at headquarters. That has not been paid attention to till now. That is a point that may be taken into consideration. The question which is often very difficult in this Council to carry and which is often viewed with great disfavour by the Government is the question of a committee of officials and non-officials being asked for any purpose. I must bring home to Honourable Members of this Council that the various points that I place before this Council now cannot be done simply by any one officer, even if he is placed on special duty without taking a little evidence as to how the recommendations of the Police Commission have to be altered to suit the conditions of the province. In the matter of trial of the sub-inspectors and the Divisional Officers in charge, explanations have been given of the points. But however, the points that deserve to be noticed in that connexion will have to be elicited and the whole matter of the scheme and the force for the province such as would be needed under the schemes as proposed will have to be fixed. There is a temporary staff also which has run up to the strength of about 1,800 or so. Whether it is to be a temporary or a

(Mr. Rama Ayyangar ; Mr. Davidson ; the President ;
Mr. Venkatapati Raju ; Mr. Ramanuja Achariyar.) [13TH MARCH 1919.]

The Hon'ble Mr. K. RAMA AYYANGAR :—"It was owing to a transfer of 15 lakhs. It was 98 lakhs at the time of the discussion in 1915 and the same is now 108 lakhs. I did not take that transference of war allowance and therefore 98 lakhs rose to 108 lakhs. That is what I mentioned at the commencement. I must say, my Lord, that I have been going through the discussion for a long number of years and all the points I have mentioned, I have not been able to completely place before the Hon'ble Mr. Davidson. I should be quite content if it would be possible for him to examine this matter. I should not be in a hurry in a matter like this and time must be given for consideration. If the matter is to be treated in the way it has been, I feel that it is not satisfactory."

The Hon'ble Mr. L. DAVIDSON :—"I have only just a word or two to say. The Honourable Member has put the financial side in the forefront of his resolution and he can only expect me to deal with it from the financial aspect, which I have done. It would be altogether out of place to traverse the whole work of a large department like the Police department and not to lay stress on the financial point of view. If there are particular respects in which the Honourable Member thinks that reform is necessary, he is quite at liberty to make specific suggestions but he ought not to utilize a series of such suggestions as the basis of a resolution for substantial reduction in expenditure and for a permanent standard of expenditure to be arrived at by means of a committee of officials and non-officials. Surely the first requisite for the recommendation to appoint a committee is to establish a *prima facie* case for the view that there has been extravagance and excessive expenditure. I venture to think that the Honourable Member has not made out that position."

His Excellency the PRESIDENT :—"Does the Honourable gentleman wish to divide the Council?"

The Hon'ble Mr. K. RAMA AYYANGAR :—"Yes."

The resolution was put and lost.

His Excellency the PRESIDENT :—"Resolution No. XI* is not moved. Does the Honourable Member propose to move Resolution No. XII?"

The Hon'ble Mr. B. VENKATAPATI RAJU :—"To-morrow, Your Excellency."

His Excellency the PRESIDENT :—"I have had inquiries from mufassal members; does the Council contemplate concluding its business to-morrow? There are 15 resolutions."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—"I have to go home to-morrow night. I have no resolutions to move or to withdraw."

His Excellency the PRESIDENT :—"The Honourable gentleman is a free man and is in an enviable position."

The Council then rose for the day.

H. G. STOKES,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort
St. George assembled for the purpose of making Laws and Regulations
under the provisions of the Act of Parliament. 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Friday,
the 14th day of March 1919.

PRESENT:

His Excellency the Right Hon'ble JOHN, Baron PENTLAND of Lyth, P.C., G.C.S.I.,
G.C.I.E., Governor of Madras—*Presiding*.
The Hon'ble Sir ALEXANDER CARDEW, K.C.S.I.
The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.
The Hon'ble Mr. L. DAVIDSON, C.S.I.
The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E.,
I.S.O., O.B.E.
The Hon'ble Mr. L. E. BUCKLEY, C.S.I.
The Hon'ble Mr. A. Y. G. CAMPBELL, C.I.E.
The Hon'ble Lieut.-Col. W. J. NIBLOCK, I.M.S.
The Hon'ble Mr. W. J. J. HOWLEY.
The Hon'ble Mr. W. HUTTON.
The Hon'ble Mr. R. LITTLEHAILES.
The Hon'ble Mr. N. E. MARJORIBANKS.
The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.
The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).
The Hon'ble Mr. H. G. STOKES, C.I.E.
The Hon'ble Mr. C. G. TODHUNTER.
The Hon'ble Mr. M. YOUNG.
The Hon'ble Mr. R. B. WOOD.
The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.
The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO PANTULU Garu.
The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.
The Hon'ble Mr. P. SIVA RAO.
The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.
The Hon'ble Mr. B. V. NARASIMHA AYYAR.
The Hon'ble Mr. K. SADASIVA BHAT.
The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.
The Hon'ble Mr. K. RAMA AYYANGAR.
The Hon'ble Sri RAJA RAO VENKATA KUMARA MAHIPATI SURYA RAO Bahadur, Raja
of Pithapuram.
The Hon'ble B. RAJA RAJESWARA SETUPATI alias MUTTURAMALINGA SETUPATI
Avargal, Raja of Ramnad.
The Hon'ble Mr. B. VENKATAPATI RAJU.
The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.
The Hon'ble Sir GORDON FRASER, Kt.
The Hon'ble Mr. J. H. THONGER.
The Hon'ble Sir FAIRLESS BARBER, Kt.
The Hon'ble the Most Rev. JOHN ABLEN, D.D.
The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR Avargal.
The Hon'ble Mr. T. RICHMOND.
The Hon'ble Sir FRANCIS SPRING, K.C.I.E.
The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.
The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA BAO
Bahadur, of Bobbili.

* The Hon'ble Mr. K. RAMA AYYANGAR :—

XI. This Council recommends to the Governor in Council that the orders passed by the Government on the recommendation of the Educational Conference be reconsidered and that fresh orders be issued
(a) in respect of the fee concessions to secondary schools by allowing a 10 per cent deduction on fee collections to give free scholarships to deserving poor students, to be selected after taking proper safeguards;
(b) allowing grants to aided secondary schools which work very well and are outside the provisions of the Grant-in-Aid Code.

950 RESOLUTION *RE* PROVISION FOR FINANCING CO-OPERATIVE HOUSE SOCIETIES AND GOVERNMENT LOANS TO CO-OPERATIVE AGRICULTURAL SOCIETIES.

(*Mr. Venkatapati Raju ; the President.*) [14TH MARCH 1919.

The Council re-assembled at 11 a. m.

RESOLUTION *RE* PROVISION FOR FINANCING CO-OPERATIVE HOUSE SOCIETIES AND GOVERNMENT LOANS TO CO-OPERATIVE AGRICULTURAL SOCIETIES.

The Hon'ble Mr. B. VENKATAPATI RAJU :—" With Your Excellency's permission Resolutions Nos. XII and XV refer to the same subject and we can conveniently discuss them both together."

His Excellency the PRESIDENT :—" One is housing, the other is agricultural societies. They may be discussed together."

The Hon'ble Mr. B. VENKATAPATI RAJU :—" Resolution No. XII runs thus :—

'XII. This Council recommends to the Governor in Council that the Government be pleased to provide a sum of five lakhs in the ensuing year to finance co-operative housing societies on terms recommended by the Co-operative Registrar, providing reasonable rate and longer term for repayment.'

" Resolution No. XV runs as follows :—

'XV. This Council recommends to the Governor in Council that the Government be pleased to authorize the Co-operative Registrar to recommend Government loans to co-operative agricultural societies on such terms as may be approved by the Government, where Government help is indispensable.'

"The underlying object in both is, we find that the Government aid is necessary, not only to encourage building societies to carry on their work but also to relieve the agricultural indebtedness of the people. With that object in view these resolutions are moved. Though we cannot congratulate ourselves on the success achieved by the co-operative department to meet completely the needs of the province, we may take credit that what we are doing in our province is better than what has been done in some other provinces. That does not mean that it does not need additional encouragement or additional trouble to be taken in order to bring home to the peasant the advantages of co-operation.

"So far as building societies are concerned, in our province there are only a dozen of them. From the latest report we find there were ten building societies in the beginning of the year and one was added at Coimbatore, but pathetically the report observes 'the societies at Madura, Ootacamund and Uthiramerur did practically no work during the year. Those at Coimbatore, Kumbakonam and Dindigul lent considerable sums to their members for building houses. The Mambalam society continued to sell to its members plots from the large area purchased by the society four years ago. Two buildings have been constructed on these sites by the members without the assistance of the society. The Davispet society has lent nearly Rs. 9,000 to its members for building operations. The members of the Bimlipatam building society have erected 62 houses with loans advanced to them by the society'. I submit this work is not at all adequate and we must find out the reasons why this was not taken more in hand by the co-operative societies.

"Your Excellency is aware that, so far as the building of houses is concerned, it requires not only a larger amount but longer terms for repayment. The central bank and the other societies would not be in a position to lend a large sum at reasonable rates of interest to be repayable in a long number of years even if the rules permit it. That is a drawback which cannot be ignored. I need not remind this Council that State aid was forthcoming and is forthcoming in the civilized countries more especially for building societies for the poor and the working classes. I may parenthetically mention that in Ireland estates have been bought and subdivided and nearly 50 small houses have been built there. We are told that other European countries have done similar work. I am gratified to learn that in New Zealand with a population of a million they have obligated themselves to provide funds to the extent of a hundred million dollars in order to enable settlers to get houses at a very low cost. I need not add that Australia is following the good example of New Zealand. Germany has taken a different rule of compelling even insurance companies and savings banks to provide a certain portion of their income for the purpose of lending for building societies. We notice in India also that industrial concerns are face to face with the problem of providing houses for workmen. I am glad to testify to the fact that Messrs. Binny & Co., of this town, who manage the Carnatic Mills, have not only provided houses for the superior staff but also for the lower classes of the establishment in their mills. That is a good sign. Even the Government do not forget their duty in providing houses for the Police department. Large sums of money are being spent from year to year in providing buildings for the constables and sub-inspectors. When we were considering position so far this building activity is concerned. I do not mean those persons who invest large sums and build large houses for their own use, but I mean houses for the poor people. Was any attempt made? It has been stated that though there is a population of over five lakhs, we have got only 60,000 houses which means that every house should be occupied by eight

RESOLUTION *RE* PROVISION FOR FINANCING CO-OPERATIVE HOUSE SOCIETIES AND GOVERNMENT LOANS TO CO-OPERATIVE AGRICULTURAL SOCIETIES.

14TH MARCH 1919.]

(*Mr. Venkatapati Raju.*)

or nine people. When we notice from the Corporation's accounts that nearly one-third of them have an annual rental valuation of Rs. 14, that is a monthly rent of one rupee, we cannot but expect that these houses are insanitary dwellings unfit for human beings to live in. It is no wonder, as often reported in the Madras papers, that infantile mortality under one year is very great to the extent of 277 out of 1,000 and the general mortality also, leaving out extraordinary conditions on account of influenza or plague, is very high. It requires that the Government should no longer neglect—I won't say neglect—should no longer help taking immediate action to provide healthy dwelling houses for the poor people.

"How to do it is the problem which the Government should take up. We are spending nearly two lakhs of rupees every year on co-operative business to educate the people. Education is one way of bringing home the advantages of co-operation. But the more essential object is that we must provide means to do it. It cannot be denied that the present share capital of all the co-operative societies is very small and their borrowing power or working capital does not exceed one crore; it is only 90 lakhs or so. Taking that fact into consideration, we have to see how we can help building societies. The Central bank or the Urban bank or other district societies are not prepared to lend this amount for long periods. Taking this aspect of the question, the Bombay Government approached the Government of India that some aid should be given. At that time the Government of India were under the impression that all this should be raised by the people themselves and it was not the duty of the State to bother themselves about it. Against such unsympathetic answer the building society in Bombay emphatically protested and sent in their requisition again that it is necessary in the interests of the people that the Government should revise their opinion and come to their aid. Then the Bombay Government have freely urged, which I think this Government also can very well adopt, the necessity of State aid. The Bombay Government said 'As the Government of India are doubtless aware, the improvement of housing conditions by the grant of State assistance has long engaged the attention of European administration. The State could bear a rate of interest much lower than the central banks.' The Government of India thereupon agreed that, with proper safeguards, including more especially a sufficient security for the repayment of principal and interest, loans by Government to building societies with the object of providing sanitary dwellings were not open to objection on principle. First of all they said that it was not open to objection on principle. We have scored a victory. Instead of being indifferent the Government of India say that this is a legitimate expenditure. That was in the year 1917. In the year 1918 Sir Dinsha Wacha put a question in the Imperial Legislative Council and the Government of India replied—I only quote what is necessary for our purpose—that the Government of India need not provide anything in their budget, simply because no local Government asked for any sum to be given. I would read the exact wording. On the 4th September 1918, this was what the Government of India said 'We have not been asked by any local Government for any financial assistance to provide houses for working classes, and therefore it is not the intention of Government to provide any sum for this object in the next annual budget.' They say, why should we provide money when no local Government has applied for it? They do not object to the principle; they say it is because no Government asked they have not provided. I think I can very well approach Your Excellency's Government that they should either provide out of the funds available or approach the Government of India for making the necessary provision. I may also mention that the Government of Bombay provided in this year's budget Rs. 5 lakhs for this purpose. Taking their example I request Your Excellency's Government to provide a similar amount in our province. I do not think there will be any difficulty in providing such a small sum because for the purpose of loans a certain sum is provided in our budget; out of that sum the Government can utilise this amount for this purpose as well. Or they can make a special request to the Government of India that they should provide for it. In either case it is not a difficult matter. I have worded my resolution with sufficient limitations so that the Government might not find any difficulty in accepting it. I state that this sum should be given 'to finance co-operative housing societies on terms recommended by the Co-operative Registrar, providing reasonable rate and longer term of payment.' Therefore, it depends upon Your Excellency's Government and upon the Co-operative Registrar's recommendations on what terms and to what societies money should be lent. Therefore, this is a lump sum provided out of which grants can be made. As the Government of India excuse themselves that local Governments have not asked and therefore they have not provided anything, the local Government also might excuse themselves by saying that the Co-operative Registrar has not applied for it. If the Government of Madras provide the funds and indicate that money is available and he must utilise it in the best manner possible so as to see that the money is not wasted, I have no hesitation that the Co-operative Registrar will come forward with definite proposals. I need not be taken to task for not providing a scheme myself, because any scheme I may suggest may not be acceptable to the Government. So I leave it as general as possible giving ample scope for modifications in all possible ways.

"The other resolution which also practically resembles this is that Government loan should be given to societies where money is indispensable, limiting it only to agricultural societies. My Lord, in this connexion I may state that somehow or other some mistaken impression or wrong principle was adopted in India and more particularly in our own province, that it is not the duty of the State to relieve the indebtedness of the people or to come to their help but only to

952 RESOLUTION RE PROVISION FOR FINANCING CO-OPERATIVE HOUSE SOCIETIES AND GOVERNMENT LOANS TO CO-OPERATIVE AGRICULTURAL SOCIETIES.

(Mr. Venkatapati Raju.)

[14TH MARCH 1919.]

suggest means for the people how best to help themselves. It is a very useful suggestion, but I am afraid, Your Excellency, these good intentions would not carry us far, for the simple reason that the people are very poor and they will not be in a position to raise the necessary funds. The persons who have to fill in these gaps are unable to put any larger amounts and therefore we have the sad spectacle that there are not large deposits in our country, whereas in European countries we find large deposits made by the people themselves. Your Excellency, we cannot complain that the people have not deposited larger amounts for the reason, that they have not got much money to spare in order to deposit it in the bank. The present condition is deplorable enough, because whatever beneficent action may be taken by the Government the people are not benefited in spite of the agricultural improvements because most of the crops raised by them would go to the money-lender. The money-lender stands in the way between the people and the beneficent action of the Government. The money-lender cannot be avoided, because for various purposes money is wanted and the agriculturists cannot get it elsewhere; and if money is wanted the money-lender or sower would dictate his own terms. The net result is that most of the crops raised by them by the sweat of their brow would be taken away by the usurer and neither the Government nor the people are benefited. In these circumstances when we know that the whole of India is indebted to the extent of 400 crores of which about 60 crores belong to our own Presidency, confining it to agricultural indebtedness, it requires much attempt on our part to relieve them. One way of helping them is to make a provision in the Contract Act to reduce usurious rates of interest in the contracts entered into between the parties. They can evade that provision, because they deduct the interest first and give the remainder. This may be a palliative measure, but it will not really help the people. Originally though a larger amount was being subscribed by the Government as loan to these societies, we find year after year they are not advancing the funds but they are taking back what was due to them. Rupees 9,000 was due to the State last year, this year there is only Rs. 4,000 or 5,000 due to the Government, perhaps next year not a pie of the Government will be in agricultural societies.

"In order to avoid the impression that all this is a political cry and not a legitimate grievance I may quote a high authority to fortify my position whose genuineness in the sentiment he expressed or whose information or knowledge neither this Government nor any commercial friends would cavil at—I mean Sir Daniel Hamilton who speaking on the 15th February 1919 stated at the Co-operative Conference in Bengal as follows; and his observations are applicable not only to Bengal but to the Madras Presidency as well. If Your Excellency accepts his view, there is no other way open to this Government than to adopt the resolution which I have placed for Your Excellency's consideration. This is what Sir Daniel Hamilton said. He referred to the King's speech which was delivered soon after the signing of the armistice and then said 'quoting the King's speech now that the clouds of war are being swept from the sky, new tasks arise before us. We see more clearly some duties that have been neglected, some weakness that may retard our onward march. Those apply more appropriately to India for here the neglected duty, the failure to provide a banking system for the people more than any other cause has brought their onward march to a standstill. Progress of a kind there has been, but how have the people progressed? Railways have stretched out in all directions, have the lives of the people stretched out? Jute-mill dividends have expanded; have the lives of workers kept pace? Do the people thrive in the slums? The chief object of co-operation in India was to deal with the stagnation of lower classes more especially of the agriculturists who constitute the bulk of the population. Indebtedness instead of decreasing has tended to increase.' He said that usury was still rampant, the economic condition of the peasants had not been progressing as it should have done, and the old unsatisfactory features of a backward rural economy seemed persistently to remain. He adds that 'this is a serious indictment of a hundred years of British rule but unfortunately it is true', and he says 'my own personal knowledge and observation confirm it.' India with her huge population may be aptly described as the minus quantity of the Empire—minus education, doctors, medicine, sanitation, minus food, clothes, oil and all else that makes the wheel of life turn smoothly.' He states that it is the duty of the State to provide a banking system. Usury mahajan, he says, brings discredit on British rule and dishonour to the British flag and sterilises the beneficent work of the Government. He suggests—it may be useful to us or may not be useful to us, a similar proposal was made in the Viceroy's Legislative Council—that if the Government of India want money they can utilise the currency reserve and the gold standard reserve and the trade balances and lend them. He says these resources could be made to yield three hundred crores, and he draws attention to the unfairness, to put it mildly, of investing India's money resources in England and elsewhere while India is starving for want of money. We need not go to that Imperial question, so far as our present purpose is concerned; we are entitled to ask the Government of India to provide funds. I may mention that only recently in the budget speech of the Hon'ble Sir James Meston he said there was no objection to the local Government utilising any amount out of the balance subject to their approval for any progressive purposes, which I understand to mean relieving the condition of the people of India if no money is forthcoming out of the amounts sanctioned. There is no difficulty for this Government to go to the Government of India and state that so much money is wanted in order to provide funds for the people. I may quote Sir Daniel Hamilton's authority—two more sentences. He says 'we shall find sources to finance in the trade balance and the paper currency and gold standard reserve of Government. These reserves could be made to yield another three hundred crores of good credit money.' He significantly adds 'At the co-operative

RESOLUTION RE PROVISION FOR FINANCING CO-OPERATIVE HOUSE SOCIETIES AND GOVERNMENT LOANS TO CO-OPERATIVE AGRICULTURAL SOCIETIES.

14TH MARCH 1919.] (Mr. Venkatapati Raju; Mr. Narasimha Ayyar; Sir Alexander Cardew.)

conference at Simla I drew attention to the unfairness, to put it mildly of investing India's money reserve in England and elsewhere while India is starving for money.' He states: 'The ryot is a small man but multiply every three hundred millions, organize his credit and his energy and he becomes a giant able to move the world. Finance the ryot and he will finance the Government and new industrial developments and several improvement schemes. Leave him as he is, and India will remain what she is, a land of waste and want.' When he says that unless we do something to help the ryot our country would be a land of waste and want, you must take heed—waste in the matter of expenditure of our public money and want in the matter of provision to our people. In these circumstances I may also quote what was done in the neighbouring State of Mysore in this connexion, which is added in the Industrial Commission's report as an appendix. Your Excellency finds it on page 465. They have given authority to their officers to recommend any loans for the purpose of achieving that result. I do not want to see my Government behindhand of a Native State. In order to produce better results and to remove the want complained of by Sir Daniel Hamilton, I have brought forward this resolution and I would appeal to this Government that they would not leave any stone unturned without effecting the purpose for which this resolution is brought."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I wish to second the Honourable Member's resolution."

The Hon'ble Sir ALEXANDER CARDEW:—"Your Excellency, if I had known what wide scope the Honourable Member was going to give to his second resolution, I should have had a few more figures handy for his benefit. But possibly he has studied the subject more deeply than I have. He may know what the amount of the consumption of the precious metals in India has been in the last 25 years, and he will be able to tell the Council that this land of waste and want has consumed perhaps half the world's production of gold in the last 25 years. In Mr. Datta's report on prices he touches on this question. Unfortunately I have not got complete figures which I would like to give to the Honourable Members of the Council, but at any rate these are a few of them. The annual absorption of gold in India rose from 6½ crores in 1890 to 22 crores in 1907-08 and to 27 crores in 1910-11. It is a rather remarkable thing for a land of waste and want to be absorbing 27 crores of gold a year. Where does it go to?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Waste."

The Hon'ble Sir ALEXANDER CARDEW:—"Waste in one sense; it is put into jewellery and not utilized as it should be utilized for the purposes to which this resolution has reference, that is to say some form of productive expenditure. The Honourable Member who moved this resolution has evidently looked at the financial statement made by the Hon'ble Sir James Meston the other day. I should like to draw attention to paragraphs 73, 74 and 75 of that speech or statement. Sir James Meston quotes the remarks which His Excellency the Viceroy made in September last in the course of which he said: 'From time immemorial, India has been held up to reproach as the grave of the precious metals. If she is to take her proper place among the progressive nations of the world, she must in her own interests do as Japan and other civilized nations do—put her hitherto immobile wealth to profitable uses.' Sir James Meston points out that from April 1915 up to the present time nearly a hundred and twenty crores has been added to the circulation in India, but he says 'to provide India this amount it has been necessary, besides using up the world's current production of silver, to deplete its accumulated stocks. Without the assistance of the Government of the United States, we should not have been able to satisfy the appetite of India for metallic currency. To any one, who gives the subject a moment's thought, two conclusions are irresistible. In the first place, the huge sums which it has been necessary for India to pay for the purchases of silver bring home to us the wasteful and extravagant nature of what we have been doing. In the second place, a continuance of demand for metallic currency on this scale must react violently on our whole currency and exchange policy.' He goes on to point out that until some change occurs in the habits of the people of India this enormous drain of the currency of India will continue to hamper the progress of the country, it forces up prices and raises the cost of living to everybody and it is not used for productive purposes with the result that India is getting no benefit from the metallic currency and hoards her metallic imports. I entirely agree with the Honourable Member that a better system of banking for the people is greatly needed, but I do not know if its absence is to be entirely put at the door of the Government? Has everything to be done by the Government? Are not the people to provide banks for themselves? There is a lot of money. Only one bank has been floated in Madras, how many branches has it over the Presidency? All these points will take us further afield than the resolution ought to take us.

"The second resolution is that the Government should authorize the Co-operative Registrar to recommend Government loans to co-operative agricultural societies where Government aid is indispensable. Is Government aid indispensable? That is the point. That is what the Honourable Member rather assumes, but is it really so? Is there any evidence that the progress of the co-operative movement has been hampered by lack of money? I did not hear the Honourable Member giving any evidence on that point. One of the things that we are proud of in this Presidency is that the co-operative movement, whatever else may be said of it, has been entirely a non-official movement. The whole of the funds, if the Honourable Member will look at the figures, have come from the public, and it is a remarkable circumstance that

954 RESOLUTION RE PROVISION FOR FINANCING CO-OPERATIVE HOUSE SOCIETIES AND GOVERNMENT LOANS TO CO-OPERATIVE AGRICULTURAL SOCIETIES.

(Sir Alexander Cardew ; Mr. Venkatapati Raju.) [14TH MARCH 1919.

our working capital is the biggest working capital in India. We have got over two crores of working capital. That is the largest in any province in India. These are the figures for 1916-17. In that year the working capital of Madras was Rs. 205 lakhs, of which the Government had supplied Rs. 9,000, so that practically the whole of the capital has been raised from the public. That is the best evidence of the vitality of the movement in this Presidency. Two provinces have relied most upon Government. One is Burma which received 9½ lakhs from the Government and the second is Bombay. We all know what an enormously wealthy province Bombay is. It is fifteen times wealthier than we are. But Bombay has relied upon official support, instead of putting its hand into its pocket. The result of that is to be inferred from the fact that its working capital was a little more than half of the Madras working capital.

"I personally think that it would be a great mistake and a most retrograde step to begin to draw upon the State for working capital for the ordinary agricultural society. Nor is there any evidence I am aware of that such a step is necessary. In the last report of the Registrar he does not say there is any lack of the working capital. He says that the total agricultural credit rose from Rs. 86 lakhs to 98 lakhs, that the share capital of the agricultural societies showed a gratifying increase, and that there was an encouraging increase in local deposits and he goes on to hope that the societies would succeed to a greater extent in drawing upon the savings from members and other local persons. At present they rely upon loans, and their financial position would be much worse if they rely on loans from the Government. Would it not hamper the movement if they are to come to the State? We know that the State is supposed to have a pocket with an unlimited depth. Would not it weaken the motives which now lead the co-operator to be an enthusiast in the progress of co-operation, if he is to come to the Government and say, we want ten lakhs for capital expenditure? I think it would have a very bad effect and I believe it would not be appreciated by those who really have the interests of the co-operative movement at heart. I believe most of the co-operators in this Presidency like to feel their independence of Government support; they like to feel that they stand on their own legs and provide their own working capital for carrying on their movement without constant official support. I believe myself the acceptance of this resolution and the consequences flowing therefrom will not at all be welcomed by the more thoughtful section of co-operators. It will certainly be detrimental to the feeling of self-reliance and therefore to the general progress of the movement.

"So far as that resolution is concerned, I am quite unable to accept it. I really feel it is in the wrong direction. Unless it can be proved that it is impossible to find money from private sources, it will be quite wrong for the Government to begin to step in and supply funds. The moment they do it, it would stop the provision of funds from private sources.

"The other resolution is much more limited in its scope and therefore has a better claim for consideration. Moreover, as the Honourable Member has said, money is wanted for long terms at low rates for building societies and it may well be that it will not be possible for this particular class of societies to provide the whole of it. Without pledging the Government too deeply, I feel sure that they will be prepared to follow the lead of Bombay as far as that has gone, and provide funds for building societies. I did not hear the Honourable Member very clearly in some parts of his speech. I thought that his motion was intended to refer to the poorer classes."

The Hon'ble Mr. B. VENKATAPATI RAJU :—"Yes."

The Hon'ble Sir ALEXANDER CARDEW :—"If that is so, perhaps he remembers that only last November the Government accepted a resolution to encourage and assist to co-operative house-building for the poorer classes. The Hon'ble Mr. Narasimha Ayyar brought forward that resolution and the Government accepted it, so that the Government have accepted the principle and the only question at issue is whether or not all this money is wanted. If we receive any information that any society wants any money and has not received the money, I will take steps to provide funds for suitable building societies to provide houses for the poorer classes. I do not know if the Honourable Member knows of any case where money was needed and was not forthcoming. If not, I fail to see the object of locking up 5 lakhs in the budget. I shall endeavour to see whether money could be found in the course of the year. I am sure it can be found by the Finance Department. There will be no difficulty in supplying the necessary funds, if occasion for loans for this purpose arises in the course of the current year. I hope to that extent the Honourable Member's object will be regarded as achieved. As regards the provision of a sum in the budget I believe the Council is aware that we have already framed the budget. We had a meeting last month for the express purpose of carrying out such changes as the Council may desire in the budget and this resolution had better have been put forward in that meeting to consider whether a definite sum should have been put in. That being now impossible, it is inconvenient to make a large alteration in the budget which upsets the Government of India's balances. That is the reason why we had the financial discussion put back from this very date the 13th March to the early part of February in order to enable the changes to be carried out at an earlier date. That makes it difficult to carry out the present suggestion. For the reason I have already indicated, I also do not think it is essential. I am quite ready to give the undertaking that such funds as may be necessary will be obtained in the course of the year should it be necessary. Therefore, I cannot accept the resolution. I am quite in sympathy

RESOLUTIONS RE PROVISION FOR FINANCING CO-OPERATIVE HOUSE SOCIETIES AND GOVERNMENT LOANS TO CO-OPERATIVE AGRICULTURAL SOCIETIES AND OPENING OF A UNIVERSITY INSTITUTE OF ECONOMICS.

14TH MARCH 1919.] (Sir Alexander Cardew ; Mr. Ramanuja Achariyar ; Mr. Venkatapati Raju.)

with it. I hope the Honourable Member will be convinced that the Government have done all that can be done. As to the other resolution we are entirely at cross purposes, at opposite poles."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—"Your Excellency, I agree with the Hon'ble Sir Alexander Cardew that no help is required for ordinary agricultural societies. We have been getting on very well without Government help and we shall continue to do so. But with regard to the building societies some help is necessary, because they cannot repay the loans in a short time; they want long-term loans. The Central Bank is not in a position to give them long-term loans. If, therefore, the Government will obtain money for long terms and give it to Central Banks, they will be glad to take it and give it to the building societies. We do not want any other help from the Government of Madras or the Government of India, but we want long-term loans on debentures; or if they will start a land bank and obtain money from the people to give it on long-term loans, we do not want any financial help or any other grant."

The Hon'ble Mr. B. VENKATAPATI RAJU :—"Your Excellency, I thank the Honourable Sir Alexander Cardew regarding the acceptance of the principle of resolution No. 12, but I cannot congratulate either the Government or myself in inducing Government to accept it. As regards the second resolution I think the Hon'ble Sir Alexander Cardew is very right when he said that we are at cross purposes. That is true; if the people or the people's representatives want to get indebtedness relieved by Government help and the Government's object is 'help yourself', that is really cross purposes. But what I ask is, why should other civilised Governments go and spend their State money in relieving the distress of the people? I may mention that the Dutch Government in Java when they found that a whole population was indebted to some Muhammadan merchants, passed a law that no merchants ought to lend money; and they provided banks and they offered money at six per cent to discharge every pie of the millions of their debt. Even now other civilised countries are doing it. The Hon'ble Sir Alexander Cardew says it is not helpful to help people who will not help themselves to put money, and they would not put their best energy when the Government are prepared to supply them funds. It is not a question of their being willing to put money but of their being unable to put it. The Hon'ble Sir Alexander Cardew stated one other fact, that 120 crores was locked up in jewellery and if it is realised it would be useful. Not only the people but the Government should be blamed. I do not think men will degrade themselves with jewellery. It is the ladies that deck themselves with jewels for want of education. If they are educated as English ladies are they will not deck themselves with jewellery. Leaving that point aside the Hon'ble Sir Alexander Cardew very rightly asked where was the demand, and he said unless we found evidence of complaint of want of funds he did not see any ground for moving in the matter. I may invite the attention of the Hon'ble Sir Alexander Cardew to the report of Mr. Hemingway for the year 1916-17, because in 1917-18 no reference is made to the question whether it is sufficient or insufficient, but in 1916-17 report on page 3 there is a clear reference made. I will just read that portion 'Loans from Central Banks and other societies to societies other than Central Banks rose from Rs. 59.47 lakhs to Rs. 71 lakhs and the reserve fund from 8.49 lakhs to 9.62 lakhs. An even larger sum could have been profitably employed by the societies had it been available, but the banks were unable owing to the general financial situation to satisfy all the applications received and a good many societies had to be refused money they needed'. They need money, the applications are rejected; how are they to get on with the works on which they can profitably spend money? Your Excellency, when we find that out of 40 million people not even one million are agriculturists who have joined the co-operative societies it does not show that it is widespread or that the money received is sufficient to raise their condition. The object is to relieve them of their indebtedness and if it is not forthcoming I cannot understand how it is possible to keep quiet. It is for us to do something to relieve them of their position. If the Government think it is not the State's business to relieve them from their chronic condition of their poverty, that is another matter. If they think it is the duty of the Government that their subjects are well off and well provided not with luxuries but with material to eat and dress, I hope the Government will, if not now, on some other occasion come to a different conclusion that it is the duty of the Government to come to their help. With these remarks I press both the resolutions."

Resolution No. XII was put to the Council and lost.

Resolution No. XV was put to the Council and lost.

RESOLUTION RE OPENING OF A UNIVERSITY INSTITUTE OF ECONOMICS.

The Hon'ble Mr. B. VENKATAPATI RAJU :—"My Lord, my next resolution is :—

'XIII. This Council recommends to the Governor in Council that the Government be pleased to open a University Institute of Economics at Madras at an early date.'

"Your Excellency, I propose to the Government the opening of an institute of economics in this Presidency as a sure and certain means of enlarging the opportunities for the

956 RESOLUTION RE OPENING OF A UNIVERSITY INSTITUTE OF ECONOMICS.

(Mr. Venkatapati Raju.)

[14TH MARCH 1919.]

study of economics and associated branches of political science. No civilized country can afford to overlook the importance of training several hundred young men in economics and allied political science, knowing as it does, the inseparable connexion of economics with the political problems of the country. The Government has recognized the importance and appointed a University Professor to lecture to the students on economics and grant diplomas even. In our Presidency, economics is studied by the history students of the honour's course. In Calcutta, Bombay and Allahabad separate faculties of economy have been opened conferring degrees B.Sc. and M.Sc. and D.Sc. in economics. We generally expect two classes of students to specialize in economics: (1) students who make economics their profession; (2) others who study the subject to make themselves fit for public life and business. The institute should be open to all who will be able to grasp and assimilate what is taught there. Even School-final students (S.S.L.C. holders) may be admitted to the three years' and four years' course of study for B.Sc. and M.Sc. respectively. Unnecessary restrictions should be avoided, the sole aim being the expanse of economic knowledge among larger number of the people who are anxious to undergo the training. Professor Foxell of Cambridge has well said 'nothing is more evident and I can give more examples of it from the history of legislation and from personal knowledge than that the power of applying principles to actual affairs is extremely rare and can only be developed in economists by making their study more realistic. Men of undoubted ability constantly show themselves unable to handle principles which, in the abstract, they evidently understand, because they are not trained to observe the details, distinctions and complex relations of the historical situation to which the theory has to be applied.' He adds we must make the study sufficiently thorough or to bring it to close enough to reality either to give the best training or to interest the practical man. 'Is there any wonder to suppose that our administration would be bettered and legislative activity would be more useful if the services of the public men are imbued with the true knowledge of economics. Professor Marshall has well pointed out that economic studies call for and develop the faculty of sympathy and especially the rare sympathy which enables people to put themselves in the place, not only their comrades but also of other classes. It helps the movements by which our growing wealth and opportunities may best be turned to account for the true well-being of the present and coming generation.'

"He quotes with approval what Sir Richard Jebb said that economics and associated studies afford a liberal education as it trains the intelligence, gives elasticity to the faculties of the mind, humanizes the character, and forms not merely an expert but an efficient man.

"I am quite sure that there would be rush of students if the curriculum is so arranged as to afford proper training for business and public service and public life. The present system of education with all its advantages lacks one essential factor:—It is divorced from the active affairs of life and affords no guidance in subjects in which the students are interested in their everyday life in later years. Professor Marshall has given a curriculum which is adopted in Cambridge. The London School of economics and political science is attached to the London University. A three years' course of training including provision for investigation and research in economic, commercial and political subjects has been established, providing courses of lectures, classes and tutorial supervision in all the subjects which fall within the faculty of economics and political science. For B.Sc. pass course the subjects are: (1) economics organization and one of the following: (a) accounting, (b) industrial and commercial law, (c) constitutional law and history, (d) public international law. For the honour's course an additional subject out of (1) economics descriptive and analytical, (2) economic history, (3) banking and currency, (4) international trade, (5) transport, (6) insurance, (7) statistics including demography, sociology and public international law. There, Bachelors of Science in Economics may after the prescribed interval proceed by Thesis Examination to the D.Sc. degree in economics. The subjects are varied enough to enlighten the mind and be of much advantage in after life. The Calcutta University has given a different curriculum which can with advantage be referred. For the pass course in Political Economy and Political Philosophy we have Political Economy, Political Philosophy, application of the principles of Political Economy to Indian topics. The subjects for the honour's course was a higher course in the phical factor, physical features and conditions of the country and their bearings on Indian economic products, faculties of transport. Under the special factor, the village system and rural economy, social conditions of the people and their influence, on Indian industries, rents, wages and prices, organisation of agriculture, handicraft and domestic industries in rural India, trade and transport, banking and agricultural credit. Under the political factor, political relations of India with England and economic effects, particularly on the balance of trade, India's debt, home charges, currency legislation, gold standard reserve and expenditure, value of land revenue and incidence of taxation.

"I quoted at length so that it may be understood by one and all that this is a useful branch of study covering ample ground of practical subjects which cannot be neglected. I may be permitted to add that co-operation may be advantageously be added as a branch of study in the optional group, as we are in need of hundreds of trained men to cover up the whole Presidency with co-operative organisations. History of co-operation, organisation of credit societies, purchase and sale societies, and co-operative societies of other kinds may be taught with advantage. I propose a separate institute for the study of economics instead of making it an adjunct to the existing colleges as is done in Calcutta and Allahabad by adding a separate faculty

RESOLUTION RE OPENING OF A UNIVERSITY INSTITUTE OF ECONOMICS. 957

14TH MARCH 1919.]

(Mr. Venkatapati Raju; Mr. Littlehales;
Mr. Narasimha Ayyar.)

because I want a clear differentiation between cultural and professional studies and moreover sufficient importance will not be attached to the professional aspect in Arts colleges and the staff do not solely feel responsible for its good name of training men efficiently for the profession. 'There over-literary education is imparted with scarcely a touch of modern side' as Mukherjee states. The Engineering College and Law College were at one time mere adjuncts to the Presidency College but later on, it was found necessary to establish separate institutions.

"Under the heading of an interesting forecast of British universities in an English Journal I notice the following: 'The services of the nation, whether in the general sense of technical equipment for every great profession or in the special sense of advance and discovery in the interests of national progress and prosperity, must be the sphere and function of the University.' Simplification of the complicated and cumbrous machinery of academic instruction and administration is also called for. The relaxation of rigid conditions for graduation, the institution of instruction in new subjects is already stirring the University consciousness. It requires a statesmanlike and comprehensive direction. In India it is wanted a hundredfold. Professor Slater moved last week in the Senate for adding separate faculty of economics and to refer the matter to the Syndicate. It was grudgingly referred. The signs are not wanting there that some Fellows of the Madras University determined to oppose this modest proposal as superfluous, unnecessary and uncalled for. Hence I am not satisfied with the attitude of some members of the Senate and the future prospect of economic study under their fostering care. It is the duty of the Government to provide educational facilities for such an important branch as this. The Government should always be ahead of popular demand. We cannot afford to procrastinate this matter. It has been already delayed too long.

"An Institute of Economics is more important than any of the existing professional colleges. The material well-being of the nation demands a proper study of economics. The college should provide accommodation for at least 200 students with four Professors and four assistant Professors costing about Rs. 60,000 annually while realising Rs. 20,000 from fees, leaving the net cost to the State of training a student in economics at Rs. 200 only, which can well be borne by the country. The capital outlay on buildings and decent library and equipment would not be more than 3 or 4 lakhs of rupees. I would only say that any amount spent on this institute will be a great national investment bringing in a hundredfold return in diverse ways. I hope the Government would take early steps for establishing the institute with such modifications as its expert advisers might suggest."

The Hon'ble Mr. K. Rama Ayyangar seconded the resolution.

The Hon'ble Mr. R. LITTLEHAILES:—"Your Excellency, the resolution which has been moved is that a University institute of economics be opened by the Government. The provision of facilities for advanced specialized study in economics is the duty of the University and this duty is now being performed by the University who have a professor of Indian economics and a course of study in economic subjects conducted by and under the general supervision of Professor Slater who is assisted by part time and whole time lecturers, some of whom are specialists in the subjects they lecture in. The University examination is held at the end of the course and a diploma in economics is awarded on the results of the course and examination. In fact a University institute of economics already exists in Madras in an embryo state. It is growing, and its activities will extend; it is a fact well known to the University authorities that it may develop even a quasi-independent entity. But the organization, management and control of this developing entity is not a matter of the present day concern. When the time is ripe for a full grown institute of economics, whether it is to be controlled by the University or the Government or jointly by the University and the Government can be well settled. Meantime, the Government and their officials are watching the development of this institute and are not unmindful either of the possible needs of the University or the demands for the provision of facilities for specialised study in economics. The honourable mover himself has indicated that only a week ago the Senate of the University instructed the Syndicate to inquire into and report upon the institution of a separate degree in economics. It would be unwise to force the growth of the University institute, and even more unwise and prejudicial to educational interests for the Government to open an institute with the avowed object of undertaking work that properly belongs to the University and is now being developed by the University. The honourable mover would like an institute which is open to all persons. The persons who are now undergoing the course of economics are selected from all classes, there are very few graduates among them. Dr. Slater is well alive that this institute at present does not suffice purely and simply for a graduate course, and it is not his intention nor is it the intention of the University to restrict the course to graduates. I do not wish to go in details into the arguments of the Honourable Member. I have explained the position in outline. I suggest, sir, that the honourable mover's intention in moving his resolution is already met by the action that is taken."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"May I know what is the embryo institution referred to? Where is the institution?"

The Hon'ble Mr. LITTLEHAILES:—"The classes are held in the Senate House."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, I have not been a bit wiser after listening to the speech of the Hon'ble the Director of Public Instruction. I know that the classes are being held and lectures are being delivered in economics, and also that the economics might be taken by the history student. That is not what I want. I want an

958 RESOLUTIONS RE OPENING OF A UNIVERSITY INSTITUTE OF ECONOMICS AND APPOINTMENT OF AN ITINERANT RURAL SANITARY BOARD.

(Mr. Venkatapati Raju; the President.) [14TH MARCH 1919.]

institution which is devoted to train young men who are able to understand the subject. We want men efficiently trained to carry on business transactions, to fill up public services and fill up public life. Where is such an institute? Perhaps the Honourable the Director of Public Instruction is perfectly right when he says that it is in an embryo state. Are you going to keep it in an embryo state? I want to put more heat and I want it in a state in which we can utilize it, to which our students can go as early as possible. We need not wait for years and years. At one time the Senate were not in favour of instituting a degree. I do not know even now whether it will be opened if it is left in the hands of the Senate. What I urge is the Government should force the hands of the University or establish of their own accord an institute where men are trained for this purpose. We are sadly in need of them. Everybody wants them. Industries want them. We want men to fill the public life who understand questions of public life and the real economic condition of the people and how to relieve it. At present we have to send our young men to other countries to learn this. No delay can be tolerated. Notwithstanding the assurance of the Director of Public Instruction that everything is being done, we are not satisfied, because we want changes and that too at a rapid rate. Therefore I strongly press upon the attention of the Government that it is an essential thing that should be done."

His Excellency the PRESIDENT:—"I do not know if I can say a word usefully to the Honourable Member. I do not know if he is intimately acquainted with the management of the University or if he is really acquainted with what is going on in the matter. I am quite sure that the Hon'ble the Director of Public Instruction's statement should be sufficient to carry conviction to ordinary minds that a beginning has been made in this work. If the honourable gentleman thinks that it is possible to bring into being at one stroke a building in which two hundred students are at once to be found studying economics or any other branch of university study, I think I am afraid he is doomed to disappointment. The Director of Public Instruction has made a very complete statement. A great deal of progress has been made since the arrival of Doctor Slater. I do not know whether the Honourable Gentleman really appreciates what has been done. I cannot think he does, otherwise he cannot press the motion on the paper in the language he does. If he wants it to be put, I have no objection to do so."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I press it."

The resolution was put to the Council and lost.

RESOLUTION RE APPOINTMENT OF AN ITINERANT RURAL SANITARY BOARD.

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, the resolution that I propose to move runs as follows:—

'XIV. This Council recommends to the Governor in Council that the Government be pleased to appoint an itinerant rural sanitary board to survey the rural parts of the Presidency and propose a definite plan of expenditure of sanitary grants and submit consolidated figure necessary for sanitary improvement village per village.'

"I invite the attention of the Council to the answer given to my question No. 152 printed on page 27 of the agenda. The question is 'will the Government be pleased to state (a) whether the Government is in possession of information regarding the sanitary requirements of villages in the Presidency, village per village, and the amount required for the sanitary improvement of the same, and (b) whether such information will be made available to the public.' The reply is that 'the Government are not in possession of such information.' Knowing full well that the Government are not in possession of such information long before this reply was given, and also knowing that grants are being made by the Government to local bodies for sanitary purposes in diverse ways and the money is being spent, I thought in these days of scientific knowledge it is far better to have a clear and definite plan before us. What is the present condition of these villages so far as sanitation is concerned? What are the things that have to be done and what is the amount that is necessary, and in how many years can we fill up the gap and fulfil the sanitary requirements and improve the sanitation of the whole Presidency? To meet such a state of things instead of providing in a haphazard manner whatever amount we can scrape out of the budget funds and sending it to that department in order to distribute it amongst local bodies, would it not be better for the Government to insist upon having plans and estimates? What is the plan of our conduct? I want a plan of our conduct completely. Whether it costs ten crores or 50 crores does not matter. Let us know what is the amount necessary to improve the sanitary conditions of the whole Presidency and in how many years we can do it. Changes will have to be made when time comes. But we must have a definite idea. If we accept the idea, my submission is except complaints here and there not even taluk boards or district boards are in possession of clear and definite information about the needs of each village within their area. Some villages complain of want of drinking water and then only the taluk boards or district boards will get information. We must know completely the sanitary condition of the people, how they are living, what is the condition of their houses, what is the sanitary condition of the surroundings, how they are disposing of their rubbish and other

RESOLUTION RE APPOINTMENT OF AN ITINERANT RURAL SANITARY BOARD. 959

14TH MARCH 1919.] (Mr. Venkatapati Raju; Mr. Rajagopala Achariyar; Mr. Krishna Rao.)

injurious matter that should not be left by the side of the house, what provision is made to keep cultivation away from the villages, and whether there is or is not congestion; all these are points which ought to be known to the Government. If we leave it as a theoretical measure, it will not satisfy the conditions and therefore though it is an ambitious programme it is a programme which ought to be faced, if not now at least some time hence. Therefore why not begin at an early date? Therefore, my suggestion is for an itinerant rural board. I do not want a rural sanitary board independent of the present Sanitary Board. What I want is a rural sanitary board under the control of the Government and under the present Sanitary Board in order to look and see for themselves and advise and suggest means for improving the sanitary condition of the country. It cannot be said, I do not think any one will be in a position to venture to suggest, that we have got a complete idea of the sanitary conditions of the rural classes because the Government of India admitted more than once that the sanitary condition of the rural parts is not at all good and it requires much work to be done to improve the condition. Every one who has any business to go into the villages would find dirty huts surrounded by all sorts of insanitary things, hopelessly insanitary surroundings, and in some villages there is absolutely no water-supply and even if there is a water-supply it is much contaminated. My first point is, are the Government aware of it that the people are suffering? If the Government are aware of it there would be no difficulty, because they would not sleep a day without redressing it. But how do they know it? They must send their officers. Suppose all these non-officials make a report to-morrow, they would not attach so much value to that as they would to the report of their own men. I want a man of the status of the Deputy Sanitary Commissioner, a Deputy Sanitary Engineer and also a non-official, in order to see that it will not be finished in a departmental fashion and in order to have some people's representatives also in it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Will the Honourable Gentleman tell me the personnel of this board?"

The Hon'ble Mr. B. VENKATAPATI RAJU:—"It may be modified as will please the Hon'ble Mr. Rajagopala Achariyar."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"What is your suggestion?"

The Hon'ble Mr. B. VENKATAPATI RAJU:—"My suggestion is a deputy sanitary commissioner, deputy sanitary engineer, and a non-official assisted by a hospital assistant, an overseer of the Public Works Department, a co-operative inspector with clerks, draughtsmen and peons. These people would go from district to district and from taluk to taluk and from village to village and work in co-operation with the taluk board. Whenever they go to a taluk they can consult the taluk board and take their suggestion as to what is actually needed village per village. Whether these instructions should be carried out or no depends on whether the Sanitary Board accepts it and whether the Government are prepared to spend for it. So far as the actual condition is to be reported, this board is quite sufficient to suggest what is absolutely necessary and what is the present position. Then when they formulate their proposals the Sanitary Board and the Government will see how best to meet the situation. We can decide by which time they can improve the surroundings, whether 20 years or 50 years, and we can decide what to spend in one year. We may give Rs. 10 lakhs for sanitary grants one year and Rs. 6 lakhs in another year. But let there be this data. Now Rs. 10 lakhs is given, because the boards say they can spend Rs. 10 lakhs, and the grants are distributed, but this does not cause satisfaction. I ask, is this the only way? Can we not devise a better method? The Government must have before them actual knowledge of the needs, village per village. If we know what is the actual condition and what steps we have to take, then it is easy for us to go further. Unless we have such a knowledge I think these haphazard grants, though they will be helpful so far as they go, will not be permanently useful. For those who do not want to take the trouble all this would appear very irksome. In order to relieve the situation of millions of people, the Government should have better knowledge and more earnestness to carry out improvements to rural parts. I submit this is not a matter for laughter. This is not a matter which can be poohpoohed. This is a matter which I earnestly press upon the attention of the Government whether they accept my resolution or not they must one day or other have the information that I suggest at their disposal. Better suggestions can be made and better methods can be devised, but I think the object should be attained at an early date and I invite the earnest attention of the Council to this object."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I second this resolution, Your Excellency; and in doing so I wish to point out that regarding the main principles underlying this resolution there cannot be any serious difference of opinion. The main principle underlying this resolution is that the sanitary condition of the rural areas is not satisfactory, that the present sanitary staff is not able to cope with the existing condition of things and that some means must be devised for improving the staff. I only wish that in dealing with this resolution the Hon'ble Mr. Rajagopala Achariyar will not concentrate his attention on the particular scheme suggested but will try to see whether the idea is or is not acceptable when the resolution does not commit us to any particular scheme."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"It recommends a sanitary board."

**RESOLUTION RE APPOINTMENT OF AN ITINERANT RURAL
SANITARY BOARD.**

(Mr. Krishna Rao ; Mr. Rajagopala Achariyar.)

[14TH MARCH 1919.]

The Hon'ble Mr. A. S. KRISHNA RAO :—"As suggested by my Honourable Friend in the course of his remarks, what he suggests is an itinerant rural sanitary board which will work under the present Sanitary Board. Honourable Members of Council will see that if we are agreed upon the necessity for improving the rural sanitary condition, if we are once agreed that the present sanitary staff, sanitary agency, is not able to cope with the ever-increasing work, it is our duty to devise means whereby that condition of things can be improved. I do not think that the Hon'ble Mr. Rajagopala Achariyar will be in a position to state that it has been possible for the Sanitary Board to deal with this ever-increasing work in as expeditious a manner as he would himself wish."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"You mean the existing Sanitary Board?"

The Hon'ble Mr. A. S. KRISHNA RAO :—"Yes. The Honourable Mover pointed out in the course of his remarks that the sanitary board he suggests might work under the existing Sanitary Board. I do not want it to be an independent body; it may be another travelling agency working under the existing Sanitary Board. That is the suggestion made by him. So far as the details are concerned, I do not think it is possible for this Council to come to a conclusion as to the exact composition of that board. We must take some time; I believe it is the duty of the Government to consult expert advisers as to the agency to be appointed for the purpose, how it is to work and how the duties are to be distributed. The only point I wish to impress upon the Council is, is it or is it not necessary to increase the sanitary agency now working under the Government? If you think it is not necessary, it is not possible for you to subscribe to the resolution; but it will be otherwise if you think it necessary, though you may not agree with the specific scheme. I hope the Hon'ble Mr. Rajagopala Achariyar will accept the principle underlying the resolution and see his way to work it out satisfactorily."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Your Excellency, I wish to take the somewhat unusual course of dealing with the Honourable Seconder of the resolution before I proceed to reply to what the Honourable mover has said. The Honourable Seconder particularly warned me against attaching undue importance to the scheme put forward by the Hon'ble Mr. Venkatapati Raju. He has asked me to note what he calls the 'underlying principle' of it, to recognize that something has to be done and it is only that recognition that he is particular about. If by the principle of this resolution the Honourable Seconder means that the sanitary condition of the rural areas is generally unsatisfactory, that a great deal has yet to be done in regard to it, and that the Government should do all that they can by way of staff and expenditure of money to better that state of affairs—if this is what he means, may I know if this is what he means?"

The Hon'ble Mr. A. S. KRISHNA RAO :—"Yes."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"The Honourable Seconder says 'yes.' If that is so, he has my entire concurrence with the principle of the resolution, and I am pretty certain that he has the entire concurrence of this Council. We all know that sanitation is not the strong point of our village life. Partly through ignorance, partly through climatic conditions, for a number of reasons, I am grieved to say that filth and dirt are the characteristics of rural life. The way in which night-soil is dealt with and the way in which the water-supply of the village is dealt with and the fact that we sometimes have villages decimated by perfectly avoidable diseases are proof, if any proof were wanted, that the sanitary condition of village life is by no means satisfactory. The effective remedy of that will be firstly a very large increase in the volume of education; without education, village people will never be responsive to sanitary ideas. Even in large towns well-educated people do not seem to realise that there is any very substantial difference between sewage water and drinking water. I have heard with regard to the drainage system of an important town an educated man saying what does it matter, why should the Government force a drainage scheme upon us? I asked him 'If you do not dispose of your sewage water, what will you do?' He said, 'We will go on as we have been doing in the past; it will only flow.' If that is the feeling prevalent in a large town we cannot blame the villagers for not knowing anything better. A large volume of education is needed to make the villagers understand the harm of drinking impure water. You will probably say that the mere expenditure of money will not carry us far. I entirely agree that our sanitary staff is absolutely insufficient. I am aware, I am sure Honourable Members here who sit on behalf of the Public Works Department will agree with me, that the Sanitary Engineering Department has not been able to dispose of all its work as rapidly as we desire. Nobody says that we have worked with ideal expedition either in the sanitary department or for the matter of that in any other department. The Government also know that in the districts our staff is very insufficient. We are trying now with great difficulty to induce municipalities to appoint well-paid health officers; in a few districts we have induced the district boards to appoint officers of the rank of assistant surgeons to have charge of sanitation. We have certain cholera parties which we have made permanent. This question of greatly strengthening the sanitary staff of the province is under the consideration of the Government. If I remember aright, the Surgeon-General and the Sanitary Commissioner are now engaged in elaborating a scheme for very substantially strengthening the sanitary staff so that, just as we have a district staff in other departments of the Government, in every district there may be a strong sanitary staff which will go round and point out the defects of the villages to the local

**RESOLUTION RE APPOINTMENT OF AN ITINERANT RURAL
SANITARY BOARD.**

[14TH MARCH 1919.] (Mr. Rajagopala Achariyar ; Mr. Venkatapati Raju ;
Mr. Narasimha Ayyar.)

authorities concerned, the unions or the taluk boards, and advise them what to do, and if they want and get money for any purpose, see that the money is properly spent. These things will be the function of that department. We recognize that the staff requires very substantial strengthening and I can assure Honourable Members that this will be one of the things which we hope will be taken up by the Government in the near future. My Honourable Colleague Sir Alexander Cardew will consider most sympathetically the aspirations of local bodies to have a strong sanitary staff.

"Having said that, we are face to face with, we cannot ignore, the particular resolution, unless the Honourable Member is satisfied with this explanation as to what is being done and with the recognition by us that the sanitary administration of rural areas is extremely unsatisfactory. If he is not satisfied with my assurance that a scheme for strengthening the district sanitary staff is being considered, it will be my duty to deal with this resolution on the paper. I assume that he wants me to deal with this resolution."

The Hon'ble Mr. B. VENKATAPATI RAJU :—"I accept the assurance, but I want the Honourable Member to deal with the resolution because I want to know what his views are."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"With pleasure. The Honourable Member's resolution is that 'this Council recommends to the Governor in Council that the Government be pleased to appoint an itinerant rural sanitary board'—presumably a single sanitary board [The Hon'ble Mr. P. Venkatapati Raju :—"Yes"]—'to survey the rural parts of the Presidency and propose a definite plan of the expenditure of sanitary grants and submit a consolidated figure necessary for sanitary improvements village per village'. He wants a strong central establishment which will take in hand at once the whole question of rural sanitation which is now being dealt with by district boards and taluk boards and union panchayats and informal panchayats all over the province. And this one board will go from village to village and hold an inquiry into its condition in the matter of drainage, disposal of night-soil, drinking water, and enumerate all its sins and indicate how these things should be remedied, and then their scheme should be taken up by us and the thing set right. That I believe is the Honourable Member's scheme [The Hon'ble Mr. B. Venkatapati Raju :—"Yes"]. I am glad I have his concurrence in the paraphrasing of his scheme. I ask what staff he provides. He says the sanitary board is to consist of an officer of the rank of deputy sanitary commissioner, a deputy sanitary engineer, one non-official—apparently one non-official is intended for the whole Presidency [Hon'ble Mr. B. Venkatapati Raju :—"Yes"]—and they should be assisted by a hospital assistant—I presume he means a sub-assistant surgeon—and an officer of the Public Works Department, an overseer, a lower subordinate, and a co-operative inspector—I have not understood what the co-operative inspector is for, I have no doubt he will be an important element in the travelling party—a few clerks and a few peons. These people will have to start and go from village to village. In the last few minutes I have been trying to find out the time which this peripatetic party will take. I have two or three estimates of the probable time. Assuming that this body is to work under continuous pressure from the Government, helped I have no doubt by resolutions brought into the Legislative Council from time to time as to what they have done and why they have not done more, it will take according to one estimate over a hundred years to finish this work."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"At what rate?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I will give you all the estimates. According to another estimate it will take 547 years. I am really not responsible for the accuracy of these figures. I am only indicating the gigantic nature of the problem which the Honourable Member has raised, I have no doubt with the best of intentions, intentions with which we are in entire sympathy. But probably he does not realize what a huge problem he has presented to his colleagues on this Council for consideration. I asked the Hon'ble Mr. Stokes to try and reconcile these two figures and he has worked out a statement which shows that it will take 200 years. I am prepared to put the most charitable construction on the thing, let us assume that it will take one century. It is a matter for consideration what exactly is to be done with a party which will take a century to finish its work and whether we may not, in view of the prodigious amount of time which will be spent on this task, proceed in the less ambitious way we have till now adopted, of utilizing the existing local bodies, municipal councils or taluk boards or district boards or union panchayats, allowing them to benefit by the advice given by our medical and sanitary staff and greatly strengthening that staff to examine and make recommendations from time to time, and with the funds at our disposal rectify all these things."

"I do not want the Council to be under the impression that we are under any illusion as to the condition of our villages. The Honourable Member wants to know how this particular scheme appeals to me. I am therefore bound to mention it. I admit I have not analysed it with sufficient minuteness. I undertake to do so if the Honourable Member wants it, but, so far as I can see, this is a tremendous task which will never satisfy the purpose. Now the whole scheme of our local self-Government about which we talk from time to time is, as the Government of India have told us, to allow the local bodies to develop in their own way, controlling them where absolutely necessary, but with as little outside interference as possible. Here is an Honourable Member of this Council proposing practically to take this whole question of rural sanitation out

(Mr. Rajagopala Achariyar ; Mr. M. Ramachandra Rao.) [14TH MARCH 1919.

of their hands and concentrating it in the hands of an itinerant, strong central body which will take a very considerable period of time to finish its task. I venture most respectfully to submit for the consideration of this Council whether it is within the range of practical politics. I do not see it is. I honestly think it would not work. As I said, a great deal of trouble is due to the fact that the people are ignorant and they are so little responsive to correct ideas of sanitation. We must improve them. This is one of those matters in which you go down very soon to the bed-rock of popular ignorance. You go down a few inches and then stumble upon this rock of ignorance. Whatever you do, you have to deal with a large population which is ignorant, and which notwithstanding the labours of the present Director of the Public Instruction and his distinguished predecessors in office it will take some considerable time to educate up to a reasonable level. The resolution in its present form is wholly unworkable. I have received an assurance from the Honourable Member that he will accept my general assurance in regard to our recognition of the sanitary needs, and the assurance that we will do our level best, and I beg of him to fulfil his pledge that he would not press for a division on this particular scheme which he has been so good as to put forward."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"The Hon'ble Mr. Rajagopala Achariyar has become a great pandit in the art of criticising non-official resolutions. He can bring all his ability and his general method of presenting a case in criticising a resolution especially when it is weak. With all his knowledge of administration, with his ability and with the knowledge which he possesses of the working of Government departments, it did not require much exertion to show the weakness of this resolution. It is perfectly true that the resolution as framed is one which is open to grave objections. But still, sir, it is unnecessary to call into question in a resolution like this the general knowledge of the people in regard to sanitary matters and then the exertions of the Director of Public Instruction in dispelling ignorance in this country and various other matters."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (*interrupting*) :—"I did not call them into question."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO (*continuing*) :—"Which might have a remote bearing on the subject under discussion. Especially in view of the Hon'ble Mr. Venkatapati Raju's assurance that he is not going to contest with the Hon'ble Mr. Rajagopala Achariyar, the soundness of his criticism in regard to the exact approval he has put forward, no good purpose will be served by examining the criticism of the Hon'ble Mr. Rajagopala Achariyar or the statement made by my Honourable Friend in support of the resolution. I feel there is absolutely no doubt that, if my Honourable Friend suggested that this new sanitary board is to be constituted over the heads of local bodies for the purpose of carrying out the works such as those suggested by the Hon'ble Mr. Rajagopala Achariyar, it would be an unworkable proposition. But I understood my Honourable Friend's proposal was merely for the purpose of drawing up a programme."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Village after village."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"He estimated the time as 100, 200 or 547 years according to various estimates. If I were inclined to ridicule the efforts of the Department of Sanitation, I might perhaps draw the Honourable Member's attention to the programme of a water-supply scheme in this Presidency, the history of a scheme which took 30 years before the Sanitary Department was in a position to give effect to the particular scheme. I reviewed all this once in this Council. A certain scheme took 25 years for investigation, 5 years for execution—a single water-supply scheme for a single town. My Lord, the Hon'ble Mr. Rajagopala Achariyar thinks that my Honourable Friend's programme can be carried out in 100 years. I think he is rather quite correct."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I did not say the carrying out but preparing the programme."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"That makes it much more interesting. I would invite attention to the past history of many water-supply and drainage scheme—the expedition, the delay the interdepartmental references and then in the end we come to the question of finance, in which another two years is taken before coming to a decision. Therefore nothing is too soon in the matter of sanitation. By the time this programme is settled, the ignorance will have been dispelled and the educational progress will keep pace."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (*interrupting*) :—"The estimates will become obsolete."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO (*continuing*) :—"Yes, then another board will be appointed to revise the estimates and the revised estimates will be prepared and will be sent to the taluk boards and from then they will go elsewhere. I can give him the history of interesting perambulations in the various departments of the Government. It is quite easy to draw up an indictment against the dilatoriness of this Government. My Honourable Friend if I may venture to say so, with our poor knowledge of administrative readiness and expedition has brought forward a resolution which is open to all the objections. No doubt I admit it is perhaps a charge of which many of us are guilty. What I submit to your Excellency's Government is that in this matter I do not defend this proposal, but I wish to make one enquiry. The Hon'ble Mr. Rajagopala Achariyar stated that they have under consideration a grand scheme for increasing the sanitary staff in the districts."

14TH MARCH 1919.] (Mr. Rajagopala Achariyar ; Mr. M. Ramachandra Rao ;
Mr. Venkatapati Raju.)

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I did not say a grand scheme."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"I hope it will not be a paltry scheme. It will be a fairly satisfactory scheme."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Yes, for strengthening the sanitary staff."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"May I ask him in all humility to publish that scheme before it is approved?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Yes."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"That is one suggestion I would like to make in contributing to this discussion. My feeling has been that we have had the assistant medical and sanitary officer going about the districts and looking into the sanitary conditions of the parts and drawing up a huge indictment, saying that this pond should be kept in order or that a latrine must be constructed or that prickly-pear should be removed or a road must be improved. Piles of reports will be found in the district boards' offices. In fact two district boards' offices have abolished them. Unless we are prepared to give enough money to improve the sanitation, I do not think the Hon'ble Mr. Rajagopala Achariyar can take any credit for increasing the staff. I won't give the Government any credit for increasing the staff. What the staff will do is they will go to the villages and draw their travelling allowance and send up big diaries and programmes, but when they come to the execution of a single work, it is all one problem that the district board has no money. I wish to emphasise this aspect of the question. If my Honourable Friend's proposal is open to many objections, I am sure that the Hon'ble Mr. Rajagopala Achariyar's proposal with reference to the sanitary staff is open to graver objections."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I made no proposal."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"It is under consideration, I do not know whether it is a proposal or whether it is under consideration. I hope it will not take many years of consideration. Whatever may be the merits of the particular proposal, I would appeal to the Hon'ble Mr. Rajagopala Achariyar to consider the financial aspect and, as I have mentioned, immediately publish the scheme which he may have for strengthening the sanitary establishment. I know everybody is keen about it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Publication will be by communication to the local bodies."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"In many cases that is forgotten. In the case of the salary of the sub-assistant surgeons the Government increase the pay, but the district boards who had to pay were never consulted and we had to put an interpellation. We had to pay to the tune of Rs. 25,000 from our funds without our being previously consulted. With reference to these matters there is no doubt that our interests, the interests of the local bodies affected, will have to be sufficiently considered. If it is a scheme which will be binding on local bodies, we should like to see what it is, before it is forced on us or before we are asked to accept it. Your Excellency, I do not minimise in the slightest degree the anxiety of your Excellency's Government for sanitary reform. I quite recognize the difficulty, and I trust that the activity of the new Health Association in spreading a knowledge of sanitary matters would be a great adjunct to our efforts. I trust there is no need to examine this particular proposal in much more detail. I trust he would publish the scheme as early as possible."

The Hon'ble Mr. B. VENKATAPATI RAJU :—"I shall withdraw the resolution after a very few observations. I am thankful to the Government that if my proposal did not serve any other useful purpose, at least it has had the advantage of securing a confession on the part of the Government that there are defects in sanitary matters and that their previous action is not sufficient and that they want to strengthen the sanitary staff. So far as the proposal is concerned, it suggests that an itinerant rural sanitary board should be appointed to survey the rural parts and propose a definite plan of expenditure of sanitary grants and submit consolidated figures necessary for sanitary improvement village per village. It suggests an itinerant rural sanitary party to find out what is wanted village by village, because we have got sad experience that whenever we have to take any report with reference to districts we have got very inadequate and practically useless reports of the conditions of the villages. I want the Government to get accurate knowledge and to proceed further. If the Hon'ble Mr. Rajagopala Achariyar found that my proposal was not quite appropriate, I expected that a person of his position, experience and knowledge, with the help and assistance of several hundreds of officials of the Government, could have easily suggested what is the method which the Government proposed to adopt for meeting the exact position. He says that we will never be able to find out the exact condition, and it will take centuries."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I never said that we will never be able to find out. I said that under this particular proposal of the Honourable Member it would take a century to find out."

964 RESOLUTIONS RE APPOINTMENT OF AN ITINERANT RURAL SANITARY BOARD; GRANTS-IN-AID TO SCHOOLS AND COLLEGES FOR PHYSICAL TRAINING; COMMITTEE TO INQUIRE AND REPORT ON THE DRAINAGE CONDITIONS OF THE DELTA DISTRICTS AND MORE FACILITIES FOR VERNACULAR DAILIES TO REPORT COUNCIL'S PROCEEDINGS.

(Mr. Venkatapati Raju ; Mr. Narasimha Ayyar.) [14TH MARCH 1919.]

The Hon'ble Mr. B. VENKATAPATI RAJU :—"He should have remembered my observation. My proposal is, I want the Government to know it by appointing an itinerant rural sanitary board. That is my suggestion. My suggestion is that it is one method. I expected he could have made a better employment of his time. Instead of wasting time with the criticism that our method is wrong he could have said, 'we have this method of finding out information as to the sanitary condition of the villages, just as we are able to find out the population of the villages, the food-stuffs and other matters.' Ours is a lay suggestion. I thought we would have the expert's suggestion, but I am very sorry that there is no suggestion. He says that it will take a hundred years to know the condition of the villages. I am very sorry. It could be done if we want it to be done. Where there is a will there is a way. If the Government want it to be done they can find out the actual needs of the districts in a year. If a circular is issued to-day from the Government's office to each Collector and the Collector instructs each Tahsildar and Revenue Inspector to find out what are the actual needs, you will know them before the end of the month. It is not very difficult; it is not a very extraordinary thing. But to verify whether what they say is correct may require some more time. But to suggest one hundred years or five hundred years is only to pooh-pooh it and not to consider it carefully. My suggestion may be wrong. I do not stand here to offer suggestions. I am here to mention the grievances of the people. The grievances of the people as regards the rural sanitary conditions have to be met. You may chuck it out. But you have not proposed a fresh one. That is my complaint. What is stated in the administration report is water-supply and drainage are still defective, in rural areas. With that one sentence he finishes 55,000 villages. There is another sentence 'the organization for the care of epidemics is the same as before.' In half a page we have disposed of the whole question of rural sanitation. That shows practically no attention is paid to rural sanitation. I am glad that the Government propose to take further action, but what I earnestly ask the Honourable Member is this. There are sanitary assistants in each district coming once in a way feeling the people for carrying out sanitary improvements. That is not what we want. We want a responsible man to report from time to time upon the bad sanitary condition of the rural parts. If the Hon'ble Mr. Rajagopala Achariyar thinks there are means of finding it out, I am satisfied. There is a grievance. We want a remedy. If this is not the remedy the Government may adopt some other remedy. As the Honourable Member has promised and as he wanted my pledge, I will equally ask his assurance that he would see that the sanitary conditions are improved. I do not press the resolution."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE GRANTS-IN-AID TO SCHOOLS AND COLLEGES FOR PHYSICAL TRAINING.

The following resolution standing in the name of the Hon'ble Mr. B. Venkatapati Raju was not moved :—

XVI.—This Council recommends to the Governor in Council that the Government be pleased to provide grants-in-aid to the schools and colleges where (a) Jin Jitsu is taught to the students or (b) swimming baths are provided or (c) compulsory bodily training is efficiently undertaken.

RESOLUTION RE COMMITTEE TO INQUIRE AND REPORT ON THE DRAINAGE CONDITIONS OF THE DELTA DISTRICTS.

The Hon'ble Mr. B. Venkatapati Raju put off for another meeting moving resolution No. XVIII of which he had given notice and which was as follows :—

"XVIII. This Council recommends to the Governor in Council that the Government be pleased to appoint a committee to inquire into and report upon the present drainage conditions of the delta districts and suggest suitable remedies."

The following resolutions were not moved :—

RESOLUTION RE MORE FACILITIES FOR VERNACULAR DAILIES TO REPORT COUNCIL'S PROCEEDINGS.

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—

II. This Council recommends to His Excellency in Council that more vernacular dailies should be permitted to attend and report this Council's proceedings.

RESOLUTIONS RE APPOINTMENT OF A CIVIL JUDICIAL OFFICER AS ASSISTANT SECRETARY IN THE HOME (JUDICIAL) DEPARTMENT; EXPUNGING OF A PARAGRAPH FROM THE INTRODUCTION TO THE MADRAS ADMINISTRATION REPORT; THE NEXT ADMINISTRATION REPORT TO BE PASSED BY A COMMITTEE BEFORE PUBLICATION AND STEPS TO PROMOTE IRRIGATION SCHEMES IN THE CEDED DISTRICTS.

14TH MARCH 1919.] (Mr. Ranga Achariyar ; Mr. Narasimha Ayyar ; Mr. Siva Rao.)

RESOLUTION RE APPOINTMENT OF A CIVIL JUDICIAL OFFICER AS ASSISTANT SECRETARY IN THE HOME (JUDICIAL) DEPARTMENT.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—

XXII. This Council recommends to His Excellency the Governor in Council that a third-grade subordinate judge or a first-grade district munsif may be appointed as Assistant Secretary, Home (Judicial) Department.

RESOLUTION RE EXPUNGING OF A PARAGRAPH FROM THE INTRODUCTION TO THE MADRAS ADMINISTRATION REPORT.

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—

XXIII. This Council recommends to His Excellency in Council that paragraph 1 of the introduction to the last Madras Administration Report be expunged.

RESOLUTION RE THE NEXT ADMINISTRATION REPORT TO BE PASSED BY A COMMITTEE BEFORE PUBLICATION.

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—

XXIV. This Council recommends to His Excellency in Council that a committee of officials and non-officials be appointed to whom the next administration report should be presented before the same is published.

RESOLUTION RE STEPS TO PROMOTE IRRIGATION SCHEMES IN THE CEDED DISTRICTS.

The Hon'ble Mr. P. SIVA RAO :—"Your Excellency the resolution which I have to move runs thus :—

"XXV. This Council recommends to His Excellency the Governor in Council that special steps may be taken to promote irrigational schemes in the Ceded districts."

"I may at once proceed to describe the condition of the Ceded Districts by quoting one or two extracts from the District Gazetteers.

"Mr. Francis in his District Gazetteer of Bellary observes 'The average rainfall is smaller than that of any other district in the Presidency and in Bellary and Rayadrug owing to the interposition of the Sandur Hills the south-west monsoon is unusually light, it is only about 19 inches.'

"The average recorded per year is from 18 to 25 inches for the district, vide page 127 of the District Gazetteer.

"In the same book he further states 'The rainfall of Bellary is not only very light but as a detailed examination of the statistics of each month will show capricious and uncertain'. And he winds up by saying 'Possessing therefore an exceedingly light and withal uncertain rainfall and being as has been seen in previous chapters a district in which three-fourths of the people are dependent upon agricultural and pastoral pursuits, where the soil much of it is poor and where irrigation works are few and far between and many of them dependent upon local rainfall, Bellary is as a necessary corollary more than usually liable to disastrous famines.'

"The same officer gives a gruesome account of the famines that occurred year after year in the said district in pages 128 to 146 of the same book. He sums up by saying 'To sum up, then, in the century during which the district had been in the British possession in addition to the numerous seasons in which things had been bad but not bad enough to warrant State relief there have been scarcities in 1804-05, 1824, 1884-85, 1900, and famines in 1833, 1854, 1866-67, 1878, 1891-92, 1896-97.'

"As has been truly said the unfortunate ryots have hardly emerged from one famine before they submerged under another.

"Again in the same book it is stated in page 91, 'less land is under irrigation in Bellary than in any other district in the Presidency except The Niligris, Malabar and South Kanara. The total area watered by wells, tanks and channels in a normal year is only some 100 square miles or between 2 and 3 per cent of the net area cropped. The percentage of the cultivated area in each taluk which is protected in ordinary seasons and in all seasons respectively is shown below; and it will be seen that it is only in Hospet, Kudligi, and Rayadrug that it is above the miserable average for the district which is the lowest in the Presidency—

Taluk.	Protected in ordinary seasons.	All seasons.	Taluk.	Protected in ordinary seasons.	All seasons.
Adoni ...	1.3	1.1	Harpanahalli ...	2.0	1.6
Alur ...	1.4	Nil.	Hospet ...	14.4	14.2
Hadagalli ...	1.4	1.3	Kudligi ..	5.7	4.4
Bellary ...	1.6	0.9	Rayadrug...	5.4	3.5

RESOLUTION RE STEPS TO PROMOTE IRRIGATION SCHEMES IN THE CEDED DISTRICTS.

(Mr. Siva Rao.)

[14TH MARCH 1919.]

"The condition of Anantapur district is described by the same officer in similar terms in pages 79-94 of the Gazetteer of that district.

"He also observes in page 48 of the Anantapur District Gazetteer 'As has already been stated only 8 per cent of the cultivated area of the district and so many of the irrigation sources are precarious that only 3 per cent can be said to be protected in all seasons. It will be seen that out of the 8 per cent of the cultivated which is irrigated 3 per cent is watered from wells, 4 per cent by tanks and only 1 per cent with the aid of the channels.'

"While speaking of Cuddapah district in his District Gazetteer Mr. C. F. Brackenbury observes in page 125 'The rainfall of the Ceded Districts is lighter than any other division in the Presidency but of these Cuddapah on account of its situation derives a greater benefit from the north-east monsoon than do the rest and this advantage is measured by an excess of about 5 inches of the average rainfall of Bellary and Anantapur and about 3 inches over that of Kurnool. This average is for the whole district something less than 27 inches but the variation between its parts are often very considerable. Agriculture is so predominant a fact in the life of the population and the area effectively protected by irrigation is so small that the prosperity of the district is said to depend almost entirely on an adequate rainfall and its timely precipitation. But it is nevertheless subject to vicissitudes of seasons which necessarily entails its liability to periods of more or less acute distress.'

"The similar state of things prevails in Kurnool district also.

"The Irrigation Commission of 1901-1903 say:—

'The most insecure districts are those known as the Deccan districts, comprising Kurnool, Bellary, Anantapur and Cuddapah, which have suffered several times from famine during the past century. They cover a total area of about 27,500 square miles, with a population of nearly four millions, the majority of whom depend upon agriculture for their support. The country is broken up by hills, and consists largely of soils of poor productiveness, though there is a very considerable stretch of black cotton soil on the southern and western boundaries of the Kurnool district, and in the adjoining taluks of the other three districts. Owing to the general poverty of the soil, over one-half of the cultivable area is assessed at rates not exceeding eight annas an acre; in Cuddapah the proportion rises to nearly two-thirds, and in Anantapur to over three-fourths, of the whole area. In the latter district more than one-half of the cultivable area bears a nominal assessment of two to four annas per acre, and in Bellary nearly a third of the area is similarly assessed. More than two-thirds of the landholders pay less than Rs. 10 a year to Government for their lands. The disastrous famine of 1876-78, which swept away nearly a third of the population, was followed by a succession of unfavourable years, and the districts have not yet fully recovered from their effects. A very large portion of the cultivable area is still unoccupied; and the recent census of 1901 showed that in two of these districts, Kurnool and Cuddapah, the population was still about 4½ per cent less than it was thirty years ago; while in the remaining two, Bellary and Anantapur, the increase was not more than 4 and 6½ per cent, against an increase for the whole Presidency of 22·44 per cent for the same period.'

"That is the description they gave of these districts in particular and towards remedying this evil they proposed two projects in particular. In paragraphs 243 and 244 of the report they refer to the Tungabhadra project and the Kurnool-Cuddapah canal, in paragraph 245 they recommend the further investigation of the project known as the great Tungabhadra project. The project has been investigated fully in pursuance of the recommendation of the Irrigation Commission and the conclusion that was come to in the year 1909 was that this scheme should be deferred for the present. I am quoting from the Government Order dated 2nd October 1909.

"The Government have given their careful consideration to the question whether the Tungabhadra project, as revised by the Chief Engineer for Irrigation with reference to the Inspector-General's note received with the Government of India's letter No. 816-1, dated 12th June 1906, should be submitted for the sanction of that Government. They are of opinion that, as the Kistna and Cauvery Reservoir projects are likely to prove productive, they must take precedence of the Tungabhadra project, and that even if that project were now sanctioned it could not be commenced within the next 15 or 20 years, i.e., not until the two other projects are completed. They therefore consider that the project should be deferred for the present and the Government of India will be informed accordingly.' That project if it had been carried out would have brought plenty to the whole of the ryots, not only in the Ceded Districts but Nellore also. It was intended to irrigate one million acres of land and the water-rate which was expected to be realized from that scheme came to about 60 lakhs. I may mention that the total estimated cost was about Rs. 12 crores, but that need not scare us away for the present. I insist upon the national importance, the supreme importance of protecting famine areas from drought. That is the essential aspect of the question which was insisted upon by the Irrigation Commission. They say 'looking simply at the great national object of protection against famine it might be justifiable' and it is the national object of protection against famine that I insist upon. I do not want to propose that the districts I represent should be made more prosperous. What I contend for is that they should be protected against famine, and I have quoted several years in which famine has broken out in previous years. There must be timely warning for the Government to take note of it and start protective works. They need not care for protective works so much. There are other projects, the Kistna reservoir and the Godavari reservoir which may be productive. But even protective works should be started just to save these districts which form the famine zone of the Presidency from drought.

RESOLUTION RE STEPS TO PROMOTE IRRIGATION SCHEMES IN THE CEDED DISTRICTS.

14TH MARCH 1919.]

(Mr. Siva Rao ; Mr. Krishna Rao.)

"In May 1917, I interpellated the Government as to what they had done in this matter and incidentally I may mention that Mr. Clerk, who was Secretary of the Public Works Department for Irrigation in those days, drew up a scheme to be undertaken for the Ceded Districts. I asked for information as to whether all of them were investigated, whether any of them were still under investigation and if investigated with what result, whether any of them had been sanctioned for execution. The Government were pleased to give me a full reply as to what schemes included in the list given by Mr. Clerk had been investigated. Then later on, I moved a resolution in November 1917 on similar lines that irrigation schemes should be fostered especially in the Ceded Districts. It may sound strange to Honourable Members in the Council why we should be indulging in a sort of parochial politics, upon something being done to the Ceded Districts alone. My reason is this: The Ceded Districts have been singled out even by the Irrigation Commission. The rainfall is scanty, the sources of irrigation are bad and the economic condition of the ryot is bad. So I draw the urgent attention of the Government to this. Resuming my point, I moved the resolution, and the late Mr. Gillman intervened and made a statement which was assuring to me at that time and I was tempted to withdraw the resolution. He gave me full liberty to bring forward the resolution again if I was not satisfied with the progress. Now coming to the list of irrigation projects in the Ceded Districts, I may say there are two statements A and B reported upon by Mr. Clerk and a list of works taken up subsequently, a supplemental statement as regards the projects as to which the Government state that they have no information. Coming to this list, most of these schemes have been investigated no doubt but what is the actual result of it. How many have actually been carried out? I am referring to page 3 of the Government Order of the 21st January 1918. Only very few works were sanctioned. The Markapur tank and supply channel, No. 6 on the list, has been completed. I say that very few of these schemes have been sanctioned and fewer of them have been executed. Some of them have been sanctioned as famine relief works to be undertaken when distress prevails. I am justified in saying that most of these projects have been rejected as not being profitable or not sufficiently productive or feasible. I do not blame anybody for rejecting them. I want the actual result. I want a protected area. In ordinary seasons and also in all seasons the condition of the ryots must be assured. I do not think the Honourable Member can satisfy me that since 1902-03, since the date of the Irrigation Commission, an appreciable extent has been added to what is known as the protected area and the permanent sources of irrigation. That is the test which I apply. No doubt a lot of trouble has been taken in the matter, but for one reason or another the schemes are condemned. One test I would apply is that they are protective and if they are not unworkable they should be taken up. I do not want to go into the details of this matter. I do not think that these schemes that were sanctioned and executed have met the present unsatisfactory condition of my districts.

"I come to the Government Order of the 14th February 1917. Every year the Government have been reviewing the schemes in progress in the whole Presidency and that was in pursuance of the resolution moved by the Hon'ble Mr. A. S. Krishna Rao. I find again two projects relating to Anantapur. The first is the Upper Penner project: the cost of the scheme was estimated as Rs. 38,000 representing a return of 1·59 per cent. It is stated 'Allowing for increased rates and certain items such as special tools and plants not included in the original estimates the project is roughly estimated to cost Rs. 34·8 lakhs. In order that the project may prove productive a net revenue of Rs. 1,72,500 should be procured. This would be possible only if an average water-rate of Rs. 17 per acre were realized.' I do not know whether the ryots expressed their willingness or entered into an agreement with the Government. Even if there is any small loss of revenue to Government it should not mean much, provided these works will save these districts from famine. There is one other scheme, that is referred to, that is the Velgode project. It is stated with reference to that 'In order to realize this a water-rate of Rs. 11 per acre on the wet ayacut, and of Rs. 5-8-0 on the dry ayacut has to be levied.' That rate does not seem to be much. The ryots may be induced to pay it in order to fulfil the productive test. I am aware that the Government have been gradually repairing or restoring tanks in these districts as in the other districts but tank-fed irrigation I do not pay very much attention to. That does not improve the material condition of the people permanently. The tanks depend for their supply upon the precarious rainfall. Unless there is 17 or 18 inches rainfall they cannot be sure. They must depend upon perennial rivers and Tungabhadra is the only one. So far as the Hospet taluk is concerned, where there is 14 per cent of the protected area, I find all these channels were dug up during Krishnarayar's time in the sixteenth century. I cannot lay my hand on any one big scheme in these districts except the Kurnool-Cuddapah canal after these districts came into the possession of the British Government. I do not think they have done any important work, any new tank or any new channel. Without taking any more time of the Council I would point out the extreme necessity of doing something for these districts. Schemes have been investigated and some other schemes may be thought of and they may be sanctioned. This Tungabhadra project whether in the original form or in the modified form may be revived. Without depreciating the needs of the people, in Kistna or Tanjore, we ought to benefit by these two projects and the necessity for irrigation schemes is more keenly and bitterly felt in the Ceded districts than elsewhere."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I second the resolution. As the representative of one of the four Ceded districts, Cuddapah, I take this opportunity of impressing upon the Government the necessity to promote irrigation schemes. It will be remembered that after the investigation of the Irrigation Commission of the Kurnool-Cuddapah canal, and after it was completed, it has caused considerable disappointment and worked at a considerable loss as it did not satisfy the expectations originally entertained in regard to the scheme. So far as the

RESOLUTION RE STEPS TO PROMOTE IRRIGATION SCHEMES IN THE CEDED DISTRICTS.

(Mr. Krishna Rao; Mr. M. Ramachandra Rao;
the President; Mr. Davidson.)

[14TH MARCH 1919.]

Tungabhadra project is concerned my Honourable Friend has referred to the fact that it was unfortunately postponed after an investigation extending over several years and after I believe more than Rs. 6 lakhs were spent on the investigation of the scheme, as appears from the information furnished by the Government on a former occasion. It may not be possible to take up the Tungabhadra project at once in view of the magnitude of the cost involved. It is highly desirable to ascertain whether small minor projects cannot be taken up for improving the irrigation in the four Ceded districts. The chief reason pointed out on this occasion is that they are admittedly in the famine zone of the Presidency and require special protection. So far as the resolution is concerned it is quite general and I do not think there can be any difficulty in accepting it. It says 'that special steps may be taken to promote irrigational schemes in the Ceded districts.' I do not think that Your Excellency's Government should take exception to this resolution. I do not think the Hon'ble Mr. Davidson can find fault with the object of the resolution; and if only he makes up his mind to find some additional staff required for the purpose and set them on the work as early as possible, I have not the slightest doubt that some improvement might be effected."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Before the Hon'ble Mr. Davidson replies to this resolution, I should like to place one matter in connexion with famine relief—the construction of irrigation works in regard to the districts affected with the famine."

His Excellency the PRESIDENT:—"I do not think it is necessary in this resolution. We are not dealing with famine relief. We are dealing with the urgency of irrigation projects in the Ceded districts. The Honourable Member must not open the general question of famine relief."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I do not wish to raise the general question of famine relief. My submission is this. The Ceded districts are liable to famine and one of the ways in which I consider something may be done to promote irrigation schemes is by the State constructing wells."

His Excellency the PRESIDENT:—"The Honourable gentleman did not say anything about wells."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Irrigation schemes would include wells. My Honourable Friend confined this to river systems and also to systems which can be fed by tanks or channels. But there is another way in which I believe something may be done to improve the condition of things, and that is the construction by the State of wells and the charging of a water rate. Some years ago I brought this matter to the notice of the Government and it was suggested that the scheme for the construction of wells was opposed to the recommendation of the Irrigation Commission. I believe, my Lord, that the question is one which requires re-examination. It has always been the usual practice of the Government here that whenever any recommendation is in accord with their own views, the recommendation of the Royal Commission on Decentralization or the Famine Commission or the Irrigation Commission are relied upon. No doubt I have this against my proposal, that as a general rule the Irrigation Commission did not approve of the construction of a system of wells by the State, but I believe, my Lord, under the difficulties pointed out on various occasions as to the construction of river systems no attempt has been made to urge subterranean wells in these districts. If a system of deep wells or a system of boring wells can be started and a water-rate charged under some suitable method, it will greatly benefit the Ceded districts. I venture to place this matter before the Government because I advocated the system some years ago, and if Your Excellency's Government can see their way to investigate the possibility of the construction of wells for irrigational purposes in the Ceded districts that may be one method of solving this difficulty of water in those districts. Both my Honourable Friends confined themselves, as I said, to the construction of river and tank systems."

The Hon'ble Mr. L. DAVIDSON:—"Your Excellency, I find myself in some difficulty in replying to this resolution. It covers the question of general policy with which I am not very familiar but I suppose it is quite sufficient to say that the Government can hardly be expected as a matter of policy to give precedence to protective over productive works. That is the main reason why the Tungabhadra project is in abeyance. The Hon'ble Mr. Siva Rao has made a brief reference to the reasons why no further action has been taken on that. I see from the letter which was addressed to the Government of India in 1909 that the estimate then was a capital outlay of 13 crores and the low return of 2½ per cent. We have got before us much more remunerative projects also on a gigantic scale in the Cauvery and the Kistna. One of the questions put at this meeting of the Legislative Council, inquires why no action has been taken in regard to the Kistna project."

"The answer given is that it is much less promising and much less urgent than the Cauvery project. There is the initial difficulty in large schemes, that our staff is limited and that we cannot command the large technical staff required to cope with several such works. If we took up the Tungabhadra project, it would necessarily involve indefinite postponement of the Cauvery project and a fortiori of the Kistna project. I have every sympathy with the condition of the Ceded districts in which I have served myself and which I should gladly help as a member of the Government if there were any reasonable ground for assistance. But one must bear in mind that other parts of the country are entitled to consideration and also the amount in issue. It must be remembered that if a project is remunerative, the resources of the Government as a whole are improved and assistance towards famine relief becomes possible which would not otherwise be available as readily. If, however the Tungabhadra project were constructed at a cost of 13 crores with a return of 2½ per cent, there would be a loss of interest to

RESOLUTION RE STEPS TO PROMOTE IRRIGATION SCHEMES IN THE CEDED DISTRICTS.

14TH MARCH 1919.]

(Mr. Davidson.)

the Madras Government of about Rs. 5½ lakhs a year. That is the figure that has been worked out. The finances of the Madras Government would suffer to that extent positively, apart from the fact that the capital of 13 crores would constitute such a drain on the world's market that it would be difficult for Your Excellency's Government to raise another 13 crores for the Kistna or the Cauvery project. If, on the other hand, the Cauvery project were carried into effect—the estimated cost is less than 13 crores,—if that were carried into effect, instead of the Madras Government suffering an annual loss of over 5 lakhs there would be a substantial gain and the revenue position would be much better. So far as to the relative merits of remunerative and protective works.

"I have taken the Tungabhadra project as something which must be indefinitely postponed. There is another great work mentioned by the Hon'ble Mr. Siva Rao, the Kurnool-Cuddapah canal. That is not in such a parlous condition as the Tungabhadra project. As a matter of fact both the Kurnool-Cuddapah project and the Velcode project, which is intimately linked with it, are a good deal more hopeful. The improvements under contemplation involve the bringing under irrigation of something like 46,000 acres first crop, and 15,000 acres second crop. The revenue expected is not likely to be sufficient to render the projects absolutely productive, but they would, I am told, constitute very good famine protective works and they stand on a different footing from most minor works in the Ceded districts which are of little, if any, protective value, because their catchment areas are liable to the same severe drought as the areas which they are supposed to protect. The combined scheme for the improvement of the Kurnool-Cuddapah canal and the Velcode project is still under the Hon'ble Mr. Howley's examination. In a note written the other day he said that he was waiting for the results of the recent readings of the gauges and trying to make out a case for obtaining money from the Government of India by charging the improvements to the head "35. Famine Protective". There is another difficulty as to the Velcode project, that is, its dependence on the widening of the Kurnool-Cuddapah canal which requires a special plant to be brought out from Home. That is one great irrigation project in the Ceded districts which fortunately is still on the anvil and which need not be regarded as outside practical politics."

"Another scheme under investigation is the Tippiyapalem project, where the Superintending Engineer is engaged in examining the proposed dam. There is some doubt as to the stability of the foundations. There is another project in the Cuddapah district, the Papagani reservoir, but I am afraid it is not hopeful. At present it is held up pending gauge readings for 1918. There is also on hand the Lokkapalli project once abandoned and again taken up; the Collector is being asked to estimate the revenue obtainable from the ayacut. It is believed that the discharge from the river being less than that originally estimated, the original capacity of the reservoir will have to be cut down with a consequent change in the ayacut necessitating a further examination of the financial aspect. Finally, are three other projects temporarily in abeyance, namely, the Gudampad, Krishnapuram and Gazaladinne schemes in the Kurnool district. The reason why they are in abeyance is we wish to learn what will be the result of the Venkatapuram tank project. The success of that project is largely dependent upon the extent to which the ryots will actually come forward with demands for water. It is an unfortunate circumstance that in that part of the Kurnool district there is no very great keenness and the ryots seem to be indifferent. Mr. Clerk in his inspection notes on the Venkatapuram project was very doubtful about this. He hoped that his anticipation would prove unduly pessimistic and that the ryots, when they saw the water, would make use of it. In the first year after practical completion, 1917-18, however, only 192 acres of dry land were irrigated and in the next year 220 out of the estimated ayacut of 1,700 acres. This is not rapid progress. The conditions are very much the same in regard to the other projects which I have mentioned, viz., Gudampad, Krishnapuram and Gazaladinne. If we find that the ryots take full advantage of the Venkatapuram tank which has been completed, there will be a fair case for starting the further work of investigating those three projects."

"I will not detain the Council, Your Excellency, with the details of other works. There are some other items under examination. I may say generally in regard to the minor works in the Ceded districts that none of the small projects, practically none of them, are really famine protective works. The reason is that the catchment area is subject to severe drought. If you carried out a large number of the small works put forward from time to time and expected that they would help you in famine years, I am afraid your expectation would not be realized. That is the main reason why the Irrigation department is concentrating its programme on the extension of the Kurnool-Cuddapah canal and the Velcode project."

"The Hon'ble Mr. Krishna Rao suggested that there was no reason why this resolution should not be accepted. When he read it out, he did not lay stress, as I should like to do, on the word 'special.' Really there is no scope for special steps in the matter. The Irrigation department, the Hon'ble Mr. Howley and his assistants, are paying close and constant attention to it, the Hon'ble Mr. Siva Rao has all practicable irrigation projects in the Ceded districts. We are furnished, and the Council has been furnished, with every possible information, far more than I can carry in my head. The position is, as Mr. Gillman stated when the Hon'ble Mr. Siva Rao last moved his resolution: 'The Government have during the past ten years and more made a very thorough, and they think an exhaustive, investigation into protective works in the Ceded districts and they are in possession of information showing the nature of the works proposed and the progress made, and, where a decision has been taken, the nature of their decision.' It is not a case that the results of that investigation are not being followed up. Every project which seems promising is followed up. Mr. Gillman then concluded by giving the Hon'ble Mr. Siva Rao two alternatives. One was that if he was not satisfied with the information which would be subsequently supplied to him he might move a resolution at a subsequent meeting, which is what he has

970 RESOLUTION RE STEPS TO PROMOTE IRRIGATION SCHEMES
IN THE CEDED DISTRICTS.

(Mr. Davidson; Mr. Siva Rao; the President.) [14TH MARCH 1919.]

now done. I wish he had adopted the other alternative which Mr. Gillman gave him and which was much more practical. He said 'If the Hon'ble Mr. Siva Rao thinks that there are any works which should have been undertaken, but which have been omitted, he may address the Secretary on the subject.' I should think that would have been a much more practical way of dealing with the issue raised. We should then be able to concentrate the discussion on particular items and I should be able to get the expert advice of the Hon'ble Mr. Howley and his staff and to give a detailed and precise statement of the progress made in regard to any particular item which in Mr. Siva Rao's opinion should have been included or pressed and, I might satisfy him either that it was likely to be taken up or that there are reasons why it should not be taken up. It seems to me that the Government are doing all that they can in this matter. I cannot think of any special steps which can be taken further in the matter. On these grounds I cannot undertake on behalf of the Government to accept this resolution.

"Before I sit down, there is one point to which I should like to refer. The Hon'ble Mr. Ramachandra Rao referred to a possible programme of well construction, deep well-boring. I cannot say offhand, whether that is at all feasible, but the Hon'ble Mr. Howley thinks, I believe, that there is no practical prospect of artesian well sinking. As my Honourable Colleague Sir Alexander Cardew reminds me, there is plenty of scope for ordinary wells and a Deputy Collector has been put on special duty to apply the well rules, but that is a different matter from deep artesian water-supply."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, I heard the Honourable Member refer to some projects, the Velgode project and Kurnool-Cuddapah canal. Both of them are situated in Kurnool. But I have not heard of any project under discussion in either Anantapur or Bellary. He suggested that I would have followed a better course by corresponding with the Honourable Member in charge of the department and pointing out certain works which had been omitted and which ought to have been investigated. As a lay man can I investigate anything in regard to the northern Pennar project? It has been abandoned. What is the use of my suggesting that this should be taken up? They will say it has been abandoned as it is not productive. The Honourable Member has not said anything about it. He merely said that it has been abandoned. He invited suggestions from me as to the works that ought to be executed. I am a lay man, I am not able to make them. The idea I recommend to Your Excellency's Government is that steps should be taken to improve the material prosperity of the district and not only the moral prosperity. I put it on that ground. Steps should be taken to prevent these tracts containing four million people from the constant danger of drought. I cannot investigate the nature of the projects. I have not got a staff. I do not know what to do. The Honourable Member is in full sympathy with the resolution. I do not see what difficulty he has in accepting it. I should like to know whether he is willing to accept it if I omit the word 'special'. They are in the famine zone in the Presidency. Some preferential treatment ought to be given to them. Then I may be able to take the assurance that there is no need to press the matter to a division, a matter in which the Government are also interested. I appeal to the Honourable Member that some other schemes may be devised."

The Hon'ble Mr. L. DAVIDSON:—"I have only a few words to say. There are some schemes under investigation and under consideration both in Bellary and Anantapur. One of them is Chunnannagudda tank and another is the Jakkalacheruvu improvement scheme. Also there has recently been a general examination of the feasibility of restoring abandoned irrigation sources in the Ceded districts. His Excellency the Governor presided at a conference which examined the prospects of doing something more in this direction but they were found to be unfavourable."

"The Honourable Member is familiar with Mr. Clerk's investigation of the irrigation possibilities of the Ceded districts. As a result of a resolution moved in 1915 by the Hon'ble Mr. Rama Ayyangar, the Hon'ble Sir Harold Stuart undertook to call the attention of Superintending Engineers and Collectors to the duty of bringing forward any other works, in addition to those already dealt with in Mr. Clerk's report, which seemed to have a good prospect of success. The result of that, so far as Bellary was concerned, was that nine schemes were put forward by the Collector and he was instructed to furnish the Superintending Engineer with all the information available including the rough cost of the land acquisition. Some of these proposals are still on the anvil and I cannot give off-hand any information as to the result. But no other proposal relating to the Ceded districts has been received from any Superintending Engineer or Collector. That shows how very thorough was Mr. Clerk's investigation of the irrigation possibilities. The Honourable Member asked if the Government would accept the resolution if he omitted the word 'special'. It seems hardly material whether the resolution is withdrawn or accepted after the assurance that the Government are doing everything. But the Honourable Member will have the word 'practicable' inserted between 'promote' and 'irrigational' and delete the word 'special' I can accept the resolution. That would be just what we are now doing."

The Hon'ble Mr. P. SIVA RAO:—"I have no objection."

His Excellency the PRESIDENT:—"If I may say a word or two I should be inclined to advise the Honourable Member to accept that assurance, we know the difficulties of the Ceded Districts which come largely from the physical conditions which have endured for generations. I quite agree with the Honourable Member that the Government and the Public Works Department owe it to these districts to do everything they can to examine and promote all possible remedial measures of the kind he has advocated. I am sure there is no doubt as to the intention of the Government at all on this subject. It is impossible for any one who has visited the Ceded districts, and far less for those who have resided there as the Honourable Member does, not to

RESOLUTIONS RE STEPS TO PROMOTE IRRIGATION SCHEMES IN THE CEDED DISTRICTS AND APPOINTMENT OF INDIANS AS DEPUTY AND UNDER SECRETARIES TO GOVERNMENT, PUBLIC WORKS DEPARTMENT.

14TH MARCH 1919.] (The President; Mr. Krishna Rao.)

feel the greatest sympathy with the people as to the want of water. I may assure him I am speaking on behalf of my colleagues—I am able to give the assurance—and I am sure the Hon'ble Mr. Davidson will agree with me that every step is taken to examine and find out possible measures to relieve it. I hope that with that the Honourable Member may be disposed to rest content in a matter of this kind where there is very much difficulty, specific pledges would tend to be misleading. The assurance has been given that the Government will not be idle and the Public Works Department will keep the matter before them and examine all the possibilities of the case. The Honourable Gentleman is at liberty to press the Government again and ascertain the progress that has been made."

With the permission of His Excellency the President the resolution was withdrawn.

At this stage the Council adjourned for a short interval.

The Council re-assembled at 3 p.m. when the discussion was resumed.

RESOLUTION RE APPOINTMENT OF INDIANS AS DEPUTY AND UNDER SECRETARIES TO GOVERNMENT, PUBLIC WORKS DEPARTMENT.

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, the resolution I have the honour to move runs thus:—

"XXVI. This Council recommends that His Excellency the Governor in Council be pleased to take early steps to appoint Indians as the Deputy Secretary and the Under Secretaries to Government, Public Works Department."

"I move this resolution in the hope and belief that there will be no difficulty in accepting this resolution, because it suggests that the question of the appointment of Indians to these offices may be given effect to at an early date. It is clear that there are no statutory or other difficulties in the way of the appointment, because under the system now in force, it is only persons occupying administrative posts that are appointed either as Secretary or Under Secretary or Deputy Secretary. It will be found by a perusal of the latest Quarterly Civil List—that the Deputy Secretary is being appointed from among Superintending Engineers. There is one Deputy Secretary who was appointed, and he gets a house-rent allowance of Rs. 60 extra. There are Superintending Engineers of the first class and second class and third class, and we find from the list one that occupies the first place of Superintending Engineers in the third class is appointed Deputy Secretary to Government—Mr. Hawkins. In the case of the Under Secretary to Government, Public Works Department, we find that two Executive Engineers have been appointed to that post. We find that one who occupies the ninth place in the list has been Under Secretary to Government with a house-rent allowance of Rs. 45 and a duty allowance of Rs. 100. He is the Secretary to the Sanitary Board with an allowance of Rs. 100. We find another Mr. Morgan, who is also Under Secretary to Government with a house-rent allowance of Rs. 45 in Madras and a duty allowance of Rs. 100. I have brought this question before this Council because in respect of these appointments there are persons, Indians of the senior grade in this department; and there can be no real or technical objection to the appointment of Indians either as Chief Engineers or as Secretaries to the Public Works Department. We find the holders of these offices are admittedly seniors in the service and there is now no need for tackling that problem. That is why I have not referred to the question of Indians being appointed as Chief Engineers. When we come to the question of appointment of the Deputy Secretary, we have an Indian Superintending Engineer of the second class and another Indian Superintending Engineer of the third class and there can be no reason for not giving them the benefit of that training and experience. That is why I have placed that question before this Council. Similarly as regards the Under Secretaries to Government, it is only those who occupy the ninth and the sixteenth places that have been appointed Under Secretaries when we find Indians occupying higher places in the Service List who are available for that place. If there were any special disabilities imposed, it will be a different matter altogether. I find so far that there are no special disabilities or restrictions imposed in the way of Indians being appointed to these offices. I have not been able to find any reason or any justification for that privilege not having been conferred on them. It will be remembered that we have some reasonable prospects of the whole scope of the work of this department being placed on a different footing. The Public Services Commission entered into this question at considerable length and among the various recommendations made in connexion with the reorganization of this department, they suggested as one of the principles to be followed that the Public Works Department should confine itself to work which cannot be discharged by private enterprise or through the agency of district boards and municipalities with the necessary financial support from Government. After that report, Honourable Members of Council will remember that the Public Works Department Reorganization Committee was appointed by the Governor-General and sanctioned by the Secretary of State on the 24th November 1916; and they also made various specific recommendations to give effect to that policy laid down by the Public Services Commission. That also suggested that they ought to be made over to district boards with some financial help given by Government; and they also made specific recommendations for encouraging private enterprise. They also suggested the amalgamation of the present Imperial and Provincial Services into one service and they pointed out that while the former Public Services Commission created that distinction, no distinction was maintained and they said: 'In practice, however, no such difference has been established (between Imperial and Provincial services). We find on inquiry that both in the Public Works and in the Railway departments, officers

972 RESOLUTIONS RE APPOINTMENT OF INDIANS AS DEPUTY AND UNDER SECRETARIES TO GOVERNMENT, PUBLIC WORKS DEPARTMENT, AND CO-OPTATION OF MEMBERS ON DISTRICT BOARDS.

(Mr. Krishna Rao ; Mr. Davidson ; the President.) [14TH MARCH 1919.

recruited in India are engaged on work of the same importance and responsibility as officers of the same official standing recruited in England. In these circumstances we are of opinion that the present system of division into Imperial and Provincial services should be abolished. There should for the future be only one superior engineering service.

"With this system of reorganization before us, notwithstanding the fact that final orders have not been passed upon the distinction created by the Public Services Commission, which has been only in name, no distinction is maintained in actual practice. As to the work of the department, it is likely to be lightened owing to the devolution of a portion of the functions to district boards. Under these circumstances, I am not able to convince myself that there can be any real reasons urged against the appointment of Indians at an early date as Deputy and Under Secretaries to Government, Public Works Department; and if any objections are urged by the Honourable Member in charge, it will be time enough to consider them."

The Hon'ble Mr. A. Suryanarayana Rao seconded the resolution.

The Hon'ble Mr. L. DAVIDSON:—"Your Excellency, the Honourable Mover, I think, concluded the speech with the remark that he was not aware of any objections that might be urged to the early appointment of Indians to these offices. Nor am I, if they are qualified for them. It may be of interest to the Honourable Member to know that as a matter of fact there is a vacancy occurring almost immediately in the post of Under Secretary, and if he will go to the Public Works Secretariat, he will find on the notice board an order showing that the officer who is going to be appointed to it is an Indian. There is no race question in the matter of the appointment either of the Deputy Secretary or the Under Secretary, but they are not seniority appointments as the Honourable Member seemed to assume throughout his speech. They are selection appointments and vacancies are filled by the Government on the recommendation of the Secretaries to Government concerned. In this particular case the Hon'ble Mr. Hutton and the Hon'ble Mr. Howley were both concerned, and when the vacancy occurred, they were both consulted. In all such cases the claims of Europeans and Indians alike are taken into consideration. It is not very long since another Indian officer, Mr. Kharegat held the post of Under Secretary. I do not think under these circumstances that there is any necessity to pursue the discussion. The Government cannot accept the resolution which runs in the terms of an invitation to appoint Indians to particular posts. That is not a proposal which could be accepted, for the policy is, and must continue to be, the appointment of the best man irrespective of race."

His Excellency the PRESIDENT:—"Perhaps the Honourable Member is satisfied with this discussion."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I do not wish to press it to a division but I want it to be clearly understood that there is absolutely no sort of difficulty in the appointment of Indians and that the claims of Indians and Europeans should be equally considered."

The Hon'ble Mr. L. DAVIDSON:—"That is exactly the case."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I do not wish to press the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE CO-OPTATION OF MEMBERS ON DISTRICT BOARDS.

The Hon'ble Mr. A. S. KRISHNA RAO:—"The resolution I have the honour to move runs thus:—

'XXVII. This Council recommends that His Excellency the Governor in Council be pleased to take such steps as are necessary to make provision in the Madras Local Boards Act, for the co-optation of a certain proportion of the members of the district board by the remainder.'

"Your Excellency, so far as this question is concerned, it is one affecting the constitution of the district boards. Honourable Members of Council are aware that for some time there have been proposals for the re-constitution of the district boards; and the Madras Local Boards Amendment Bill is under preparation, though we understand, it has not yet been submitted to the Government. It is now agreed that even according to the existing Act, three-fourths of the members of district boards can be appointed by election and one-fourth only can be left for nomination by the Governor in Council. The Act also provides that officials can be appointed to the extent of one-fourth the total number of members of the district boards. Therefore, it is clear that when we work up the provisions of the present Local Boards Act, we shall have a case when all the members, all the three-fourths of the members of the district board will be elected by the various taluk boards in the district; whereas the remaining members will consist of officials appointed by the Governor in Council. The point has often arisen as to whether it is or is not necessary to provide for the existence on these district boards of non-official persons who are not necessarily members of the taluk board, but who are willing to place their services at the disposal of the district boards. Questions have been raised and considered as to the desirability of forming separate independent electorates for direct election to the district boards. Another question has been raised whether the better plan is not to allow the district board composed of elected members of the taluk boards to co-opt a small proportion to add to its own strength. I think that on this occasion I can usefully refer to the resolution of the Government of India wherein they laid down some general principles relating to the subject. It is a point for consideration as to whether it is desirable to appoint officials to the full extent of the one-fourth provided by the Act or as to whether it will not be enough to limit it even much lower down

RESOLUTION RE CO-OPTATION OF MEMBERS ON DISTRICT BOARDS. 973

14TH MARCH 1919.] (Mr. Krishna Rao ; Mr. Rajagopala Achariyar.)

and to have officials only for the purpose of advice and assistance. While dealing with this question, the Government of India have stated as follows:—"Where the members of the district boards are elected by the sub-district boards there is no reason to interfere with this arrangement, but the observance of the principle should be enforced as regards the elective element in the membership of the sub-district boards which make the elections for the district boards. As regards the special representation of minorities where this is necessary, the Government of India would prefer that this should be effected by retaining the practice of nomination rather than by introducing some system of communal or proportional representation." That is a point which the Government of India suggested for the consideration of local Governments. I have not raised the question whether the term should be long or short, but I have raised the point whether it is desirable to introduce the system of co-optation. They go on to say:—"In one province proposals are now under consideration for dispensing altogether with nomination by (i) omitting the official members in view of the existence of expert servants of the boards, (ii) meeting the case of minorities by communal representation, and (iii) introducing a system of co-opted "aldermen" on the lines above described in order to attract men who will not stand for election." It is in pursuance of the suggestion made by the Government of India in their resolution of May 1918 that I have considered it desirable to place this aspect of the question before this Council for consideration. I know that on a previous occasion, when there was a conference of some representatives of local bodies, they could not themselves come to a definite understanding regarding this question; but the conference met before the publication of this resolution on local self-government, I have not the slightest doubt that if they had this authoritative expression of opinion of the Government of India, their conclusions might have been different. As this resolution could not at that stage be placed before the conference, they could not come to any conclusion on this matter."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Which conference?"

The Hon'ble Mr. A. S. KRISHNA RAO:—"The conference which considered the Bills."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"They considered it and rejected it."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I hear that the conference which met some time before, were not in favour of it. If they had this resolution of the Government of India, they would have come to a different conclusion. It is a problem for consideration. The resolution which I move suggests that His Excellency the Governor in Council will be pleased to take such steps as are necessary to make provision in the Madras Local Boards Act for the co-optation of a certain proportion of the members of the district board by the remainder. As to the initiation of the steps to be taken by means of an amending legislation, it is left to the Local Government. If it is considered necessary to consult the district boards, I do not wish to quarrel with that position. It is a specific suggestion which I now make and which, I believe, deserves acceptance when we are aiming at the full elective strength under the present Act and when we eventually aim at a fully elected board with only the necessary official element on the board; it is absolutely necessary and desirable that provision should be made for men of the experience and the best system that can be devised is the one that was suggested by the Government of India. If the Government should consider that there should be consultation with the district boards as the first step, I do not wish to dispute that position."

The Hon'ble Mr. A. Suryanarayana Rao seconded the resolution.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I do not wish to take up the time of the Council in this matter, in view of what the Honourable Member has said, that if we undertake to refer this question to the local boards for an expression of their views, he would not press this resolution. At the same time, I feel bound to say that, so far as the information before me goes, opinion is decidedly against this proposal. I remember having consulted several men in the mufassal who are working in local boards and their point of view is, let us have either a man whom we elect or a man whom the Government nominate, but let us not have this sort of person who is neither our nominee nor your nominee, but our nominee's nominee; he is the nominee of our nominees and your nominees. I think in fairness to the Council I must say that the arguments are not all in one way, as one would imagine from the speech of the Honourable Member. Suppose you had this device, what will be the result? It will reduce the volume of direct election. Suppose in a district board with a strength of 15, you resolve to throw open 10 seats for election and reserve 5 for nomination, the device proposed would mean you allow 8 seats for election and allow those men to choose 2. What is at the back of this suggestion is that there will be people in the mufassal who do not care to stand before their countrymen to seek their suffrages, to go in an honest and straightforward way as the nominee of their countrymen. They are afraid of being defeated; they are afraid of being not nominated, but at the same time, they are considered to be valuable and it is thought that we must have some sort of loop-hole like this, so that these men who cannot come in the usual way can be put in. May I venture to point out that that particular species of human beings does not exist? Do they exist—a man who is so valuable that it is very necessary to have him on a local body but at the same time who is not likely to be returned either by his own countrymen or to be nominated by the Government? I rather think if there are people in the districts—they may be worthy people—who are afraid of standing up before the electorate for election, the time for them has passed. After a time, these worthy people whom it is intended to secure by this indirect means, even if they exist, will diminish. They will come under the category of people who will go before the electorate or the people whom the Government find in the best interests of local administration necessary to put in. If you happen to have a few people who do not want to come in either way, it is a matter for consideration whether we may not get on without those worthy gentlemen instead of making this cumbersome

976 RESOLUTION RE APPOINTMENT OF ITINERATING SUB-ASSISTANT SURGEONS.

(Mr. Krishna Rao ; Sir Alexander Cardew.)

[14TH MARCH 1919.]

trying to do something to improve the condition of medical relief in the rural areas and a Government Order was issued some time ago suggesting the desirability of the local boards providing itinerant sub-assistant surgeons on their agreeing to pay one-half the cost of additional establishment required for the purpose. That order was issued; but the district boards concerned have not been able to avail themselves of that opportunity. It would have been seen that last year when there was serious anxiety in various districts on account of the prevalence of influenza and other epidemics, it was found possible for these district boards to provide for half the expenditure required for this purpose and to maintain travelling sub-assistant surgeons. Now and then, there used to be stories of persons dying in large numbers by this epidemic or that. And it was possible for medical officers concerned to afford relief in those affected tracts. One of the chief difficulties has been the inadequacy of the staff available for the purpose; but the main difficulty has been that as these local bodies have not been in a position to budget for more than their existing establishment they were at their wits' end to find out ways and means for additional staff. This question was raised when we met in February last to discuss the Revised Financial Statement. I need not take up the time of the Council because this question was considered on that occasion; and the Hon'ble Sir Alexander Cardew was good enough to point out that he would be in a position to provide some specific sum for the purpose of aiding the local bodies in respect of this much needed reform. I asked for a large grant for that purpose. He was good enough to say that he would put in the budget a sum of Rs. 10,000 for travelling sub-assistant surgeons. He also assured us that there was no necessity to budget for larger amounts, because it would not be possible to start them in a large number of places and think that the present district boards can avail themselves of this opportunity unless relieved of their present financial pressure. That is the only aspect of the question which I wish to place before this Council. That Government Order was issued and has been in force for some time; the district boards have been fully aware of the necessity of adding sub-assistant surgeons to some of the important dispensaries within their jurisdiction; they know there is a cry for additional medical relief in all rural areas, but still they were forced to keep quiet because they could not find even one-half the amount required to enable them to get from the Government the other half. I only wish that the Government would with the same liberal spirit which induced them to afford relief go further and give them additional relief. The Government order provided that if the district board was in a position to make provision for four sub-assistant surgeons, Government would be able to provide for four more. My suggestion is this: so long as district boards cannot provide this, is it not possible for the Government to make a full allotment and start them in two places? I fully trust that the Honourable Member in charge who is anxious to do something will sympathetically consider this matter. I do not see how anything said on the general question whether the district board should be called upon to contribute will serve the purpose. I remember the grant-in-aid system. When Your Lordship is satisfied that this is a necessary thing to be done in the interests of medical relief, when Your Lordship is satisfied that the district boards themselves cannot undertake this work, it is reasonable and necessary that the Government should come to their help and provide the full amount."

The Hon'ble Mr. A. Suryanarayana Rao seconded the resolution.

The Hon'ble Sir ALEXANDER CARDEW :—" Your Excellency, the provision of medical relief is one of the functions imposed by the existing Act upon local bodies and I do not think it will be justifiable for me to accept the resolution to relieve district boards or municipalities altogether of the charge of duplicating the staff. To do so would be to abandon the whole scheme of financial arrangement in regard to medical relief and to impose upon Provincial revenues an entirely new charge which would probably be challenged by the Accountant-General as requiring the sanction of the Secretary of State. Hitherto there have been two difficulties in the way of carrying out the scheme suggested in the Government Order of 1917. One of these difficulties has arisen from the large number of sub-assistant surgeons who have been absent on military duty, which has rendered it hitherto impossible for the district boards to get the men to do this duty even if they were in a position to employ them. From the information recently received, that difficulty is likely to be greatly overcome as sub-assistant surgeons return from military duty to civil employ. Therefore, there will be the possibility of the scheme being tried.

"The other difficulty which stood in the way of the scheme is no doubt the impecunious condition of the local bodies. The district boards have, in many cases, not got the money to meet their own present duties and in the course of drawing up the district board's budget, it is well known how difficult it is to put in even a small amount of money and it is with a view to encourage them under the present conditions to give the scheme of the extension of medical relief a trial that the Government have already agreed to pay one-half of the cost. I am doubtful whether the Government ought to go further. But as a temporary measure and for a limited time, say for three years, I am prepared to agree to the Government's undertaking three-fourths of the cost of this special staff merely to give the system a trial and entirely as an experiment to see whether it works or not. It may not be a success in which case the local boards will have to fall back upon increasing the number of dispensaries. After the experimental period, the local bodies will probably have to pay one-half or the whole of the cost. As an experiment and just to give it a start, I think it would not be financially objectionable to accept a further liability up to three-fourths of the cost. Of course, that must be subject to budget

RESOLUTIONS RE APPOINTMENT OF ITINERATING SUB-ASSISTANT SURGEONS AND APPOINTMENT OF NON-OFFICIAL PRESIDENTS TO THE DISTRICT BOARDS OF VIZAGAPATAM AND GANJAM.

977

14TH MARCH 1919.]

(Sir Alexander Cardew ; Mr. Krishna Rao ; Mr. Suryanarayana Rao ; Mr. Rajagopala Achariyar.)

provision. Some part of the cost must be borne by the district boards. Otherwise, they would feel no responsibility in the matter, and they would put the whole burden on Provincial expenditure without any restriction. That is the utmost limit to which I feel justified in going. It is rather doubtful whether it will be a success, but I do not feel that I should go further.

The Hon'ble Mr. A. S. KRISHNA RAO :—" My Lord, I am glad that the Government have been able to take a further step in the way of encouraging local bodies to start this experiment and have consented to bear three-fourths of the cost."

The Hon'ble Sir ALEXANDER CARDEW :—" For a time."

The Hon'ble Mr. A. S. KRISHNA RAO :—" I quite appreciate the remarks of the Hon'ble Sir Alexander Cardew that it is a temporary measure and for a temporary period; but I would suggest whether three years is not too short for an experiment. I would ask whether five years would not be a proper period. I would request him to consider whether he could not see his way to make it five years. The assurance is satisfactory and I do not press the resolution to a division; but I suggest that he would make it a period of five years so as to give local boards a certainty that they can try it for a reasonable period and work properly. With these remarks, I do not press the resolution to a division. I hope some local boards will take advantage of this opportunity."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE APPOINTMENT OF NON-OFFICIAL PRESIDENTS TO THE DISTRICT BOARDS OF VIZAGAPATAM AND GANJAM.

The Hon'ble Mr. A. SURYANARAYANA RAO :—" The resolution that I have the honour to move runs thus :—

'XXX. This Council recommends to His Excellency the Governor in Council that the Government may be pleased to appoint non-official presidents to the district boards of Vizagapatam and Ganjam.'

Your Excellency, it is not a new suggestion that I am making now for the first time. Your Excellency's Government have already committed themselves to one course of conduct and actually appointed non-official presidents to the District Board of Vizagapatam. In the report of the Local and Municipal Department, this passage occurs. 'In September 1914, four non-official presidents were appointed, one non-official president to the District Board of Vizagapatam and towards the close of February 1918, South Kanara was selected.' The Raja of Bobbili is the gentleman that is referred to in the report and he was appointed president and worked for a few months and on account of his onerous duties as zamindar in attending to his own estates, he had to resign; but during the short time that he worked as president, he gave satisfaction and I do not think it can be said that non-officials or zamindars cannot discharge the duties satisfactorily. But the discontent comes in that as soon as he resigned, Government thought it fit to transfer the privilege to South Kanara and altogether neglected Vizagapatam. If the Honourable Member thinks that there is nobody available in Vizagapatam or if the Hon'ble Mr. Rajagopala Achariyar who is in charge of this department thinks that nobody is willing to offer his services, I see before me some names suggesting themselves to me and I have at least half a dozen gentlemen in my mind. I need not suggest names. We have the men amongst us and unless the trial is made and unless we have a refusal from all these gentlemen, I think it will be slur on the whole district to say that only the Raja of Bobbili was available and no other and for want of a candidate who was willing to place his services at the disposal of the district board, the privilege had to be transferred to South Kanara. Vizagapatam and Ganjam stand on the same footing. With regard to Vizagapatam, I do not know what the District Collector has written. But I am sure that Mr. Vernon is a liberal-minded gentleman and would never object to a non-official being the president of the district board. I think he would be very glad to have the help of a non-official president; because I know that he was given considerable advice and considerable equipment in the administration of the district board by the Raja of Bobbili during the short time that he was president. Therefore, as a refresher, I venture to bring this resolution before Your Excellency so that Your Excellency's Government may be pleased to consider whether it is not time enough to think of appointing a non-official president for this district board. I do not suppose that the Hon'ble Mr. Rajagopala Achariyar can use his pet phrase 'not yet', because, that stage has gone and we have already appointed a non-official president. When the Government have committed themselves to a certain course of action, I think it is only fair that that course should be continued at least for Vizagapatam that a non-official president should be appointed for the district board. With these remarks I commend the resolution to the acceptance of the Council.

The Hon'ble Mr. B. V. Narasimha Ayyar seconded the resolution.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—" Your Excellency, the Honourable Mover said that his object was to use this resolution as a sort of refresher to bring to my notice that there is this question of a non-official president being appointed to these two district boards. I am very glad he said so. Otherwise, if this resolution is passed, it would commit the Government to find out to-morrow a man in Ganjam and another gentleman in Vizagapatam to be the non-official presidents of those district boards. I am quite certain

974 RESOLUTION RE CO-OPTATION OF MEMBERS ON DISTRICT BOARDS.

(Mr. Rajagopala Achariyar ; Mr. Siva Rao ;
Mr. Krishna Rao.)

[14TH MARCH 1919.]

device which seems to cut at the very root of the elective system. Instead of having direct elections, this proposal is to introduce a system of indirect elections. I am by no means enamoured of it. I do not know if there are any members of that committee here which considered the point. I do not know if the Hon'ble Mr. Ramachandra Rao was on that committee ; I think the Hon'ble Mr. Subbarayulu Reddiyar was on that committee which considered the Local Boards Bill and I think opinion was strongly against this particular device. That was my impression. At the same time, the Honourable Member has now brought up that other matter, namely, the resolution of the Government of India. The device is commended to us for adoption, and as a Provincial Government it is our duty to give full consideration to that resolution and decide, in accordance with other principles laid down by the Government of India, to adopt such recommendations as we think best according to our discretion. We are now face to face with this matter and we must find out whether we can adopt it. I am prepared to refer this question to all district boards and taluk boards. As the Honourable Member has stated one side of the case and as I have supplemented it by stating the other side of the case, I think that, if a copy of this debate is communicated to all local bodies, the matter will not require further elucidation. After their replies come in, the Government and Honourable Members will be in a better position to decide this question finally than they are to-day. As the Honourable Member is prepared to accept my proposal, there is no use of discussing this further, unless the Honourable Member feels that we should discuss it. This discussion will help the local boards to whom the reference is going to be made."

The Hon'ble Mr. P. SIVA RAO :—"I wish to make one remark. There seems to be one mistake on the part of the Honourable Member in charge as to what precisely the resolution before us conveys. He seems to think that the Honourable Mover is really advocating nomination by Government or election by a limited body instead of by a larger electorate."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"The resolution says 'co-optation of some members of the district board by the remainder.'"

The Hon'ble Mr. P. SIVA RAO :—"That will arise only in places reserved for nomination. The Government of India contemplate that up to three-fourths the seats will be elected, and as regards the one-fourth reserved for nomination, the Government of India have left it as an open question whether the Government should fill up those posts or whether it should be open to the rest of the Council to fill them up."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I am glad the Hon'ble Mr. Siva Rao has brought out another aspect. His remarks also will go before the local bodies."

The Hon'ble Mr. A. S. KRISHNA RAO :—"As the Hon'ble Mr. Rajagopala Achariyar has suggested that the debate will be sent to the local bodies, I think it is better I state one or two points. No body suggests for a moment that the number of seats already thrown open for election should be diminished. As my Honourable friend Mr. Rajagopala Achariyar suggested that this resolution should be communicated, let not the taluk board be under the impression that any one is going to subscribe to that position. It is only to the extent to which seats are reserved for nomination that I would ask whether instead of relying upon the recommendation made by the Collector of the district and approved by the Governor in Council, we cannot adopt a method of co-optation by the other members of the district board. That is the standpoint from which the question is to be looked at. If it is necessary in the view of the officials to increase the strength of the district board, it will be open to the Government to do so ; but so long as it is not necessary to do that, the places already reserved for nomination by the Governor in Council can be well filled up by a system of co-optation. My point is this: the members of the district board will have to consider whether they would like to take as members persons who, though not elected by taluk boards, are still nominated and appointed by the Governor in Council or—whether they would prefer to have such persons or persons chosen by themselves. I only want that they should compare the relative advantages and disadvantages of a system of election by themselves, versus nomination by the Collector and appointment by the Governor in Council. That is one aspect of the question."

"Another aspect of it is this. I am as much a believer of the principle of direct election as the Hon'ble Mr. Rajagopala Achariyar is, I would only be glad if he follows it to its logical consequences with the same earnestness. My chief complaint is this: there is no means of direct election to the district board. If a means is devised, there would be time enough for the Hon'ble Mr. Rajagopala Achariyar to consider it ; if the various rate-payers return a particular number to the district board, it would be a different thing altogether. That would have been direct election proper. But what is done is not that. There is a sort of election by various rate-payers to the taluk boards and the members of the taluk boards have to choose from among themselves to the district board. There is no direct election by the rate-payers themselves. They are not themselves sending members to the district board. And, secondly, the discretion of the members of the taluk board is restricted. If they have a wide field of choice, if they are not forced to select one among themselves, then there will be no difficulty. I am as strong an advocate of direct election as the Honourable Member in charge is, I would suggest that in so far as the scheme does not now provide for direct election, in place of nomination, election to the district boards, I would certainly welcome it in preference to this ; but it is not the scheme now actually worked. That is another aspect of the question."

"Another point is as regards the present restrictions. My Honourable friend has drawn an analogy from election to the Legislative Councils. It is necessary for one to make up one's mind if one is prepared to go through election ; but now the restriction makes it necessary that he should work on two boards. Unless the man is a member of the taluk board, and makes

RESOLUTIONS RE CO-OPTATION OF MEMBERS ON DISTRICT BOARDS ; 975
CHAIRMEN OF MUNICIPAL COUNCILS TO BE CONSULTED BEFORE
APPOINTMENT OF MUNICIPAL COUNCILLORS BY GOVERNOR IN
COUNCIL AND APPOINTMENT OF ITINERATING SUB-ASSISTANT
SURGEONS.

14TH MARCH 1919.]

(Mr. Krishna Rao ; Mr. Rajagopala Achariyar ;
the President.)

up his mind to stand for election to the taluk board and also to the district board, the present scheme will not work. I hope that all these aspects will be considered ; and so long as this suggests a new principle, it requires serious consideration. It is a question which can be argued for any length of time. We have been reminded of the principle of self-determination ; and while applying that principle, I would not suggest that we should hurry up these matters without ascertaining what the members of the district boards and the taluk boards might say. Having myself advocated the principle of direct election, I hope he will see his way to consider that aspect of the question."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"May I in fairness to the local bodies, to whom this debate will be sent and who will have this discussion before them, mention that our policy is to reduce the volume of direct nomination to district boards to that minimum which is absolutely essential for Government experts and for minorities and interests which fail to secure representation otherwise—Muhammadans, Christians, etc? So far as the Government experts are concerned, it is not contended that the experts whom we want to put there to stiffen a local body and advise it should be elected by the members ; the responsibility for them must be with us. As for the representation of minorities, it is a matter for consideration whether minority classes and minority interests would prefer to have their representatives chosen by the majority instead of by the Government. Assuming in a particular place the Muhammadans are in a minority, and one or two seats are reserved for Muhammadans, the very fact that they are so reserved will be taken to indicate that Muhammadans could not come in in the usual way. It is a matter for consideration whether the Muhammadan community would prefer to have their representative chosen by their Hindu brethren on the board in preference to being chosen by the Government. The question of direct versus indirect election has been discussed at a previous sitting and it was agreed that, so far as district boards are concerned, they must get their men from the taluk boards on the ground that their work is so closely interwoven. As the Honourable Member rightly pointed out, that does not arise here. The whole discussion will go to the district boards for remarks."

The Hon'ble Mr. A. S. KRISHNA RAO :—"One word in reply to the Hon'ble Mr. Rajagopala Achariyar."

His Excellency the PRESIDENT :—"No."

The Hon'ble Mr. A. S. KRISHNA RAO :—"One statement regarding one phase of it."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Let him go on."

His Excellency the PRESIDENT :—"The rules have to be observed."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"I shall not say a word in reply."

The Hon'ble Mr. A. S. KRISHNA RAO :—"The Honourable Member in charge referred to the question of minorities ; and the only thing that I wish to point out is whether in such cases it is not possible to increase the strength of the local boards themselves to provide for this."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE CHAIRMEN OF MUNICIPAL COUNCILS TO BE CONSULTED
BEFORE APPOINTMENT OF MUNICIPAL COUNCILLORS BY GOVERNOR
IN COUNCIL.

The Hon'ble Mr. A. S. KRISHNA RAO :—"I shall not move this resolution at this session."

His Excellency the PRESIDENT :—"The Honourable Gentleman will have to give notice in the usual course."

The following resolution was not moved :—

"XXVIII. This Council recommends that His Excellency the Governor in Council be pleased to consult the chairmen of municipal councils in the matter of the appointment of municipal councillors by the Governor in Council."

RESOLUTION RE APPOINTMENT OF ITINERATING SUB-ASSISTANT
SURGEONS.

The Hon'ble Mr. A. S. KRISHNA RAO :—"I have the honour to move—

"XXIX. This Council recommends that His Excellency the Governor in Council be pleased to encourage district boards to add itinerating sub-assistant surgeons to some select dispensaries within their jurisdiction by undertaking to pay the full amount required for the purpose."

"Your Excellency, this is fortunately a subject regarding which there is no difference of opinion between the Honourable Member for Government and myself. He himself has been

978 RESOLUTION *RE* APPOINTMENT OF NON-OFFICIAL PRESIDENTS
TO THE DISTRICT BOARDS OF VIZAGAPATAM AND GANJAM.

(*Mr. Rajagopala Achariyar ; Mr. Narasimha Ayyar.*) [14TH MARCH 1919.

knowing my Honourable Friend as I do, that he does not contemplate any such immediate action, nor does he consider that this is such an urgent matter that it should be done immediately.

"Having said so, there is very little difference between my Honourable Friend and myself; because this question of the substitution of non-official for official agency is under careful and continuous consideration and examination. Not a day passes, but it comes before us in some form or other. Your Excellency will bear me out when I say that in regard to these very districts this question has been under consideration—I mean with regard to Ganjam and Vizagapatam. Having said that, the next point will be 'why do you not put non-officials in?' The Honourable Member says 'I have the names of certain gentlemen who will be suitable men'. I am sure the Council will agree with me that it would not be convenient for us to discuss here publicly the merits or demerits of all these individual gentlemen. It may be that the Honourable Member considers that a certain gentleman is fit; it may be that the gentleman himself considers honestly that he is fit, but it may be that we consider that he is not. It is a very difficult position. I am, therefore, whenever I am faced with this kind of proposition, obliged to confine myself to the general statement that the question is under continuous examination and that every effort will be made to carry out this experiment on which we have embarked as rapidly and as far as we can. Having said that, the Council will permit me to take this opportunity of pointing out that the finding of a suitable non-official president to a district board is a somewhat more formidable affair than the finding of a non-official president for a taluk board or a municipal council. A taluk board president has a comparatively small area and a municipal chairman also occupies practically the same platform. But a district board president, if he is put in, is really an officer who becomes for the time being of co-ordinate rank with the Collector of the district. What are the qualifications that a man like that should have? Firstly, he should have the capacity for that work, he should be in a position to run the district board; and running a district board means a large number of taluk boards and a very large number of unions. The taluk boards have, some of them, non-official presidents and others have official presidents, and he has to co-ordinate not only his own board, with several departments, education, medical and sanitation, but also the taluk boards and unions. That is the first consideration—that the man must be fit in the sense that he can get through the work quite well. Does that suffice? I venture to think, no. He has also to be a man of very substantial means. A non-official able to run a district board satisfactorily has to be, if I may venture to say so, somewhat wealthy. That is to say, he has to maintain a motor car, and I think it has been the sad experience of most motor car owners that it does not pay to maintain a motor car and that, whatever the Government pay by way of travelling allowance, goes nowhere towards the expense of running a car. I have had some experience of that thing and I may tell the Honourable Members that it is a costly thing. I would like the Hon'ble Mr. Subbarayalu Reddiyar to speak on this resolution. I do hope he would tell us whether he does not lose on his motor car and how much he is losing. You may take my word for it that the district board president, if he is to run his work satisfactorily, must be out of pocket to the tune of Rs. 200 or Rs. 300. I am speaking of the experience of two or three non-official district board presidents. You may say 'why don't you choose a rich man.' Suppose you have got a man with capacity and with wealth, even that does not suffice. He has to be generally acceptable to the bulk of the population. He must have a certain amount of prestige in the district, a man to whom everybody will defer as the proper man for the place. Otherwise, his work will suffer. It is easy for us to say 'why do you want prestige, it is all a question of fitness.' But unfortunately, prestige is going to remain with us longer than you imagine. You will probably find that unless the man chosen has also got a certain amount of prestige, he would not be able to command the driving force necessary for the discharge of his responsible duties. When you find all these qualifications, that man must be willing. It has been a somewhat troublesome experience that I believe for every one man who accepted this particular job, we had one or two who declined the honour, and in several cases, I believe, in the first set of appointments, it was a question of our asking non-officials whom we thought good and their refusing to take it up. Not only the man has to be fit, has to be wealthy, has to command general confidence, has to have prestige, but also he has to be a man who is prepared to undertake this job, to sacrifice his leisure and so on.

"I am only indicating all these things—not that I commit myself to the proposition that gentlemen fulfilling all these qualifications do not exist in these two districts—I am only indicating these difficulties so that Honourable Members may understand why this process of substituting non-official for official agency to the headship of district boards is slower than in the case of taluk boards or municipal councils. There is no use fighting shy of the difficulty. I may assure the Honourable Member that the case not only of these two districts, but of every other district, is under our continuous and anxious consideration. Nothing would give us greater pleasure than to put non-officials in the place of officials in the headship of district boards for several reasons; first of all, it is the correct thing to do. It gives them an experience of local self-government and it affords relief to the Collector of a lot of work. I do hope that what I have now said would not in any way be taken to indicate any unwillingness on the part of the Government to proceed as fast as we can with this experiment. Less than two years ago, Honourable Members would have been satisfied with one non-official president of a district board put in, as they called it, by way of experiment. Your Excellency, we have now got six which shows that we have gone as fast as we could have."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"It is only five and not six."

RESOLUTIONS *RE* APPOINTMENT OF NON-OFFICIAL PRESIDENTS TO 979
THE DISTRICT BOARDS OF VIZAGAPATAM AND GANJAM AND ALL
NON-OFFICIAL PRESIDENTS OF TALUK BOARDS TO BE ELECTED.

14TH MARCH 1919.] (*Mr. Rajagopala Achariyar ; Mr. Subbarayalu Reddiyar ;
Mr. Suryanarayana Rao ; the President.*)

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Yes, it is five. I am familiar with the usual argument that times are moving fast, and what we might have been satisfied with five years ago, we shall not be satisfied with now. Having said that, I have really nothing more to say than that these two districts have been under examination before us and will come up again, I hope, for examination. I do hope that nothing that I have said will be taken as throwing any disrepute or discredit on any gentlemen who are in these two districts who consider themselves fit. I am anxious that that point should be made clear. If at any time we are in a position to put non-official presidents to these two district boards, we shall not only do so, but I shall be quite as glad as the Honourable Member would be on that day."

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR:—"Your Excellency, it has somehow pleased the Hon'ble Mr. Rajagopala Achariyar to force me to speak on an item which I would not take upon myself to speak on—the item of expenditure incidental to being a president of a district board. I can only say that so far as that item of keeping a motor-car goes, it is a prohibitive expenditure. But when a president takes upon himself to accept the presidency of a district board, he knows perfectly well that, he will run the risk, that he will go out of his pocket and yet with eyes wide open, he takes it up. The considerations are obvious. Evidently he wants to be useful to his fellowmen: As I have been forced to speak, I have spoken."

The Hon'ble Mr. A. SURYANARAYANA RAO:—"I was very much interested to hear the Hon'ble Mr. Rajagopala Achariyar. He has used two adjectives 'continuous' and 'anxious' in his speech. I find the same word 'continuous' used in some of the answers. I do not know when this 'continuous' or 'anxious' consideration will end. The last resignation was in February 1918. I have waited for one full year and nothing has come about and no gentleman has yet been appointed. I mean no disparagement to the Hon'ble the Raja of Bobbili; he is my client, he is my friend, but he has had no municipal experience, he had actually no district experience, he was never in the taluk board. He is a rich, intelligent and capable gentleman; and such a gentleman was considered fit to command the respect of the Government. I was glad that the Government appointed him and I am proud that he has discharged his duties satisfactorily. At the same time, I would ask 'Does the Hon'ble Mr. Rajagopala Achariyar think that he is the only gentleman in the whole district consisting of a population of about 2 millions who is fit and that there is nobody else whom we can nominate?' It is pessimism to extend it so far and think that there are not men who are prepared to make sacrifice with regard to motor-car or with regard to time. The gentleman who accepts such a position, I may assure the Hon'ble Mr. Rajagopala Achariyar, would be prepared to make these and even greater sacrifices. There are men who are ready to make this sacrifice and greater sacrifices, men who have held high positions in life by money, by holding estates and who have a status. With regard to the securing of confidence, the Collector will certainly be consulted and I am sure the Collector would be able to make a nomination. I do not think therefore that his pessimism need extend so far that he should think that he could not find a candidate if the Government are pleased to try for one. I assure the Honourable Members and I also assure the Honourable Member in charge that there are gentlemen who are prepared to make sacrifices; but if it is said that the Government are considering and are in consultation with the District Collector, I have no objection to withdraw the resolution. There is no emergency. I only wanted to bring it to the notice of Your Excellency's Government that the resignation was over a year ago and that the question should be considered again. With these words, I do not press the resolution because the matter will be under the consideration of the Hon'ble Mr. Rajagopala Achariyar and he will do what he can at the earliest possible moment."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION *RE* ALL NON-OFFICIAL PRESIDENTS OF TALUK BOARDS
TO BE ELECTED.

The Hon'ble Mr. A SURYANARAYANA RAO:—"Your Excellency, regarding this resolution No. XXXI, I had not the benefit of an answer to question No. 4 before me. I find that the Hon'ble Mr. Annamalai Chettiyar sent question No. 4 to Your Excellency's Government in these terms: 'Will the Government be pleased to name the taluk boards to which they intend granting in the near future the privilege of electing their presidents?' The answer is: 'The Government are unable to forecast the future in this matter, even the near future. The question of substituting non-official for official presidents and elected for nominated non-official presidents is under continuous consideration.' The answer is: I have, no doubt, prepared under the Hon'ble Mr. Rajagopala Achariyar's directions. He says that the question is under continuous consideration. I find that there are 96 taluk boards and 33 have non-official presidents."

His Excellency the PRESIDENT:—"Does the Honourable Gentleman move his resolution?"

980 RESOLUTION RE ALL NON-OFFICIAL PRESIDENTS OF TALUK BOARDS
TO BE ELECTED.

(Mr. Suryanarayana Rao ; the Raja of Pithapuram ; [14TH MARCH 1919.
Mr. Rajagopala Achariyar ; Mr. Sadasiva Bhat.)

The Hon'ble Mr. A. SURYANARAYANA RAO :—"I am moving this resolution. It runs thus :—

'XXXI. This Council recommends to His Excellency the Governor in Council that the privilege of electing presidents be conferred upon such of the taluk boards as are presided over by non-official presidents but do not enjoy the privilege at present.'

"I have only one word to submit. There are 96 taluk boards and if the Government are contemplating the appointment of more presidents, I think we should judge of their intention by the results. I hope Your Excellency's Government would see your way to appoint some more presidents, because the work of the presidents has been appreciated as I notice at page 14 of the report where it says : the Government note with satisfaction that the work of these non-official presidents is considered efficient.

"When the work of these presidents is considered efficient and when the presidents are discharging their duties satisfactorily, I hope the Government will be pleased to extend that privilege to a few more places."

The Hon'ble Mr. B. V. Narasimha Ayyar seconded the resolution.

The Hon'ble the RAJA OF PITHAPURAM :—"I beg to oppose this resolution. In the best interests of the country, I consider it absolutely necessary that the Government should exercise greater care in nominating presidents of local bodies. I welcome the procedure adopted by the Government of nominating non-official presidents to local bodies, but I am sorry to observe that, as matters stand at present, it is not absolutely satisfactory. My submission is that for some time longer Government will be pleased to try the present experiment of nominating the president. I only request the Government to exercise greater care in nominating these presidents. With these few words, I beg to oppose the resolution."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Your Excellency, the Council has heard what the Hon'ble Mr. Suryanarayana Rao has said and what the Hon'ble the Raja of Pithapuram has said. Let me take the liberty of saying how glad we all are to see the Hon'ble the Raja of Pithapuram and hear his first speech in this Council and I hope he will take an increasing part in our deliberations later on. What he has said is in consonance with what I have heard from many people. We have heard this particular statement that we have to be a little more careful in this matter. This statement has been made to me by very many other people, some of those who sit on this Council now. But that is a different matter. It is a matter on which there is always bound to be difference of opinion. So far as the Government are concerned, we are committed to the policy of substituting non-official for official presidents and gradually substituting elected for nominated non-officials. It is our policy and there is no going back upon it. I suppose we have all to recognize that. The only question is what exactly we have done. Out of 97 taluk boards, so many as 54 have now non-official presidents. It means that only 43, decidedly less than one-half, are now run by Revenue Divisional Officers. I feel bound to say that the work of the non-official presidents has been, on the whole, good. Nobody claims perfection for them. So far as taluk board work is concerned, I may say in fairness to the non-official presidents that what we see is that their work is not in any way inferior to that of the Revenue Divisional Officer. These people know that they are under trial and they concentrate their attention on the taluk board work, whereas the Revenue Divisional Officer does it as a portion of his general work. He knows that he is not to be judged by such work. When we have put 54 non-official presidents, some probably will be very good, some will be good, some fair, some bad and a few will probably be very bad. That is the risk that we have to accept in all these matters, and I do not think there is any use in our troubling ourselves about that. The further question of substituting elected non-officials for nominated non-officials is what the Hon'ble Mr. Suryanarayana Rao has raised in this resolution of his. He recommends that the privilege of electing presidents be conferred upon such of the taluk boards as are presided over by non-official presidents but do not enjoy the privilege at present. Any taluk board which is now run by a nominated non-official president should be immediately given the power to elect that president. That is what is wanted by the Honourable Mover. That being so, are you prepared to commit yourself to that? I do not think you are. Our policy in this matter has been to begin every taluk board with a nominated non-official president, and generally he runs it for three years, sometimes we allow him to go on for six years, and if we find on the whole that the board gets on all right and if there is sufficient volume of choice in the place, we allow the taluk board to elect its president. But we do not do it in a sort of mechanical way. There are some taluk boards which after three years' enjoyment of a new official head have had the right of electing their presidents conferred upon them. I think the Hon'ble Mr. Sadasiva Bhat's three taluk boards have had the right conferred upon them. They have not begun to exercise their right, but they will begin to do so at an early opportunity."

The Hon'ble Mr. K. SADASIVA BHAT :—"Not yet."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"We go upon the record of work and I think it is wise. There is a certain volume of risk of a break down due to the substitution of non-official agency in the headship of a taluk board and the risk is greatly increased if you allow the man to be elected at the very first start. Though election may come all right in

RESOLUTIONS RE ALL NON-OFFICIAL PRESIDENTS OF TALUK BOARDS 981
TO BE ELECTED AND ESTABLISHMENT OF AN INDUSTRIAL SCHOOL
IN THE TELUGU DISTRICTS.

14TH MARCH 1919.] (Mr. Rajagopala Achariyar ; Mr. Suryanarayana Rao.)

the old, it is better in the beginning to make yourself reasonably sure regarding the fitness of the first man who will have to run a taluk board as a non-official president. That is the reason why the process has been slow, but the Honourable Member may take my word for it that it is far from our intention to withhold from the taluk boards generally this privilege of election. We give it in such a way that there will be no chance of a breakdown. Is it not better that two or three taluk boards which probably may elect their presidents should not have that privilege for some years than the other thing, namely, this being pushed with undue haste and the thing breaking down? The real fact is that a single failure does a great deal more damage than any number of successes. If an elected non-official president fails, then there will be a regular set-back of the whole thing. That is why the election of the non-official president is being so carefully done. I am taking great care; I would do the other thing, namely, the substitution of non-official presidents for official presidents much more readily, but when it comes to the question of election, we make a careful inquiry as to the state of feeling, the existence of parties and factions, and who are the people likely to do work. I must say in fairness to those taluk boards which have the right of electing their own presidents that they have done very well indeed. I think in many cases the men elected by the taluk boards are quite as good men as those whom the Government put in. I appeal to the Honourable Member and other Honourable Members of Council not to rush this particular thing, but move slowly and have a little patience. The whole machinery will come into the hands of non-official agency and there is really no difference of opinion between us on that point; only we are proceeding rather cautiously, and after all, is it not better in the best interests of the boards themselves that we should err on the side of excessive caution than that we should err on the side of excessive haste? I would appeal to the Honourable Member not to press this resolution to a division."

The Hon'ble Mr. A. SURYANARAYANA RAO :—"My Lord, I want to say one word. I am very sorry that the Hon'ble the Raja of Pithapuram should have said that the Government should be very cautious in this matter and that the system of having these presidents appointed by Government should continue. I really do not know what his experience is. I do not know if he has any particular case before him. If he has, he will bring such a case to the notice of the Government instead of making a sweeping condemnation as regards the system of non-official presidents.

"Leaving that apart, probably election would cure the defect pointed out by the Hon'ble the Raja of Pithapuram. In this case, the appointments are made by the Governor in Council and a man is appointed because his name is brought to the notice of the Government by the Collector. In the case of election, the members will know who all the candidates are that are put forward and election will cure the defect. I venture to think that the privilege of electing the presidents may be given to a few more taluk boards. As the Hon'ble Mr. Rajagopala Achariyar has given the assurance that the Government have got it in their view and that they will proceed cautiously, I only hope that the speed may be a little quicker. With these words, I do not press the resolution to a division."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"The Hon'ble the Raja of Pithapuram has not got a right of reply. I would in fairness to him point out that he did not object to the experiment being tried. When we try and accelerate the pace, he says 'do not.' He says it must be done with care. He brought forward another aspect of the case and he has got the concurrence of many other people who are quite as competent to judge of local affairs as myself and the Honourable Mover. What he said was with regard to the rate of the pace at which we should go. The Honourable Mover says 'go fast'; the Hon'ble the Raja of Pithapuram says 'do not run fast, you will run the risk of breaking down.' We are all in a position to say that we are in the desired direction and that nothing would turn us from going forward."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE ESTABLISHMENT OF AN INDUSTRIAL SCHOOL IN THE
TELUGU DISTRICTS.

The Hon'ble Mr. A. SURYANARAYANA RAO :—"The resolution I have the honour to move runs thus :—

'XXXII. This Council recommends to His Excellency the Governor in Council that an industrial school may be established at Vizagapatam or at some other convenient centre in the Telugu districts.'

"Your Excellency, we badly feel the want of an industrial school in the Telugu districts. Government may say that there is already an industrial school in Vizagapatam and we might continue that, before another school is opened or is thought off. I hold the latest report of the administration of the Department of Industries and a compliment has been paid to the school at Vizagapatam. At page 22 of the report, it is said : 'The St. Aloysius' Industrial School at Vizagapatam is the only other school which need specially be mentioned. Brother Emile, the manager, is a highly skilled motor-engineer, and the school fills a useful place in the Northern Circars by serving as a repair shop for motor cars and motor busses. The school has now been

984 RESOLUTIONS RE THE ESTABLISHMENT OF A COMMERCIAL MUSEUM IN MADRAS; INTRODUCTION OF THE MULGENI RENT ENHANCEMENT BILL AND RESETTLEMENT IN THE VIZAGAPATAM DISTRICT.

(Mr. Rajagopala Achariyar; Mr. Yaqub Hasan; [14TH MARCH 1919.
Mr. Sadasiva Bhat; Sir Alexander Cardew; the President;
Mr. Venkatapati Raju; Mr. M. Ramachandra Rao.)

RESOLUTION RE THE ESTABLISHMENT OF A COMMERCIAL MUSEUM IN MADRAS.

The Hon'ble Yaqub Hassan Sahib Bahadur:—"Your Excellency—"

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar:—"Before the Hon'ble Mr. Yaqub Hasan proceeds to speak, he will permit me to say that we have not been able to get correct information about the state of things in Calcutta which he wants to copy in Madras. The Director of Industries has been instructed to obtain the information and so probably, instead of moving this resolution to-day, if the Honourable Member will move it on a subsequent day, I will be in a better position to deal with it, unless he considers it so urgent that it should be moved to-day."

The Hon'ble Yaqub Hassan Sahib Bahadur:—"I will move it at the next meeting."

With the permission of His Excellency the President, the following resolution was not moved:—

"XXXIII. This Council recommends to His Excellency the Governor in Council that early steps be taken to establish a Commercial Museum in the City of Madras like the one in Calcutta."

RESOLUTION RE INTRODUCTION OF THE MULGENI RENT ENHANCEMENT BILL.

The Hon'ble Mr. K. Sadasiva Bhat:—"I learn that the Government are likely to accept this resolution. It runs thus:—

'XXXIV. This Council recommends to His Excellency the Governor in Council that the Mulgeni Rent Enhancement Bill be introduced for the consideration of this Council as early as possible.'

"This resolution relates to the Bill which has been drafted by the Government and approved by the Government of India and which has been before the public for the last seven years."

The Hon'ble Sir Alexander Cardew:—"Your Excellency, the Council will remember that this Bill was sent up to the Government of India, and the Government of India prevented its being proceeded with in 1915, by saying that the measure was likely to be contentious and that that Government considered it desirable that it should be considered after the war, that means, after peace is declared. I do not think the Government will be able now to introduce this Bill without a reference to the Government of India saying that practically war is over and asking whether there is any objection to our going on with the Bill. We are ready to go on but there is no chance of its introduction at the next meeting."

The Hon'ble Mr. K. Sadasiva Bhat:—"I do not say that it should be introduced at the next meeting of the Council but only as soon as possible."

His Excellency the President:—"The Honourable gentleman may take it from what the Hon'ble Sir Alexander Cardew has said that when all obstacles have been removed, Government will proceed with the consideration of the Bill. There are obstacles to-day, one of which is the opinion of the Government of India, and until that is removed, we cannot give an undertaking that we will introduce the Bill. If the Honourable Member is content with that, he may bring up his resolution afterwards."

The Hon'ble Mr. K. Sadasiva Bhat:—"Does it mean that the Government will move after peace is signed?"

His Excellency the President:—"I will ask him to put a question then. I think that will be the best course."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE RESETTLEMENT IN THE VIZAGAPATAM DISTRICT.

The Hon'ble Mr. B. Venkatapati Raju:—"Your Excellency, in deference to the wishes of some of my friends here who have got a lot of engagements to-day, may it not be taken up at the next meeting and in the meanwhile orders may not be issued? I shall be standing in the way of many of my Honourable friends."

His Excellency the President:—"The position is really this. No undertaking can be given, full information is not before the Government which will enable them to say whether they will proceed or not. The Honourable Member may take his own course. If he wishes to move it now, he can do so. If he chooses to take the risk of delay, he may do so."

The Hon'ble Diwan Bahadur M. Ramachandra Rao:—"May I know whether the recommendations of the Board have reached the Government on this subject?"

RESOLUTION RE RESETTLEMENT IN THE VIZAGAPATAM DISTRICT. 985

14TH MARCH 1919.] (Mr. Venkatapati Raju; the President.)

The Hon'ble Mr. B. Venkatapati Raju:—"It may be taken up at the next meeting."

His Excellency the President:—"The Honourable gentleman will give notice in the usual way."

With the permission of His Excellency the President, the following resolution was not moved:—

"XXXV. This Council recommends to the Governor in Council that the Government be pleased

(1) that all sources of irrigation in the Vizagapatam district may be regrouped in five classes with reference to their supply and capacity instead of four;

(2) that in the Sarvasiddhi taluk the irrigation sources classed as 2, 3, 4 be classified as 3, 4 and 5;

(3) that the second-crop assessment be made optional instead of being made compulsory;

(4) that the percentage enhancement proposed in the scheme report be given up, having regard to the impoverished condition of the people;

(5) that the uniform percentage enhancement of 3 annas in the rupee recommended by the Settlement officer in the scheme report regarding all classes of dry lands be given up;

(6) that under no circumstances there should be any enhancement case of pattadars paying total assessment of Rs. 30;

(7) that the assessment on dry lands close to the sea in Sarvasiddhi taluk admittedly high should be reduced; and

(8) that the irrigation sources of Kottisa, Thalagame, Sivvam, Vangar Mugguru in Palkonda taluk be classed as 2, 3, 4 according to water-supply

His Excellency the President:—"That concludes our business. The Council will no adjourn."

The Council then adjourned *sine die*.

H. G. STOKES,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

982 RESOLUTION RE ESTABLISHMENT OF AN INDUSTRIAL SCHOOL
IN THE TELUGU DISTRICTS.

(Mr. Suryanarayana Rao; Mr. Rajagopala Achariyar.) [14TH MARCH 1919.]

reorganized. It has been given land in which to expand and promised a contribution towards the cost of the new buildings, while on its part the school authorities have undertaken to take on a definite number of apprentices per annum and to give them a thoroughly practical training in mechanical and motor engineering. If you refer to table 8, you will see that the strength of the industrial school at Vizagapatam in 1917 on the 31st of March was 18 and at the end of 1918, March, it was 15. The only training that is given is in blacksmith's work and all the 15 are put down under that head, while there are several other departments, drawing, mechanical engineering, carpentry, printing, book-binding and so on that are not at all taught. I am sorry I could not give such a glowing account in regard to the school as finds a place in the Administration Report. I say that with some experience. I sent my nephew there for some time and he complained that no practical training was given. He was asked to do simply manual labour. He remained there and then he went and joined the Indian Defence Force and went away to Bangalore. The other reports that I received were also to the same effect that no practical education is given and it is mainly for Christian students who are Catholics; and other Indians are not taken and naturally the answer is that others are not very anxious. But our answer is when they never teach us what is the use of going there? Unless the Government make an inquiry where the grievance is, as to whether training is not given or as to whether Indians are not wanted and whether it is only for the few Catholic boys who are orphans, they will not find out the real truth. Government on the last occasion, when this question was brought up, were pleased to say that some grant would also be made and the school would be placed on a satisfactory basis. Nothing has yet been done. Government kindly granted a site and probably they will say that they had not commenced the building and unless the building is ready, I suppose sufficient boys cannot be admitted and when the building is ready, Catholic boys would fill up the space and there would be no space for Indian boys. I do not know where the defect lies. I therefore appeal to the Government that a report should be called for from the school to state exactly the real state of things, so that Government may take some definite course of action. If the St. Aloysius' school management are not anxious or willing to take Indian boys, to whatever nationality they may belong, I think it is time that the Government should take steps to open another industrial school in the Northern Circars and especially in Vizagapatam. The work which the manager does is only repairing motor cars and other things. Individually I have the highest respect for Brother Emile; he is one of the greatest engineers but if his intelligence is confined only to himself and he does not communicate it to others, and if it is used only for making money for himself, what is the benefit to that district or to India from his intelligence? He must teach the boys and he must give them the benefit of education to our Indian boys. Otherwise, it is a case of experts who do not want to impart their knowledge but who want to make money and ask every other person who goes there to work merely as a coolie. The sooner this grievance is remedied, the sooner my impression is dispelled, if I am wrong and I shall be thankful to the Government. Apart from this school, what are the other institutions that we have? It has been constantly brought to the notice of Your Excellency's Government that there is the weaving industry and that something has to be done; but nothing has been done with regard to carpentry, nothing has been done with regard to dyeing. I do not think that this Catholic school will serve all the needs of the four districts, I am speaking generally of the Telugu districts. My resolution covers all the Telugu districts. There are other industries and I do not see why the Government should not compel some of these institutions to take some boys as apprentices and teach them the business. It would be a large order if I ask the Government to open an industrial school at every centre, but at the same time, something has to be done and I think the best way to do that is to ask some of these industrial institutions to take some of our boys as apprentices and to place the industrial school, the St. Aloysius' school, on a satisfactory footing and see that Indians are freely admitted to the institution. If these two things cannot be done, then Government may open an industrial school for the Telugu districts. With these words, I commend the resolution to the acceptance of the Council."

The Hon'ble Mr. A. S. Krishna Rao seconded the resolution.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the general question of industrial schools is one with which I am unable to deal satisfactorily just now, because it is not a question in which any finality can be reached in this debate. The Industrial Commission has reported on it and that report is now under consideration. They have recorded their considered opinion that the type of industrial school usually recommended is not to form part of the scheme of industrial reconstruction. What the Commission recommend is an improved system of apprenticeship in workshops alongside technical schools for teaching engineering and similar trades. Without a system of workshop training in a factory, any system is entirely condemned. It seems, therefore, that the future policy of the Government will be to assist in the foundation of technical schools alongside private or public workshops and limit the technical training to working apprentices and trained workmen from the adjacent factories. That is the policy recommended by the Industrial Commission. How far that policy can be adapted to local conditions is the question now under consideration. The Director of Industries will report on it and, when that report comes, this question of starting an industrial school in the Telugu districts will have to be considered and decided in the light of that report. We cannot commit ourselves to establish a school of the old type. The type itself is under discussion. Under these circumstances, I hope the Honourable Member will not press for a

RESOLUTION RE ESTABLISHMENT OF AN INDUSTRIAL SCHOOL 983
IN THE TELUGU DISTRICTS.

14TH MARCH 1919.] (Mr. Rajagopala Achariyar; Sir Francis Spring;
Mr. Suryanarayana Rao.)

definite undertaking. So far as a school is concerned, he may rest assured that in whatever we do, the needs of the Telugu districts will be fully considered; he need have no apprehension on that score.

"Then we come to the particular school at Vizagapatam on whose methods the Honourable Member has animadverted. I must at once tell the Honourable Member that the report of the Department of Industries is very much in favour of that school. What Mr. Innes says so recently as the 26th of February is: 'The man in charge, Brother Emile, is a highly-trained engineer and a skilled specialist in motor repair works and he turns out very good fitters where turners may be recruited. There is a mechanical engineering school teaching fitting and blacksmithy work. The school is to be reorganized; additional land has been made over to the school for extension; a building grant has been promised and the Government have agreed to give an annual grant of Rs. 2,000 and a capitation grant of Rs. 60 per annum. In return the school has undertaken to train six apprentices. Last year the school got Rs. 2,500, the new building has been delayed by the difficulty of getting materials and the increased cost of them.' I have read from Mr. Innes' report. The Honourable Member, however, says that the school is not satisfactory. I gladly agree to ask Mr. Innes to note what the Honourable Member has said and to inquire into the working of the school and, when Mr. Innes goes there, I trust the Honourable Member will co-operate with him and will give him full facilities and place all the information he has obtained in the matter at his disposal. I may, however, by way of warning, mention to the Honourable Member one circumstance which may be of help to him. One of the charges against Brother Emile is that he makes the boys use their hands and makes them work as coolies. You will find probably that that will count in his favour. As the Hon'ble Sir Francis Spring will bear me out, very great importance is to be attached to manual training and many of our high-caste boys do not realize when they go to schools like these, that they have to begin using their hands. A good deal of the preliminary work may look like drudgery. As for excluding others and confining it to Roman Catholics, I really do not know how the matter stands, but surely the Honourable Member can prove his statement that the school does not give fair play to members of other communities and, when Mr. Innes' report comes up, we shall know exactly where the school stands. I trust the Honourable Member will see fit not to press this resolution to a division."

The Hon'ble Sir FRANCIS SPRING:—"May I say a word? I would like to discriminate clearly between using the hands as a mere workman and being taught *how* to use hands, and *why* they should be used, by people who have made manual training a study. Education in manual training is a thing which has been brought to great perfection in Europe and especially in America and its principles are thoroughly well-known to certain experts of whom we have some in India.—Mr. Chatterton, I understand, is one. The thing that could be got hold of by Mr. Chatterton, Mr. Innes, or whoever is Director of Industries, can be got hold of. What is wanted, in these schools which purport to be industrial schools, is not merely coolie work, fitter's work or blacksmith's work, all this of course should be done, but the boys should also be specially instructed in the *principles* underlying the practice of good turnery, good blacksmithy and so on. That has got to be put on a proper basis. The mere setting up of a number of machines and forges and having a number of boys to work at them who are not ashamed to use their hands—that is not all; that is all to the good so far as it goes, but it is not enough. Mr. Innes should see something done on the lines I have indicated. In the Telugu country, something of that kind is badly wanted. Having been at the construction of the railways there, I may say that we practically failed to get skilled labour locally and we had to get it all from far distant places. There are good men enough in the Telugu country and it would be a good thing if Government could start really useful and well equipped technical schools, and not merely a workshop, even at some cost at Vizagapatam."

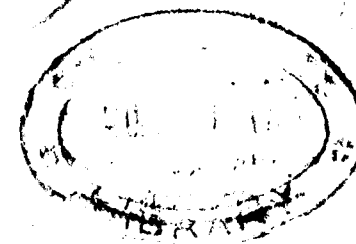
The Hon'ble Mr. A. SURYANARAYANA RAO:—"I do not press this resolution. I hope attempts will be made to open industrial schools after the report of the Industrial Commission has received attention. I am thankful to the Honourable Member in charge and to Your Excellency's Government when the Government were pleased to make a grant to the St. Aloysius school. I think the public of the Telugu districts have got a right to request the Government to see that Telugus have got a proper share in the teaching of the school."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Of course they have."

The Hon'ble Mr. A. SURYANARAYANA RAO:—"That is what I am pressing. With regard to what is actually being done and what I wish to be done, that has been so well put by the Hon'ble Sir Francis Spring that I have nothing more to say. It is not enough if a boy should do mere coolie work from morning till evening. He must do some intelligent work. Otherwise, he would get disgusted. I hope the Government will be pleased to call for a report and see that there is a fair distribution of the students."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I shall send a copy of the debate including the Hon'ble Sir Francis Spring's valuable contribution to it to the Director of Industries."

With the permission of His Excellency the President, the resolution was withdrawn.



Proceedings of a Meeting of the Council of the Governor of Fort St. George³ assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council assembled at the Council Chamber, Fort St. George, at 11 a.m. on Thursday, the 3rd day of April 1919.

PRESENT:

His Excellency Sir ALEXANDER CARDEW, K.C.S.I., Governor of Madras—*Presiding*.
The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.
The Hon'ble Mr. L. DAVIDSON, C.S.I.
The Hon'ble Mr. C. G. TODHUNTER.
The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E.,
I.S.O., O.B.E.
The Hon'ble Mr. L. E. BUCKLEY, C.S.I.
The Hon'ble Mr. A. Y. G. CAMPBELL, C.I.E.
The Hon'ble Mr. L. T. HARRIS.
The Hon'ble Mr. W. J. J. HOWLEY.
The Hon'ble Mr. W. HUTTON.
The Hon'ble Mr. R. LITTLEHAILES.
The Hon'ble Mr. N. E. MAJORIBANKS.
The Hon'ble Mr. A. F. G. MOSCARDI.
The Hon'ble Lieut.-Col. W. J. NIBLOCK, I.M.S.
The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.
The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).
The Hon'ble Mr. H. G. STOKES, C.I.E.
The Hon'ble Mr. R. B. WOOD.
The Hon'ble Rao Bahadur T. RANGA ACHARIYAR Avargal.
The Hon'ble Mr. C. P. RAMASWAMI AYYAR.
The Hon'ble Mr. A. SUBYANARAYANA RAO PANTULU.
The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO PANTULU Garu.
The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.
The Hon'ble Mr. P. SIVA RAO.
The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.
The Hon'ble Mr. B. V. NARASIMHA AYYAR.

(Mr. Ahmad Tambi Marakkayar.)

[3RD APRIL 1919.]

The Hon'ble Mr. K. SADASIVA BHAT.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.

The Hon'ble Mr. K. RAMA AYYANGAR.

The Hon'ble Sri RAJA RAO VENKATA KUMARA MAHIPATI SUREYA Rao Bahadur, Raja of Pithapuram.

The Hon'ble B. RAJA RAJESWARA SETUPATI alias MUTTURAMALINGA SETUPATI Avargal, Raja of Ramnad.

The Hon'ble Mr. B. VENKATAPATI RAJU.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.

The Hon'ble YAQUB HASAN SAHIB Bahadur.

The Hon'ble Sir GORDON FRASER, Kt.

The Hon'ble Mr. J. H. THONGER.

The Hon'ble Sir FAIRLESS BARBER, Kt.

The Hon'ble the Most Rev. JOHN AELEN, D.D.

The Hon'ble Rao Bahadur S. R. M. ANNAMALAI CHETTIYAR Avargal.

The Hon'ble Mr. T. RICHMOND.

The Hon'ble Sir FRANCIS SPRING, K.C.I.E.

The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.

The Hon'ble Sri SOBHA CHANDRA SINGH DEO, Zamindar of Serugada.

The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO Bahadur, of Bobbili.

NEW MEMBERS.

this

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

Cor

The Honourable Mr. LEONARD TATHAM HARRIS.

sid

The Honourable Mr. ALEXANDER FRANCIS GEORGE MOSCARDI.

The Honourable Mr. CHETPAT PATTABHIRAMA AYYAR RAMASWAMI AYYAR.

by

QUESTIONS AND ANSWERS.

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

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

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

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

1 Q.—(a) Is it a fact that the President of the 'South Indian Liberal Federation,' Trichinopoly, submitted a copy of the resolutions passed at a meeting of the members of the Federation held on 25th February 1919 regarding the action of the Brahman teachers of high schools in Trichinopoly and in mufassals who detained the non-Brahman students from appearing for the School Final Examination this year?

(b) If so, will the Government be pleased to take necessary steps to put a stop to such malpractices?

1 A.—A copy of the resolutions passed at a meeting of the members of the South Indian Liberal Federation has been received. It mentions neither Brahman teachers nor detentions.

2 Q.—(a) Is it a fact that the Muhammadans of Srivilliputtur submitted a memorial to Government regarding the conduct of Hindus of Sivagiri (Tinnevely district) against the Muhammadans of that place preventing them from offering their prayer to God in the mosque and also preventing the burial of a Muhammadan dead body which remained uninterred for three days in October last?

(b) If so, will the Government be pleased to make inquiries in the matter and do what is necessary to safeguard the religious interests of Muhammadans?

2 A.—A petition complaining against the Hindu population of Sivagiri was received in January last from certain Muhammadans resident in the same village, and was transferred to the District Magistrate of Tinnevely for disposal.

aged
alpractice
of certain
Brahman
teachers of
Trichinopoly.

Friction be-
tween Hindus
and Muhamma-
dans at
Sivagiri.

3RD APRIL 1919.]

(Mr. Ahmad Tambi Marakkayar; Mr. Annamalai Chettiayar.)

3 Q.—With reference to the answer given to question No. 146 put at the meeting of the Legislative Council held on 11th March 1919 regarding the burning of Mappilla Muhammadans who were shot in the Malappuram riot, will the Government be pleased to state if the authorities in question were in order in burning the dead bodies of Muhammadans on the face of the G.O. No. 450 P., dated 2nd December 1915?

Burning of the
dead bodies of
Mappillas who
died in the
recent
Malappuram
riot.

3 A.—The disposal of the corpses of Mappillas concerned in outrages is governed by section 5 of the Mappilla Outrages Act, 1859. The Honourable Member is in error in supposing that G.O. No. 450 P., dated 2nd December 1915, which refers to cases of plague only, has any bearing on this matter.

4 Q.—(a) Will the Government be pleased to state the number of Indians holding the appointment of District Superintendents of Police in this Presidency? Of whom how many are Muhammadans?

Appointment
of Muhamma-
dans as
District
Superintend-
ents of Police.

(b) Will the Government be pleased to make necessary arrangements to appoint a Muhammadan for the said post as there is no one now in the appointment?

4 A.—(a) Two such appointments are open to, and are held by, Indians, of whom neither is at present a Muhammadan.

(b) The claims of Muhammadans with others will receive due consideration as vacancies occur.

5 Q.—(a) Will the Government be pleased to state the number of Indians holding the appointment of District Judges in this Presidency? Of whom how many are Muhammadans?

Appoi-
ntment of M.
dar
Jr

(b) Will the Government be pleased to set apart an appointment for Muhammadans in the said post?

5 A.—(a) The attention of the Honourable Member is invited to pages 107–108 of the Quarterly Civil List for January 1919 which give the required information.

cedure for
transfer of
mnam lands
unoccupied
to occupied

(b) The Government cannot accept this suggestion.

6 Q.—With reference to the answer to question No. 14 put by me in the meeting of the Council held on 11th March 1919, will the Government be pleased to give the names of the Indian lightkeepers referred to therein?

6 A.—The names of the Indian lightkeepers referred to are—

(1) M. L. Cunha and (2) O. M. Gratiam serving in the Coast Light Service, and (3) K. Ramaswami serving in the Port Light Service.

7 Q.—With reference to the answer to question No. 18 put by me at the same meeting, will the Government be pleased to state if G.O. No. 364, Press, Revenue (Special) (Marine), dated 15th October 1918, does not sanction an enhanced grade of pay to the head clerk of the Deputy Port Conservator's office, Madras?

Enl.
to be
of the
Port
or the
ance of
survey

7 A.—No enhancement of the pay of the head clerk in question was sanctioned in the Government Order referred to.

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

8 Q.—(a) When did the Court of Wards take over the management of the Arni estate and why, and on what conditions, if any?

Managemen-
of the Arni
estate.

(b) What is the total amount of debts proved against the estate and how much of it is secured and how much is unsecured?

(c) What is the amount collected on account of the estate, since the assumption of its management by the Court of Wards, and how much has up to now been paid to creditors?

(d) What is the cash balance at present to the credit of the estate?

(e) Is there any reason why it should not be distributed at once amongst the creditors?

(f) Has the jagbirdar written to the Court of Wards complaining that though there is a large amount to the credit of the estate, it is not distributed to the creditors, while interest is running on the debts, and requesting an early distribution?

(g) What steps have been taken to expedite such distribution?

(h) Is the Court of Wards preparing a scheme for the liquidation of the debts and when is it likely to be ready?

8 A.—(a) The Arni estate was taken under the management of the Court of Wards on 22nd August 1916 on an application from its proprietor under section 18 of the Court of Wards Act, as the Government considered that it was expedient in the public interests that the estate should be managed by the Court of Wards. The Government are not prepared to publish the conditions on which the estate was taken under management.

(b) to (h) The Government are not prepared to publish any information not already included in the administration reports which have been laid on the Editors' Table.

(Mr. Ranga Achariyar; the President; the Raja of Ramnad; [3RD APRIL 1919
Mr. Todhunter.)

The Hon'ble Rao Bahadur T. Ranga Achariyar.

Rules govern-
ing the
lending of the
Museum
Theatre.

9 Q.—(a) Will the Government be pleased to state what the rules are governing the lending of the Museum Theatre for public purposes?

(b) Will the Government be pleased to state whether it was a fact that an application was received from Rao Sahib A. Mariyappa Mudaliyar, President of the Board of Management of Egmore Balika Patasala (Hindu Girls' School), for the holding of the annual prize distribution of that institution in the said Museum Theatre on or about December 1918 and the application was refused?

(c) If so, will the Government be pleased to state the reasons why the application from the President of the Egmore Balika Patasala was refused?

(d) Will the Government be pleased to lay on the table the list of institutions and purposes for which the theatre was lent within the last two years?

9 A.—(a) to (c) The Government do not consider elementary schools to be institutions to which this privilege should be extended.

(d) The Government are not in possession of the information.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Your Excellency, there is no answer to my question No. 9 (a)."

His Excellency the PRESIDENT:—"There are no special rules as to the Government lending the Museum Theatre. It is left to the discretion of the Superintendent of the Museum Theatre. There is no rule. It is entirely discretionary."

The Hon'ble the Raja of Ramnad.

10 Q.—With reference to my question No. 126 asked at the last Council meeting, will the Government be pleased to direct the Board of Revenue not to lease villages belonging to the Sivaganga zamindari, ayan or devasthanam, till proposals regarding such leases are obtained and published by Government as promised by them in reply to my supplementary question?

10 A.—The Government will consider the suggestion.

11 Q.—Will the Government kindly state whether it is a fact that the Zamindar of Kallikota and Atagada was not permitted to prosecute his studies for the B.A. course, and if so, for what reasons?

11 A.—It is not a fact that the Zamindar of Kallikota and Atagada was not permitted to prosecute his studies for the B.A. course.

The Hon'ble the RAJA OF RAMNAD:—"With regard to my question No. 11, are the Government aware when the ward passed the F.A. examination?"

The Hon'ble Mr. C. G. TODHUNTER:—"I am not quite certain of the date. I will give the Honourable Member the information later."

12 Q.—Will the Government kindly consider the desirability of sending such Court of Wards' minors as may be willing to go to England for prosecuting their studies?

12 A.—The opinion of the Court of Wards will be invited on the suggestion.

13 Q.—Will the Government kindly state when they propose to take up the amendment of the Estates Land Act?

13 A.—The amendment of the Estates Land Act is a contentious measure and could not therefore be undertaken during the war. The Government now propose to re-examine the question and are consulting the Board of Revenue thereon but they cannot at present say when legislation will actually be undertaken.

14 Q.—Will the Government kindly state if the proposed amendment to the Local Boards Act has been sent up to the Government of India and got back, and when it is likely to be introduced in this Council?

14 A.—The Bill to amend the Madras Local Boards Act has not yet been sent up to the Government of India. It cannot be definitely stated at present when the Bill will be introduced in the Legislative Council.

15 Q.—Will the Government kindly furnish particulars regarding the composition of the Rajkumar College Committee, Executive and Advisory, and also give the personnel of each committee?

3RD APRIL 1919.]

(The Raja of Ramnad.)

15 A.—The following is the constitution of the Council and of the Executive Committee of the Rajkumar College:—

College Council.

President	..	His Excellency the Governor.
Vice-President	..	Member of Council in charge of the Revenue Department.
Official Members	..	Member of the Board of Revenue in charge of the Court of Wards. Director of Public Instruction. The Hon'ble Mr. Justice F. D. P. Oldfield.
Non-official Members.	<	Maharaja of Bobbili. Raja of Venkatagiri. Raja of Pithapuram. Raja of Parlakimedi. Raja of Kollengode. Zamindar of Telaprole. M.R.Ry. P. Ramarayaningar Avargal.
Secretary	..	Mr. Cameron Morrison.

Executive Committee.

Chairman	..	Member of the Board of Revenue in charge of the Court of Wards.
Members	..	Raja of Parlakimedi. Raja of Bobbili. The Hon'ble Mr. Kavalappara Muppil Nayar. Zamindar of Telaprole. Director of Agriculture.
Secretary	..	Mr. Cameron Morrison.

16 Q.—(a) Have the Government perused the copy of the memorial submitted by the merchants of Tuticorin to His Excellency the Viceroy, appearing on page 5 of the *Madras Mail*, dated the 15th March 1919?

(b) Will the Government kindly say in what stage the Harbour scheme is, and make a statement giving all particulars?

16 A.—(a) Yes.

(b) In connexion with the consideration of various proposals for providing a deep water harbour at Tuticorin, preliminary borings have been taken; they indicate that there would be no engineering difficulties in rendering Tuticorin harbour suitable for vessels of thirty feet draught. Arrangements have been made to obtain from Messrs. Wolfe Barry Lyster and Partners the services of an expert to visit and advise on the harbour.

17 Q.—In continuation of my question No. 131 asked at the last meeting of the Council, will the Government kindly state who is in direct and personal management of religious establishment and endowment of Sivaganga trust institutions?

17 A.—The direct and personal management of the religious establishments of the Sivaganga devasthanam vests in the appropriate authorities of each institution. The endowments, as such, are managed by the Court of Wards' establishments.

18 Q.—Will the Government kindly consider the desirability of removing the distinction now made, in the matter of daily allowance for Assistant Inspectors of Schools, between men drawn from the Provincial Service and men from the Sub-Assistant Inspectors' cadre?

18 A.—The Government are unable to entertain the suggestion.

19 Q.—Will the Government be pleased to state the steps taken by them as the result of the conference they had with the Collectors of some districts and selected non-officials recently in the matter of control of foodstuffs, etc.?

19 A.—The action proposed to be taken on the resolutions adopted at the conference is under consideration in consultation with the Director of Civil Supplies and will shortly be made public.

20 Q.—With reference to my question No. 64 asked at the meeting of the Legislative Council held on the 19th November 1918, and question No. 7 of the Hon'ble Mr. Annamalai Chettiyar asked at the last meeting, regarding religious and charitable institutions receiving grants from Government, will the Government kindly state to what heading of the budget, moneys paid to several religious institutions are debited, and why particulars regarding the same are not given in the budget copy?

(The Raja of Ramnad ; Mr. Rama Ayyangar ;
Mr. Todhunter.)

[3RD APRIL 1919.]

- 20 A.—The bulk of the allowances paid to religious institutions are paid in the form of beriz deductions from the village collections. They are shown in the budget under the head I-A. Land Revenue—VII (IV). In view of the large number of such allowances distributed throughout the Presidency, it is not practicable to furnish details regarding them in the budget.

The Hon'ble Mr. K. Rama Ayyangar.

- 21 Q.—(a) Will the Government be pleased to state when they propose beginning the construction of or of finishing the following district board railway lines:—

- (1) Tinnevely-Tiruchendur railway,
- (2) Sivaganga-Manamadura railway,
- (3) Dindigul-Palghat railway, and
- (4) Madura-Bodinayakkanur railway?

- (b) Will the Government be pleased to make arrangements to hand over the Dindigul-Palghat railway line to the District Boards of Madura, Coimbatore and Malabar?

- 21 A.—(a) As regards the Tinnevely-Tiruchendur line the attention of the Honourable Member is invited to the following extract from paragraph 3 of Part XI of the published Administration Report:—

"During the previous year, work on the construction of the Tinnevely-Tiruchendur railway was suspended owing to the difficulties created by the war and, as the position grew worse during the year under review, all the permanent-way materials were sold to the Munitions Board for war purposes. There is no prospect of work on the line being resumed in the near future."

Inquiries will be made as to the feasibility of procuring the materials without which construction cannot be resumed.

The Government are unable to say when it will be possible to commence all or any of the above railways, as it is probable that all railway materials, which are likely to be available, will, for some time to come, be required for renewals and increased traffic facilities on existing railways, which have been held in abeyance during the war.

- (b) The Government do not propose to reopen this question. The Railway Board have finally rejected the proposals of the District Boards of Madura and Coimbatore.

- 22 Q.—Will the Government be pleased to lay on the table a statement of action taken to secure the proper supply of all kinds of foodstuffs to the various districts in the Presidency? Will the Government be pleased to see that such statements show the details of the scarcity of particular articles in each of the districts and the steps taken to remedy the defect in the supply of such articles to such places?

- 22 A.—A full statement as to the action taken to secure adequate supplies of the chief foodstuffs was made at the last meeting of this Council. Details as to the supplies of particular articles in individual districts are not available and cannot be obtained with any accuracy owing to the constant movements of commodities and uncertainty as to local consumption which varies with the rise and fall of prices.

- 23 Q.—Is it a fact that yarn, piece-goods and other clothes are stocked in Madras to a large extent and that the merchants have not been given the facility to transport them to the mufassal stations and to the interior? Will the Government be pleased to take emergent steps to remedy this evil and avoid considerable loss that might otherwise accrue to the merchants and the labouring classes which depend on the supply of yarn?

- 23 A.—The Government have no information regarding the present stocks of yarn, piece-goods and other clothes in Madras but they believe that priority certificates are freely granted by the Director of Civil Supplies for the transport of yarn and piece-goods from Madras to mufassal stations within the Madras Presidency. The Government are not in possession of any information showing that it is necessary to take further action in this matter at present.

The Hon'ble Mr. K. RAMA AYYANGAR:—"With respect to question No. 23, will the Government be pleased to call for information as to the present stock of yarn, piece-goods and other clothes in Madras?"

The Hon'ble Mr. C. G. TODHUNTER:—"The Government do not think that sufficiently accurate statistics can be collected to be of real value."

- 24 Q.—Do the Government propose adding to the number of outposts and police stations in the Ramnad district? If so, will the Government be pleased to state what arrangements are proposed to be made?

- 24 A.—No such proposal is now under consideration.

3RD APRIL 1919.]

(Mr. Chidambaranatha Mudaliyar ; Mr. Kavalappara Muppil Nayar ; Mr. Suryanarayanamurti Nayudu.)

The Hon'ble Mr. K. Chidambaranatha Mudaliyar.

- 25 Q.—Will the Government be pleased to state
(a) if it is a fact that the Mysore Government are proceeding with the construction of the second stage of Kannambadi dam works on its own responsibility without the sanction of the Secretary of State for India; and

(b) if so, whether such a course is legal or proper and will not prejudicially affect in any degree the interests of the landholders under the Cauvery irrigation in the Madras Presidency?

- 25 A.—The first stage of the Kannambadi dam has not yet been completed. The full reservoir level that can at present be maintained is about 15 feet below that fixed for the first stage of the reservoir.

- 26 Q.—Will the Government be pleased to lay on the table a statement giving the amount of remissions provided for

(a) in the budget estimate for 1918-19, and
(b) in the revised estimate for 1918-19 for each district in the Presidency as also figures for each taluk wherever the variation is above Rs. 1,000 in dry tracts and above Rs. 5,000 in wet tracts?

- 26 A.—The amount of remissions provided for in the budget estimate, 1918-19, was 3.34 lakhs and in the revised estimate for 1918-19, 25.80 lakhs. Figures for districts and taluks are not available.

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

- 27 Q.—(a) Is it not a fact that in Malabar the lands registered as unoccupied dry are to be transferred to occupied dry when it is found that the occupation is permanent?

(b) When such lands are transferred to occupied dry, are not the janmis considered responsible for payment of their assessment?

(c) Is any notice now issued to janmis of such transfers before their sanction by the Revenue authorities and their objection, if any, heard?

(d) If the answer is in the negative, will Government, in view of the janmis' permanent liability to pay the assessment, order notices of such proposed transfers to be issued to janmis to enable them to object if they consider the occupation is not or is not likely to be permanent?

- 27 A.—(a) & (b) Yes.

(c) & (d) The Government will consider the suggestion.

- 28 Q.—(a) Will the Government be pleased to inquire whether in the matter of the replacement and repair of missing survey marks the janmis are now served with notices giving full particulars of survey fields in which the marks are missing or are in bad repair so as to enable them to replace or repair them at their own cost, if they so desire?

(b) Whether such notices are now only fixed up or said to be published in the amsams and the janmis afterwards charged the cost of repair or renewal of survey marks by the village officers?

(c) Will Government order the strict enforcement of a rule that in all cases where survey marks are missing or in bad repair the janmis or their agents should be served with notices giving particulars of such survey marks so as to enable them to replace or repair them before the village officers undertake the work?

- 28 A.—The Honourable Member is referred to Notification No. 515, dated 2nd December 1918, published on pages 1254-1255 of Part I of the Fort St. George Gazette, dated 17th December 1918, and to Notification No. 355, dated 10th July 1918, published at page 801 of Part I of the Fort St. George Gazette, dated 30th July 1918. In view of the general responsibility of the registered holder for the maintenance of survey stones on the boundary of his land laid down in section 14 of the Madras Survey and Boundaries Act, 1897, and the rules framed under the Act, the Government do not consider it necessary that the janmis or their agents should be served with notices of the kind referred to.

The Hon'ble Diwan Bahadur K. R. Suryanarayanamurti Nayudu.

- 29 Q.—Will the Government be pleased to state

(a) whether the transfer of the Chilka Lake canal from the Public Works Department to the Salt Department has been settled, and, if so, from what date it has or will come into force; and

(b) whether the examination by local officers of the revenue aspect of the Vamsadhara project has been completed and report made to the Government for orders, and whether any orders have been passed by them?

Transfer to the Salt Department from the Public Works Department of the Chilka Lake canal.

Progress in district board railway construction.

this
Co
sid
by

series for
a'ying yarn
of piece-goods
the mufassal.

Increasing the number of outposts and police stations in the Ramnad district.

(Mr. Suryanarayanamurti Nayudu.)

[3RD APRIL 1919.]

- 29 A.—(a) Yes; the transfer has effect from the 1st April 1919.
(b) The examination by local officers of the revenue aspect of the project has not yet been completed.

Request for
G.O. No. 541
I. of 1918.

30 Q.—Will the Government be pleased to lay on the table G.O. No. 541 I., dated 10th September 1918, which is quoted by the Public Works Department irrigational subdivisional officers as authority for rejecting applications for water in the Gōdāvari deltas to irrigate wet crops on dry lands?

30 A.—The Honourable Member is referred to the answer given to question No. 68 asked at the meeting of the Legislative Council held on 13th August 1918 wherein the Government stated that they were not prepared to lay the Government Order on the table. If this Government Order has been quoted as an authority for rejecting any water application, this has been done in error and without authority. No case is known of any water application for fasli 1328 having been rejected for the reason referred to by the Honourable Member.

Ayaout maps
of the Godāvari
delta.

31 Q.—Will the Government be pleased to state whether a sufficient number of ayaout maps of the Gōdāvari delta have been printed and whether they are now available for sale to the public?

31 A.—Only a limited number of copies of the maps have been printed, and no provision was made for the sale thereof to the public; but individual applications will be duly considered in cases where there are copies to spare.

Classification
of irrigation
sources in
Godāvari and
Kistna.

32 Q.—(a) Is it a fact that, with reference to Revenue Department Notification No. 345, dated 18th July 1918, proposing amendments to Board's Standing Order No. 4, the Collectors of Gōdāvari and Kistna made a reference to the Board of Revenue on the necessity of the reclassification of irrigation sources in those two districts before effect could be given to that notification?

(b) If so, whether the question has come up to Government for orders and what orders have been passed by them?

32 A.—The re-classification of irrigation sources in the Gōdāvari and Kistna districts with a view to the introduction of the new scale of water-rates proposed in G.O. No. 2712, Revenue, dated 18th July 1918, is under consideration by the Board of Revenue. The Board's report has not yet been received.

Touring by
salt sub-
inspectors.

33 Q.—(a) Is it a fact that salt sub-inspectors have no fixed headquarters and are expected to be on tour during the whole month within their jurisdiction?

(b) Do the Government consider that this rule is possible of observance seeing that most of these officers are men with families?

(c) Will the Government be pleased to order the fixing of headquarters for salt sub-inspectors as for land revenue inspectors and supervisors of schools and prescribe a minimum period for travelling in each month?

33 A.—(a) Yes. It is so in the case of sub-inspectors in preventive ranges.
(b) & (c) The Government will inquire.

Select
tahsildars to
conduct
jamabandi
of taluks.

34 Q.—In view of the fact that it is deemed desirable to invest tahsildars with powers to try first-class cases before they are appointed as deputy collectors and magistrates, will Government be pleased to issue orders to Collectors directing that select tahsildars in each district may be ordered to conduct the jamabandi of a taluk or taluks within the district, instead of always entrusting it, as at present, to revenue divisional officers?

34 A.—As appears from Board's Standing Order No. 12, the jamabandi is intended to enable the higher authorities of the district to satisfy themselves that the tahsildar's work has been satisfactory and it cannot therefore be conducted by the tahsildar himself; nor could one tahsildar be entrusted with the task of examining and criticizing the work of other officers of the tahsildar class. The Government cannot therefore accept the Honourable Member's suggestion.

Dentists
for district
headquarter
hospitals.

35 Q.—With reference to the memorial submitted in December 1918 by the Narasapur Taluk People's Association to His Excellency the Governor suggesting that a duly qualified dentist may be attached to each hospital at the district headquarters to treat mouth disorders, will Government be pleased to state whether it is proposed to try the experiment at least in a few select districts for the present?

35 A.—The memorial referred to is still under correspondence with the Surgeon-General.

Discount for
cashing
currency notes
in the Godāvari
district.

36 Q.—(a) Are Government aware that in Gōdāvari among other districts people are obliged to pay a discount of Rs. 2 to Rs. 2-8-0 per cent when currency notes are to be encashed for silver and a discount of 3 to 6 pies the rupee when small coin is required for a one rupee currency note and that this is due to the inability of the sub-treasuries in the district to meet the demands of the public?

3RD APRIL 1919.] (Mr. Suryanarayanamurti Nayudu; Mr. Narasimha Ayyar; Mr. Littlehailes.)

(b) If so, what steps are intended to be taken to prevent this kind of loss and inconvenience to the public at large?

36 A.—The Government have no specific information on the subject.

The attention of the Honourable Member is invited to paragraphs 15 to 19 and 74 of the Hon'ble Sir James Meston's narrative introducing the Financial Statement of the Government of India for 1919-20, and to the answers given to similar questions at the Indian Legislative Council held on the 4th September 1918, 6th February 1919 and the 19th February 1919, as well as to the answer made in this Council to the question No. 77 at the meeting held on 13th August 1918.

37 Q.—With reference to item 1 of the statement showing the irrigation projects under investigation furnished in answer to question No. 48 asked by the Hon'ble Mr. A. S. Krishna Rao at the meeting of the Legislative Council held on 19th November 1918, will Government be pleased to state whether the Superintending Engineer, I Circle, has resubmitted to Government the plans and estimates for the Polavaram Island project revised as promised, and if so whether there is a likelihood of the work being sanctioned and taken on hand in 1919-20?

Plans and
estimates for
the Polavaram
Island project.

37 A.—The plans and estimates for the Polavaram Island project have not yet been resubmitted by the Superintending Engineer. A revised revenue forecast has been found necessary and is under preparation. There is no prospect of the work being sanctioned and taken up for execution in 1919-20.

38 Q.—Will Government be pleased to lay on the table a copy of the orders passed, if any, on reference to Collectors made in 1919 regarding cases of transfer of registry, based on the suggestions contained in the Report of the Madras Survey and Land Records Committee, Volume I?

Orders on
transfer of
registry of
pattas.

38 A.—No such reference was made in 1919. If the Honourable Member refers to the reference made to Collectors in G.O. No. 1252, Revenue, dated 1st June 1916, he will find the orders passed on the replies to that Government Order in G.O. No. 53, Revenue, dated 7th January 1919, which has been placed on the Editors' Table.

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

39 Q.—Will the Government be pleased to state

(a) whether memorials have been sent up by draftsmen and executive lower subordinates of the Public Works Department to the Government, complaining of the disadvantages of the reorganization scheme given effect to in 1913, and praying for increased allowances for the present and a fresh scheme for bettering their prospects? If so, how many and on what dates; and

(b) whether they will be pleased to consider the same favourably?

Memorials
from Public
Works
Department;
draftsmen
and others
for increased
allowances.

39 A.—A number of memorials on the subject of the reorganization have been received at various dates since its introduction. The examination of the earlier memorials disclosed a *prima facie* case for further reorganization, but proposals to that end were held over owing to the financial stringency due to war conditions. The general question was revived in December last by a reference from the Government of India on the recommendations of the Public Works Department Reorganization Committee, which include proposals for a single subordinate service embracing all ranks below that of subdivisional officer. This scheme is now under examination. During the month of March further memorials have been received from certain draftsmen asking for the grant of special allowances pending reorganization; this request also is being examined.

40 Q.—Will the Government be pleased to state why the allotment last made for starting the construction of the Salem College was not spent and when the work will be started?

Expenditure on
the construction
of the
Salem College.

40 A.—A provision of Rs. 80,000 was entered for the work in the Public Works Budget for 1914-15 but this amount had to be resumed as detailed plans and estimates were not then ready. Owing to war conditions, it was not found possible to make any provision for the work in subsequent years. The work will be commenced when funds become available.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, with reference to question No. 40 about the allotment of funds for the construction of the Salem College, may I know if funds will be found in the course of the next twelve months?"

The Hon'ble Mr. R. LITTLEHAILES:—"I do not think that the funds can be found during the next year. No application has been made for providing funds in the budget."

41 Q.—Will the Government be pleased to consider the feasibility of publishing the proceedings of union panchayats *gratis* in the district gazettes?

Publication of
the proceedings
of union
panchayats.

41 A.—The Government are unable to accept the suggestion

(Mr. Narasimha Ayyar.)

[3RD APRIL 1919.]

Resettlement
of the North
Arcot district.

42 Q.—Will the Government be pleased to state
(a) if it is a fact that a special officer has been posted for work in connexion with the resettlement of North Arcot;

(b) if the question of the resettlement of North Arcot district is receiving reconsideration of the Government;

(c) whether the special officer in question has been asked to reopen the question of reclassification of soils or irrigation sources, especially in the Cheyyar area; and

(d) whether the Government are now in a position to lay on the table a list of all the irrigation sources in each taluk of North Arcot, including Tiruvannamalai, noting against each source its class prior to and after the resettlement, and also whether such raising of the sources was recommended either by the Collector or the Settlement Officer?

42 A.—(a), (b) & (c) The special officer recently posted to North Arcot district is to revise the classification of poramboke and unassessed lands. The Government have no intention of interfering with the resettlement.

(d) Information regarding the classification, both before and after the resettlement, of the irrigation sources under the Cheyyar ancient system has been published in English and Tamil in the *North Arcot District Gazette* of 1st May 1916. The changes in the classification were based on the recommendations of the Settlement Officer, the Collector and the Board of Revenue. The Government are unable to furnish the particulars required for other irrigation sources in the district.

Reclassification
of irrigation
sources in
North Arcot.

43 Q.—Will the Government be pleased to state
(a) what were the principles on which the reclassification of irrigation sources was carried out in North Arcot; and

(b) whether the reclassification of sources was carried out on different principles in the Cheyyar area to those on which it was carried out in the Palar and Ponnaiyar systems?

43 A.—The Honourable Member is referred to G.O. No. 3166, Revenue, dated 1st November 1913, which has been placed on the Editors' Table.

Report on the
economic
condition of
Tiruvannamalai
taluk.

44 Q.—Will the Government be pleased to place on the table the report of the economic inquiry into the condition of the Tiruvannamalai taluk which is reported to have been made according to paragraph 1 of the order in G.O. No. 3775, Revenue, dated 28th November 1918?

44 A.—The report, with the omission of names and addresses of persons whose private circumstances are reported on, will be laid on the Editors' Table.

Further
inquiry into
the economic
condition of
North Arcot.

45 Q.—Will the Government be pleased to order a further inquiry into the economic condition of North Arcot, with special reference to

(a) cultivation expenses, and
(b) emigration to Mysore, Madras and foreign countries?

45 A.—The Government do not consider that any further inquiry is necessary.

Information
regarding
various matters
in the North
Arcot district.

46 Q.—Will the Government be pleased to make a statement with reference to
(a) the proposed North Arcot District Board Railway,

(b) the agricultural farm at Gudiyattam,

(c) the opening of a District Court at Vellore,

(d) the inclusion of the Vellore Sub-Court among the eleven sub-courts proposed to be made permanent, and

(e) conferring on the Vellore municipality the power of electing an honorary chairman?

46 A.—(a) The Railway Board have sanctioned a survey to be carried out by the South Indian Railway of a line of railway between Arni and Padalam or Madurantakam. The Railway Company have been asked to take up the survey when the requisite staff is available.

(b) A demonstration farm in Melmuttukur village near Gudiyattam in the North Arcot district has been opened.

(c) The Government have no intention at present to open a District Court at Vellore.

(d) No decision has yet been arrived at as to which of the temporary sub-courts in this Presidency should be made permanent.

(e) The Government have no intention of making any change.

Doubling of
railway line
between
Jalarpet and
Arkonam.

47 Q.—In view of the fact that both the South Indian Railway and the Madras and Southern Mahratta Railway have got running powers over the railway line between Madras and Jalarpet, will the Government consider the desirability of recommending that the line between Arkonam and Jalarpet may usefully be doubled?

47 A.—As at present advised the Government do not consider there are sufficient grounds for such a recommendation.

3RD APRIL 1919.]

(Mr. Narasimha Ayyar; Mr. Krishna Rao;
Mr. Todhunter.)

48 Q.—Will the Government be pleased to place on the table a return showing the dates of proceedings of this Council and their date of publication in the *Fort St. George Gazette* since 1910?

Dates of
publication of
the proceedings
of the Legis-
lative Council.

48 A.—A statement* is laid on the table.

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

49 Q.—Will the Government be pleased to state

(a) what district boards in the Presidency have been levying railway cess, and
(b) what amount of railway cess has been accumulated by each of them?

List of district
boards levy-
ing railway
cess.

49 A.—(a) Railway cess is being levied by the district boards of—

(1) South Arcot.	(7) South Kanara.	(12) Ramnad.
(2) Coimbatore.	(8) Kistna.	(13) Salem.
(3) Cuddapah.	(9) Kurnool.	(14) Tinnevely.
(4) Ganjam.	(10) Madura.	(15) Trichinopoly.
(5) Godavari.	(11) Nellore.	(16) Vizagapatam.
(6) Guntur.		

(b) The amount of railway cess funds to the credit of each district board on 31st March 1918 was as follows:—

Name of district board.	Amount. RS.	Name of district board.	Amount. RS.
1. Arcot, South ..	9,10,157	9. Kurnool ..	6,33,162
2. Coimbatore ..	5,94,659†	10. Madura ..	6,87,227
3. Cuddapah ..	1,38,140	11. Nellore ..	3,51,586
4. Ganjam ..	55,913	12. Ramnad ..	6,71,826
5. Godavari ..	2,96,324	13. Salem ..	† 8,11,643
6. Guntur ..	4,87,320†	14. Tinnevely ..	9,03,934
7. Kanara, South..	2,03,862	15. Trichinopoly ..	3,74,089
8. Kistna ..	23,32,272†	16. Vizagapatam ..	3,27,182

50 Q.—Will the Government be pleased to state

(a) what schemes for the construction of district board railways are under investigation;
(b) when the investigation of each of those schemes was taken up, what progress has been made in their investigation and when their investigation is likely to be completed;
(c) what the estimated cost of construction and the estimated income of each of those railways is; and

(d) whether there are any, and if so what, proposals for financing the construction of those railways?

Schemes under
investigation
for the con-
struction of
district board
railways.

50 A.—(a) & (b) The Honourable Member is referred to paragraph 7 of section XI of the published administration report of the Public Works Department for the latest statement of the progress made with the district board lines under consideration.

(c) A statement will be prepared on the basis of the material available, but it must be remembered that existing estimates will in most cases require careful revision before even approximately reliable figures can be furnished.

(d) Owing to the uncertainty of the financial situation and the paramount demands of existing railways on the stock of materials procurable the financing of branch railways is temporarily in abeyance.

51 Q.—Will the Government be pleased to state the amount of stock of food-grains available in each district of the Presidency?

Stocks of food-
grain in each
district.

51 A.—Accurate information as to existing stocks of food in each district is not available.

The Hon'ble Mr. A. S. KRISHNA RAO:—"With reference to question No. 51, may I know if any attempt has been made to have information collected as to the stock of food-grains?"

The Hon'ble Mr. C. G. TODHUNTER:—"Some attempts have been made. I would refer the Honourable Member to the answer given in the Imperial Legislative Council on the subject. Attempts have been made in other provinces and the results have been unsatisfactory."

52 Q.—(a) Will the Government be pleased to state whether the Collector of Nellore submitted any reports to the Government that there has been depletion of food-grains in the district and that it is necessary to impose restrictions on the export of food-grains from the district?

Action taken to
prevent
depletion of
stocks of food-
grain in the
Nellore
district.

(b) Will the Government be pleased to lay those reports on the table?

(c) Will the Government be pleased to state what action has been taken on those reports?

52 A.—(a) Yes.

(b) & (c) The matter is under consideration.

* Printed as Appendix I on page 999 infra.

† Includes income from lines open for traffic.

QUESTIONS AND ANSWERS.

(Mr. Krishna Rao.)

[3RD APRIL 1919.]

Increased pay
to subordinate
judges and
district
munsifs.

53 Q.—Will the Government be pleased to state whether the High Court made
(a) any, and
(b) if so, what proposals for the increase of the pay of subordinate judges and district munsifs?

54 A.—The Honourable Member is referred to the reply to question No. 54.

Increased pay
to subordinate
judges and
district
munsifs.

54 Q.—Will the Government be pleased to state whether they submitted
(a) any, and
(b) if so, what proposals to the Government of India for the increase of the pay of subordinate judges and district munsifs?

54 A.—The Government are not at present in a position to make any statement.

Distribution of
grants to local
bodies.

55 Q.—(a) Will the Government be pleased to state when the following grants were distributed among local bodies for the year 1918-19:—

- (1) Grants for the improvement of main roads and other communications affected by restrictions on railway traffic;
- (2) Grants for the improvement of village roads and other communications;
- (3) Grants for the construction of roads and bridges;
- (4) Grants for the construction of medical buildings;
- (5) Grants for the construction of school buildings, and
- (6) Grants for minor sanitary works?

(b) Will the Government be pleased to state when the distribution of the above grants was communicated to the local bodies concerned?

55 A.—A statement * containing the information required is placed on the table.

APPENDIX.

APPENDIX I.

[Vide answer to question No. 48 asked by the Hon'ble Mr. B. V. Narasimha Ayyar at the meeting of the Legislative Council held on the 3rd April 1919, page 997 supra.]

Statement showing the dates of meetings and the dates of publication of the proceedings in the gazette.

Date of meeting.		Date of publication.
	1910.	
4th January.		11th January.
12th and 14th March.		29th March.
5th, 6th and 7th April.		3rd May.
29th and 30th November.		13th December.
	1911.	
21st and 22nd February.		7th March.
13th March.		21st "
4th and 5th April.		25th April.
15th May.		6th June.
	1912.	
14th, 15th and 16th February.		14th proceedings on 27th February and those of 15th and 16th on 5th March.
13th March.		26th March.
2nd, 3rd and 4th April.		2nd April proceedings on 16th April and those of 3rd and 4th on 23rd April.
24th and 25th May.		11th June.
27th September.		8th October.
	1913.	
4th January.		7th January.
18th February.		4th March.
13th, 14th and 15th March.		1st April.
2nd, 3rd, 4th and 5th April.		29th "
16th and 17th May.		10th June.
11th, 12th and 13th November.		9th December.
	1914.	
27th, 28th and 29th January.		24th February.
13th, 14th, 16th and 17th March.		14th April.
2nd, 3rd, 4th and 6th April.		5th May.
19th, 20th and 21st May.		30th June.
20th, 21st, 23rd and 24th November.		15th December.
	1915.	
2nd and 3rd February.		23rd February
13th and 15th March.		13th April.
29th, 30th, 31st March and 1st April.		11th May.
25th and 26th May.		6th July.
23rd, 24th, 25th, 26th and 27th November.		18th January 1916.
	1916.	
1st, 2nd and 3rd February.		7th March.
13th, 14th and 15th March.		25th April.
5th, 6th, 7th and 8th April.		30th May.
3rd August.		12th September.
21st, 22nd, 23rd and 24th November.		9th January 1917.
	1917.	
6th, 7th and 8th February.		13th March.
13th and 14th March.		24th April.
2nd, 3rd, 4th and 5th April.		22nd May.
22nd, 23rd and 24th May.		10th July.
20th, 21st and 22nd November.		29th December.
	1918.	
12th, 13th and 14th February.		26th March.
13th and 14th March.		30th April.
3rd, 4th, 5th and 6th April.		11th June.
13th, 14th, 15th and 16th August.		8th October.
22nd and 23rd October.		3rd December.
49th, 20th and 21st November.		28th January 1919

[Vide answer to question No. 55 asked by the Hon'ble Mr. A. S. Krishna Rao at the meeting of the Legislative Council held on the 3rd April 1919, page 998 supra.]

Item of grant.	Numbers and dates of orders sanctioning the distribution of the grants.	Dates of despatch of the orders.
(1) Grant for improvement of main roads and other communications affected by restrictions on railway traffic.	No. 366 L., dated 17th March 1919	18th March 1919.
(2) Grants for improvement of village roads and other communication.	No. 505 L., dated 18th April 1918	2nd May 1918.
(3) Grants for construction of roads and bridges.	No. 566 L., dated 26th April 1918 No. 742 L., dated 30th May 1918 No. 1241 L., dated 11th October 1918 No. 1573 L., dated 26th November 1918 No. 77 L., dated 18th January 1919 No. 118 L., dated 30th January 1919 No. 1319 L., dated 9th October 1918 No. 56 L., dated 15th January 1919 No. 40 M., dated 8th January 1919	7th May 1918. 17th June 1918. 17th October 1918. 27th November 1918. 19th January 1919. 30th January 1919. 31st October 1918. 1st February 1919. 9th January 1919.
(4) Grants for the construction of medical buildings.	No. 1083, Home (Education), dated 24th August 1918 No. 1247 " " dated 18th September 1918 No. 1662 " " dated 24th December 1918 No. 1677 " " dated 27th December 1918 No. 203 " " dated 15th February 1919 No. 292 " " dated 7th March 1919 No. 304 " " dated 12th March 1919 No. 313 " " dated 14th March 1919 No. 368 " " dated 22nd March 1919 No. 559 " " dated 29th April 1918 No. 779 " " dated 17th June 1918 No. 1227 " " dated 14th September 1918 No. 1415 " " dated 5th November 1918 No. 27 " " dated 7th January 1919 No. 301 " " dated 11th March 1919	26th August 1918. 20th September 1918. 2nd January 1919. 20th January 1919. 26th February 1919. 7th March 1919. 18th March 1919. 15th March 1919. 23rd March 1919. 2nd May 1918. 20th June 1918. 17th September 1918. 6th November 1918. 9th January 1919. 11th March 1919. 15th July 1918. 22nd July 1918. 16th October 1918. 19th July 1918. 5th December 1918. 23rd December 1918. 12th January 1919.
Secondary schools.	No. 898 L., dated 5th July 1918 No. 918 L., dated 12th July 1918 No. 1344 L., dated 12th October 1918 No. 1082 M., dated 6th July 1918 No. 1910 M., dated 4th December 1918 No. 1990 M., dated 20th December 1918 No. 57 M., dated 10th January 1919	11th March 1919. 15th July 1918. 22nd July 1918. 16th October 1918. 19th July 1918. 5th December 1918. 23rd December 1918. 12th January 1919.
(6) Grants for minor sanitary works.		

3RD APRIL 1919.] (*The Secretary ; Mr. Todhunter ; the President.*)

The SECRETARY reported that the undermentioned Acts, which had been passed at the meetings of the Council held on the 13th February and the 13th March 1919, respectively, received the assent of His Excellency the Governor on the dates noted against them :—

COMMUNICATIONS TO THE COUNCIL.

Regarding the Bill to provide for the voluntary registration of Mussalman marriages and divorces.

(13) From Moulvi Sowcar Saiyid Ahmad Husain Sahib, Hosh, Madras, dated the 8th February 1919.

THE BUDGET FOR 1919-1920.

The Hon'ble Mr. C. G. TOOTHUNIER :—"Your Excellency, under rule 29 (1) of the Financial rules, I have the honour to introduce the Budget for the year 1919-1920 in its final form, that is the final result of our calculations and discussions of the last six months.

“We began in October last by asking the Honourable non-official Members of the Finance Committee for their suggestions for expenditure. We were then under the shadow of the war. In November came the cessation of hostilities, and in December we sent out a further request for suggestions, intimating that we should be prepared to consider more ambitious schemes, especially in regard to education, industries and development generally, in view of the removal of the necessity for financial restrictions. In January, the Draft Financial Statement was presented to the Finance Committee and several valuable suggestions were made and adopted. With reference to one of these, namely, that the figures should be supplied at an earlier date to the non-official Members, I should like to say that we have already taken up the question of doing what we can to meet their convenience. In February, the Amended Draft Financial Statement was presented to this Council and three motions for its further amendment were carried. These have all been embodied in the Budget. In March came the Government of India's orders, involving further changes, and now in April we have the final stage of the largest Budget on both sides of the account ever presented to this Council.

"In view of the several changes that have been made and of the fact that, owing to the presentation of the estimates to the Council at an earlier stage than usual, a larger number of amendments in consequence of later actuals have become necessary, it has been thought desirable to recast and reprint the whole of the Chief Secretary's memorandum. To this is prefixed as usual a statement by the Finance Member of all the changes that have been made since the Amended Draft Financial Statement was presented to the Council. I think these statements will afford the Honourable Members all the explanations which they are likely to desire at the present stage of the proceedings."

His Excellency the PRESIDENT :—"It is usual on this occasion to postpone the consideration of the Budget and to proceed with the resolutions on matters of general public interest. I propose therefore to appoint to-morrow or the next day, as may be most convenient, for the discussion of the Budget, if it would be convenient to the Council. That is our usual course. We may postpone it to Friday or Saturday as may be most convenient. If that suits the Council, we can go on to the order of the day No. 6."

1002 A BILL TO AMEND THE MADRAS OUTPORTS LANDING AND SHIPPING FEES ACT, 1885 AND RESOLUTION RE INTERPRETERS AND TRANSLATORS AT MEETINGS OF COUNCIL.

(Mr. Rajagopala Achariyar; Mr. Ramanuja Achariyar; [3RD APRIL 1919. Mr. Campbell; the President; Mr. Narasimha Ayyar.]

A BILL TO AMEND THE MADRAS OUTPORTS LANDING AND SHIPPING FEES ACT, 1885.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I beg to introduce a Bill to amend the Madras Outports Landing and Shipping Fees Act, 1885, and to move that it be read in Council. The statement of objects and reasons explains the necessity for this Bill. I have nothing to add to it at this stage."

The Hon'ble Mr. S. Srinivasa Ayyangar seconded the motion.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"I want some information about this Bill. What is the need for levying fees on passengers? If a separate account is maintained at each outport, then I can understand this. But I think one account is maintained for all ports. If it is a fact that accounts are not separately kept for outports, I think this Bill is not necessary. I object to the policy of replacing Acts by rules. Rules are resorted to in the first instance because experience has not been obtained; but here experience has been obtained and there is an enactment. I do not see why that should be replaced by rules."

The Hon'ble Mr. A. Y. G. CAMPBELL:—"As to the information asked for, I may mention that a separate account is kept of the Landing and Shipping Fees fund in each port separately; they are not combined in one account."

His Excellency the PRESIDENT:—"As no other Honourable Member has any remarks to make on the Bill, I put the motion to the Council."

The motion was put to the Council and agreed to.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I beg to move that the Bill be referred to a Select Committee for report."

The Hon'ble Mr. S. Srinivasa Ayyangar seconded the motion.

The motion was put to the Council and agreed to.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I move that the Select Committee be constituted of the following members:—The Hon'ble Mr. Ahmad Tambi Marakkayar, the Hon'ble Mr. Suryanarayanamurti Nayudu, the Hon'ble Mr. Sadsiva Bhat, the Hon'ble Mr. Campbell, the Hon'ble the Advocate-General and myself."

The Hon'ble Mr. S. Srinivasa Ayyangar seconded the motion.

The motion was put to the Council and agreed to.

Resolutions on matters of General Public Interest.

The discussion of resolutions on matters of general public interest was then taken up.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, with reference to the first resolution that stands on the agenda, there has been some difference of opinion on the non-official side whether it is to be moved or not. If it is convenient to Your Excellency and to the Honourable Members to defer the consideration of it till to-morrow or the next day, it will be better. I may not move it at all. Resolutions I and II* may be taken together. They bear on the same subject—the Administration Report. There is a feeling that this matter should be further discussed among my non-official friends."

His Excellency the PRESIDENT:—"With the leave of the Council, the consideration of Resolutions I and II may be postponed till to-morrow."

RESOLUTION RE INTERPRETERS AND TRANSLATORS AT MEETINGS OF COUNCIL.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"The resolution that I have to move runs as follows:—

'III. This Council recommends to His Excellency in Council that steps should be taken to requisition the presence, at future meetings of this Council, of interpreters or translators in the chief vernaculars of this province and of shorthand reporters in those languages.'

"The main matter dealt with in this resolution is the use of vernaculars by Honourable Members who may have occasion to use them in the course of the proceedings. With reference to the use of such vernaculars I believe that there may be some difference of opinion in some quarters, and it is just as well that I should begin at the outset, by considering the possibility of such use and I shall next deal with the question as to the objections or obstacles that have to be overcome."

"In the first place, I believe there will be hardly any one here who will contend that as the law exists at present, there is any bar to the employment of the vernacular by any Honourable

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—

I. This Council recommends to His Excellency in Council that paragraphs 1 and 2 of the last Madras Administration Report be deleted.

II. This Council recommends to His Excellency in Council that a committee of officials and non-officials be appointed to whom the next administration report should be presented before the same is published.

RESOLUTION RE INTERPRETERS AND TRANSLATORS AT MEETINGS OF COUNCIL.

1003

3RD APRIL 1919.] (Mr. Narasimha Ayyar.)

Member of this house who prefers to employ it. I therefore proceed to deal with the practical limitation which may attend the exercise of this privilege, and point out what concrete difficulties have been considered to stand in the way of the vernaculars being employed here.

"In the first place, though the Hon'ble Sir Alexander Cardew is at an advantage and may be able to follow some of the vernaculars, I believe it is not all gentlemen that may be seated in that seat, that will be able to follow a discussion in the vernaculars, or able to raise questions of order or give decisions on points of order or relevancy. The first point, therefore, to be decided is whether it is possible to conduct the proceedings in the vernaculars even to a slight extent when there is this difficulty on the part of the President. It is to meet that difficulty that the suggestion is made that if any Honourable Member happens to address the Council in the vernacular, interpreters or translators who are now employed by the Government, or who may be employed hereafter for this special purpose, may be brought here, so that we may have the advantage of accurate translations. Honourable Members are conversant with the legal practice in various places; for example, in certain courts where the vernacular is employed by witnesses or others who address the Court, there are translators requisitioned, so that the Judge who is ignorant of the vernacular gets the translation sentence by sentence placed before him."

"I know that several objections may be raised to such a course being adopted even in regard to judicial proceedings and similar objections may be repeated to the adoption of such a course in this Council. The first objection that may be raised to it is that the proceedings lose much of the spicy character they would otherwise have, and the speeches may be ineffective because sentence after sentence will be interposed with translation. It may be said there is a loss of time and re-duplication, the speeches coming out in English and again in the vernacular. I know that this has weighed with some of my friends so far as to make them think that the sacrifice is too great if really translators or interpreters are called upon to translate sentence after sentence. If the considerations which I shall advance presently are considered to be of sufficient importance and in favour of permitting the vernaculars to be used, then I believe this ineffectiveness which the Honourable Members' speeches might be considered to labour under and this loss of time may be ignored."

"I shall proceed to deal with the other objection, namely, how far the proceedings in the vernaculars will be acceptable to the other members besides the President. With reference to these Members the matter has been put forward, from various standpoints. The matter is one which lends itself to very easy ridicule by persons who are disposed to ridicule the vernaculars. It will be said that the Council will be a Babel of languages and that utter confusion will be the result and progress will be impeded. I hope when Honourable Members realize that the real object of this resolution is to further a high national object, the ridicule will be kept out of this hall and we would face the problem seriously and try to ascertain whether it is possible to do anything in the direction chalked out in this resolution. Analysing this argument about the Babel of languages, the argument comes to this: that if a number of languages are employed in this Council, there may be persons who do not know all the languages and in the case of the vernaculars, a good number may be ignorant of them. When we face the facts, we find that far from there being a Babel of languages, the chief vernaculars are only two or three. There is hardly 10 per cent of the people—I am talking of the people of Madras generally—who will be ignorant of the chief vernaculars of the Presidency, Tamil and Telugu. Kanarese and Malayalam occupy a subordinate part—they are spoken in very few districts—and therefore I believe we may take it that the chief vernaculars are Tamil and Telugu and I may very confidently affirm the position that hardly 10 per cent will be ignorant of these languages. I shall proceed further with this question. Supposing that the number of vernaculars is three or four, is that to be considered such an intolerable situation to have three or four vernaculars talked in this Council? I would appeal to the parallels in other countries, where legislation and proceedings of the Councils are considered to be above reproach. I will take Canada and Switzerland. In Switzerland there are four different languages employed and the proceedings are conducted without confusion. In Canada also, English and French are both freely understood and are employed. There does not seem to be any insuperable objection to more than one language being employed. If as a matter of fact, we find in the north a speaker is permitted to address in Hindi, there is nothing impossible in any language other than English, being allowed to be used here."

"Now coming to the question as to the difficulties of members in following the proceedings, taking the Council at large, there will be 15 per cent or 20 per cent that may be ignorant of any particular vernacular. I may point out that there is a little bit of difficulty at present. I do not claim for the use of the vernaculars any great perfection. I am conscious of the difficulty of the procedure I am advocating. But I am anxious to point out that these difficulties have to be faced and solved; if we are going to be frightened at the appearance of the difficulties, we shall be nowhere near the solution of these difficulties. The best way of solving these problems is by tackling them and beginning to solve them. In point of fact, it is recognized that in the next decade or two the chief vernaculars of this Presidency have some chance of being used here; the chances are that there will be very few who will have to vote who will be ignorant of the vernaculars. If objections are raised that there are a large number of gentlemen now present here who are not well acquainted with the vernaculars, I may plead a preliminary objection. Those gentlemen belonging to the official block—as the Hon'ble Mr. Rajagopala Achariyar was pleased to express it on the last occasion—the official block is here simply to echo the opinion of the Government, to carry out the behests of the Government; they need not understand the debate and they have simply to vote with the Government."

(Mr. Narasimha Ayyar.)

[3RD APRIL 1919.]

Omitting them, I think there will be hardly 5 per cent of other gentlemen who will be ignorant of the vernaculars. They will be conversant with one or the other of the vernaculars. So far as the Government are concerned, I think two members of the Government can follow the proceedings in the vernacular. Therefore the objection that members would not be able to follow the proceedings, would not be an accurate objection.

"Proceeding next to the question as to what the disadvantages would be in proceeding in the vernaculars, I may refer to this: Suppose there is a danger of three or four not following the vernacular, is that sufficient justification in itself for putting a ban upon vernaculars? From that point of view, I would put a hypothetical case which may actually happen next year. At present it is conceded that if any Honourable Member is now constrained by his ignorance of English to adopt some vernacular, he may be permitted to do so. I should not be surprised that directly the Councils are enlarged, persons who are innocent of English but who are highly qualified otherwise to vote and to take their place here would become members of this Council and they would be constrained to adopt the vernaculars. When we make proposals for the employment of languages and filling the Council with interpreters, it is just as well that that state of affairs should be thought of now, as it is quite likely to occur a short time hence. In that case, particular members would no doubt have the disadvantage of not following the discussion, but that would not be considered an insuperable disadvantage. If any Honourable Member elects to speak in the vernacular, he would not be able to get all the non-official Members to follow him and understand him; and he runs to that extent the risk of losing their support. It is permissible to a Member to take that risk, but no ban need be put upon the vernaculars for that reason.

"I have heard others say that English is specially fitted for the expression of our thoughts, because that is the language in which our papers are published and speeches are made on the platforms; and the language of our law reports and books on constitutional law is English and it is just as well that we employ it. I have only one answer to give to that: that it is stating a fact but ignoring a grievance. The grievance is that the national languages are not given a chance of becoming the language of the law books and the law courts and the language best fitted for the expression of all thoughts. I do think that if our national languages are given a chance, they are sure to take the place of English in the manner indicated. The question is whether it is desirable to give them that chance as stated in my resolution. No nation ever developed who were constrained to express themselves through a foreign tongue. I believe it is such a patent proposition that I need not waste any time in arguing it. It is an undoubted fact that Britain would not have advanced if it adopted Norman or French for the language of its law courts and its Parliament. I hardly think it necessary to adduce arguments in support of that position. Seeing that at present English may be taken as the one language understood by all and as the language in which all our thoughts are expressed on matters coming up for discussion, I hope that this Council will be kind enough to give facilities for developing the vernaculars in that direction.

"Then I have heard the objection put forward, which I believe is not very serious, namely that if the vernaculars are employed and the general public asked to follow the discussion, there will be the danger of Honourable Members playing to the gallery. That appears to me to be not worthy of serious consideration for this reason, because it attributes unworthy motives; because playing to the gallery implies a sacrifice of duty for gratifying lesser pleasures, and it is casting a slur upon Honourable Members. We will not be justified in casting such a slur. Everyone here is actuated by a high sense of duty. We need not be influenced by that argument. Another objection advanced is that if you talk in the vernaculars, the people will watch the proceedings and they will put pressure upon you which will compel you to deflect from what is the proper course. At present it must be conceded that far from this Council's proceedings attracting a large amount of attention, things are just the other way; I think it has a grand solemnity about it, a certain amount of awe—I was going to say sepulchral awe. You do not find the same thing as you find here in the Councils in other countries like Switzerland and England. There is a feeling of numbness in this Council; life does not come into play in the discussions. If the other evil were to come into existence, the question is whether it would not be the lesser of the two evils. At present I am anxious to prevent both the evils—the sepulchral awe and numbness and the evil of being driven by popular currents of passion. The golden mean is to give facilities for the public to follow the discussions that take place here. That is the main object with which this resolution is brought forward.

"The object of this resolution and of the following three resolutions is to give greater opportunity to the public to be present and to follow the discussions as they go on. In respect of this matter, I have not heard any one say that it is unnecessary. Every one agrees that if the country is to progress and if politics is less and less to be the game of a few trained hands who are educated, and if the country is to advance in the direction of democracy which is swaying the world, we must give greater facilities to the public to attend and follow our discussions in this Council and partake—not partake except so far as it may operate upon us legitimately. The only objection I have heard is this, that the public may very well depend upon the supply of newspapers. I was astonished that any one who has read any proceedings of this Council in the newspapers advancing that position, because I myself have been rather agreeably (painfully?) surprised to note that when I stated a particular matter in this Council, three different papers gave three different versions and a good number of papers missed what I considered to be the chief point in it. This is what happens in respect of papers missed what. It is perhaps my misfortune that even the official reporter fails to follow me when I go at the

[3RD APRIL 1919.]

(Mr. Narasimha Ayyar; Mr. Rajagopala Achariyar; Mr. Venkatapati Raju.)

speed of a torrent and he sends my speech a fortnight later when I forget what I said. For one reason or other, we have been surprised that the reports to be gathered from the newspapers do not give the correct idea of what went on and certainly we should not depend upon them in matters of great importance. It is not fair for us to say, let the public gather what they can from the newspapers. We must afford facilities to the public. I admit that the entire public would not come and watch the proceedings here, but I mean only such of the public as do care to attend and care to follow and keep in touch with what is going on and express their views both through their representatives who champion their interests as well as others. That is what I mean by the term 'public'. Facilities must be given to the public in that sense to listen to us. Suppose facilities are given to the public. It is admitted that the English-knowing public is a very very small percentage of our population and therefore I believe it does not require any further argument from me to show that the proceedings must be conducted in the vernaculars. If anything takes place in the vernaculars in Madras—in Tamil or Telugu—I think the vast masses of the people will be able to understand it and the public would get an immediate impression of what is going on. Take for instance what took place on the last occasion. I raised the question of food supply and kerosene oil. It is a question in which several people were interested and they actually came in here to see the proceedings; but after a short time they went away because they were not able to follow the proceedings. There are several other matters with which I will deal in connexion with the sixth resolution. If the proceedings are conducted in the vernaculars, we shall enable the public to take an interest in the subject matter of the debate; and that will have very excellent effect upon the non-official representatives and upon the Government. If the Government feel that not merely the theoretical public watch them, but the practical public watch them, and similarly if the non-official members feel that the practical public watch them, that will have a very great effect. I therefore think that the objection that there will be too much of the influence of the public in this hall is an objection which does not deserve so much consideration.

"I have not yet come across any objection which would stand in the way of the employment of the vernaculars. The request I have put forward in this resolution is a very reasonable and humble request. It may be objected that it may cost extra expenditure. In the first place, extra expenditure is unnecessary. We meet a few days in the year, not even thirty days and those already in service may be utilized and made to work here; but if that should seriously interfere with their other work, we may make arrangements for the employment of a special temporary staff. I think the question of cost will not be put forward as a serious objection.

"As to the other matter, namely, that it will be a temptation to a large number of persons to come forward with flights of oratory in the vernaculars, I wish to point out that far from that being an evil, I would welcome the day when that really happens to be the case. I can confidently prophesy that in two decades, flights of vernacular oratory will be the order of the day. Some people may say 'why should we bring it down on our heads?'. They think it is a curse. They say that every one here is not able to wield this language with some degree of facility, without committing mistakes of grammar and idiom. I do feel that there are some persons who might fancy that it is a mistake to invite the vernaculars a bit earlier than they would naturally come in. I only say with all deference to them that I cannot take the same view. The Honourable Member who is going to reply might say 'this is a theoretical discussion at present, because all Honourable Members understand English'. I do not say that any one is unable to express himself in English; the necessity is not the difficulty of addressing in English on the part of any single Honourable Member. The point of view I take is that this Council should not consider only the exposition of ideas of the cross benches here. The Government should understand what the Non-official Members say. But that is not the be-all and end-all of our work here. No doubt that is the main thing, but I think that proceedings must be conducted in such a manner as to enable the public to follow the proceedings intelligently. For these reasons I hope I have made out a clear case for the employment of the vernaculars. I hope Honourable Members will see their way to requisition the presence of interpreters. I do not say that half a dozen Members should start at once with vernacular speeches. I know that they would not. The Hon'ble Mr. Rajagopala Achariyar need not be frightened by the idea that there would be a flood of vernacular oration. Very probably there may be only one or two speakers."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I accept it. I am not at all frightened."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Even the Hon'ble Mr. Rajagopala Achariyar says he is not frightened at the prospect. I hope Honourable Members will find it easy to support this measure."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, though I do not agree with what the Honourable Mover of the resolution has said in its entirety, I do not want this resolution to go unseconded, because, this is evidently the outcome of a decision which most of us deplore. There is no statutory prohibition against a Member expressing himself in whatever language he is able to express himself. When we expect a wider electorate and when we expect a large number of people to come in, we naturally expect one or two who cannot speak the English language so as to make themselves intelligible. In those circumstances there is no law which prevents such gentlemen from speaking in their vernacular whenever they want to speak. There was objection taken, as it was done on the other occasion, that there were no interpreters.

RESOLUTION RE INTERPRETERS AND TRANSLATORS AT
MEETINGS OF COUNCIL.

(Mr. Venkatapati Raju ; Mr. Rajagopala Achariyar ; [3RD APRIL 1919.
Mr. Narasimha Ayyar.]

In order to provide for such a contingency, I think, my Honourable Friend has moved this resolution. If the Government think that they do not want to place a statutory bar against persons standing as candidates who do not know English, they must provide some means by which the Council can understand what a Member speaks because he has got the right when he comes in as Member to speak in his own vernacular. To provide for that contingency this resolution has been moved. I respectfully urge on the attention of the Government that this is not a resolution to be received with amusement, but it has to be very seriously considered, because there may be Members who may not be able to express themselves in English, in which case provision must be made for understanding them."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Your Excellency, the Honourable Mover has asked me in advance to treat his proposal with all the seriousness which it deserves. He has pointed out to the Council that it is intended to serve a very high national purpose. I shall certainly treat his proposal with all the seriousness which is due to any proposal emanating from an Honourable Member of this Council. What is the proposal? The proposal is that 'steps should be taken to requisition the presence at future meetings of this Council of interpreters or translators in the chief vernaculars of this Province and of shorthand reporters in those languages'. That is the proposal. In support of that proposal, the Honourable Member has said a great deal about the advantage of having our discussions conducted in the vernaculars. He said that he recognised the disadvantages but in his opinion the advantages far outweighed the disadvantages, and therefore he says 'let us get ready interpreters, translators and shorthand reporters'. May I point out to the Council that it has not yet been decided to allow speeches in the vernaculars in this Council? That point is still an undecided point. Whatever decision there has been has been a decision adverse to the Honourable Member. At the last meeting of this Council the Hon'ble Mr. Narasimha Ayyar began delivering a speech in Tamil and His Excellency Lord Pentland who then presided over the deliberations of this Council would not allow him to speak in the vernacular, and His Excellency asked the Honourable Member what was the object. The Hon'ble Mr. Narasimha Ayyar said 'I am trying to set a precedent, the only language that should be talked is the local vernacular.' It was not then a question of vernaculars being allowed to be used, it was a question that the only language to be used was the vernacular."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"I intended that only for myself."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Quite so. Then His Excellency said :

'It is very unpleasant that this issue should be raised. It lies with me as President to conduct the proceedings in accordance with the ordinary practice of the Council. I have got full power to conduct the proceedings in this way. I would advise the Honourable Gentleman to proceed in English and to defer what he proposes to do, and proceed as I have suggested by bringing up a resolution on the subject'

"Thus His Excellency said : 'bring forward a resolution which the Council may deal with on its merits'. If the Honourable Member thought that it would be to the public advantage that, instead of talking one language which all of us now understand, namely English, we should talk four or five languages and communicate with one another through the help of interpreters and translators, he is quite welcome to think so. If he brings forward a resolution to that effect, let us discuss it on the merits, and if it is the sense of the Council that we should go in that direction, the interpreters and translators would come. There is no doubt about it. I do not know what exactly was at the back of the Honourable Member's mind when he put his resolution in this form. He was explicitly told that the Council would have no objection to deal with this question as a separate issue, namely, the policy of adopting the vernaculars as the media for the communication of one another's ideas. He could have brought forward such a resolution which we could have dealt with on its merits. If it had been decided then by the Council, that we should permit Honourable Members to speak in the vernaculars, that would be embodied in the rules in deference to the wishes of the Council, and then this would be a subsidiary thing, whereas my first objection to the Honourable Member's proposal is that these interpreters and translators whom he wants us to keep ready really will have nothing to do for the reason that it has not yet been decided to adopt the vernaculars as the media for the expression of our ideas in this Council. That is my first point and that disposes of a great deal of what the Honourable Member has said."

"All the Honourable Member's speech has been devoted to a plea for the adoption of the vernaculars. He told us how in Switzerland there are three languages talked in the Council and how in Canada two languages are spoken in the Council, and he said 'let us here have a number of languages'. Let us be talking two, three or four or five languages by all means. I have absolutely no objection. What I say is : decide that first ; let the Council deal with it on its merits, let them with their eyes open decide it. If they decide it that way, it will be open to them to say, now that we have decided to talk in several languages, as we are members of the Tamil country, or of the Telugu country, or of the Malayalam country or the Kanarese country, how are we to communicate with the Government? We shall have these interpreters and translators, so that, when the Hon'ble Mr. Venkatapati Raju delivers a speech in Telugu, the moment he sits down the interpreter will translate it into Tamil and the Hon'ble Mr. Narasimha Ayyar will reply in Tamil ; and then it will be translated into Telugu for the benefit of

RESOLUTION RE INTERPRETERS AND TRANSLATORS AT
MEETINGS OF COUNCIL.

3RD APRIL 1919.]

(Mr. Rajagopala Achariyar ; Mr. Ranga Achariyar.)

the Hon'ble Mr. Venkatapathi Raju ; by the time he finishes it, the Hon'ble Mr. Sadasiva Bhat would say 'let me hear it in Kanarese' and there will be a translation in Kanarese. I am not objecting to the use of the vernaculars one after the other or simultaneously, but make up your minds to do so before you go to the next step, namely, getting interpreters and translators. Assuming in deference to the Honourable Member that there are translators and interpreters here, and the Honourable Member begins to speak in Tamil, he will be confronted with the same difficulty as on the last occasion ; he will be told by Your Excellency that he will not be permitted to talk in Tamil ; and Your Excellency will be bound to rule him out. Your Excellency will say 'you have been told on a previous occasion to bring forward a resolution and you have not done that ; the ruling given by my predecessor holds good.' I very much fear that the Hon'ble Mr. Narasimha Ayyar has proceeded on a completely wrong track. If his idea was to make this a real live question, if he really thought that it is so important and it is a national purpose which is needed at once, that instead of talking one language which we all understand, we should talk half a dozen languages which only some of us could understand, and that we should have interpreters and translators for helping us through, I think he should have put that issue straight before the Council and should not have adopted this expedient."

"I refuse to be drawn into the other question, because it does not arise in the resolution on the paper, whether it would be good for the country that we should all talk in the vernaculars. The Honourable Member has said a great many things with regard to which I personally agree. He has said for instance that the vernacular would be understood by everybody and will make this place very lively. I am quite prepared to believe that it will make the place lively. Let us by all means make it lively ; but let us do so with our eyes open. He has said that we are in a sepulchral mood, we sit here quite unhappy. Be it said in justice to my Honourable Friend that he at any rate has tried his best to make things lively. That is a testimony which I would gladly bear to him, and I am sure I will be supported by a great many non-official members. But we have nothing to do with all that. He tells us that twenty years hence there will be vernacular orators who will do quite as well as we do in English. Several of us may not live to see what will take place twenty years hence. I hope my Honourable Friend would live to see a large number of vernacular orators. Let them come in first and then we can make the necessary arrangements. Then he tells us 'what about the new Council, there may be several people who do not know English, we cannot keep them out.' When they come in, by all means let the Government and the Council take up this question of dealing with them. Either let us say we will not have them or if we will have them, let us make arrangements by which they can communicate with others. Why should we decide this point in advance. At any rate, it is not contended that any of us here now does not know English. I think all of us do. I have been looking into the membership of the Legislative Council since 1865 and I find throughout the long list we never had a single member who did not know English, or at any rate a single member who admitted that he did not know. That being so, may we not assume that every member will, in future, also have a knowledge of English? May we not with all deference to the Hon'ble Mr. Narasimha Ayyar succeed for the next century in securing only English-knowing men? I cannot help thinking that the whole of this discussion is thoroughly unreal. I am pretty certain that if my Honourable Friend had raised the straight issue as he ought to have done in response to the invitation extended to him from the Chair—I have very little doubt what the result would have been. But as he has not raised that issue, but has delivered a long speech in support of an issue which he has not raised, he has left me no alternative but to say, by all means settle whether you should have the discussion in the vernaculars and after that, the question of the interpreters, translators and shorthand reporters will be considered. I therefore oppose the resolution."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"Your Excellency, there is more in this resolution than appears on the surface. There are one or two aspects of the question which I wish to place before this Council for serious consideration. While refusing to be drawn into a discussion of the straight issue as the Honourable Member for Government called it, he rather indicated his view that he would be opposed to such a resolution—to that straight issue."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"No, I said that it would be a most interesting discussion. I did not say that I was going to oppose it. I said you will have to raise it first."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"I will not anticipate what his attitude will be on such an occasion. But, Your Excellency, the rules as they stand at present assume a knowledge of the English language in the members, enough to speak in correct English before an enlightened audience like this. That is assumed to be the necessary qualification for every candidate who is coming forward. I am afraid that assumption prevents a large number of eligible people, real representatives of the masses coming forward and contesting seats in the elections. I believe the reproach which is often cast against the present Council that one section of the community or even one profession predominates or dominates the elections throughout the country will disappear, if we afford facilities for people not knowing the English language sufficient to be able to speak it well, and induce them to come forward. I think we will then have a real representation of the people. I do not say that we have not got it now, but some people say that real representation of the people's interests is not had in this Council. We say we represent them, but our statements are discounted on that ground. When we say that such and such things are required for the people of the land, we are at

(Mr. Ranga Achariyar ; Mr. Siva Rao ;
Mr. Rajaopala Achariyar.)

[3RD APRIL 1919.]

once told 'you are only town dwellers, you only belong to a certain section of the people; you belong to the vakil Raj and therefore you cannot represent the real masses of the people.' I really do think that it acts as a handicap in the matter of elections. We are on the eve of elections and I think it is very necessary that we should approach this question more seriously than at present. I think there are very many people who can give excellent expression to their thoughts and their grievances whatever they may be in the vernacular, and I think it will be a great advantage to the Government and to this Council if really we have such people freely competing for seats in this Council. I should gladly welcome the day when such people will come forward. Then the Government will know what the people in the country feel as regards the vital questions that come before this Council. There are very few such people now. Although we may widen the electorate and lower the franchise, still unless we give facilities for people not knowing English to come forward, I am afraid this Council will be a failure. That aspect I wish to impress upon this Council and I think its importance cannot be overstated. I therefore think that if this resolution were accepted to-day, it would go forth as an assurance from the Government that they do not insist upon a knowledge of English as an essential qualification for candidates coming forward and contesting seats. Although the elections have been announced, you will notice that very few people have come forward to contest the seats. It is not a healthy sign. Vakils here and vakils there announce themselves as candidates. Where are the people? Why are they not coming forward? They feel quite shy; they are afraid that they would not be able to give expression to their views in the Council in English. Once it is known that they can give expression to their ideas in their own tongue, I do think many people will come forward. That is an advantage which must be borne in mind. I do hope that the Government will consider that aspect of the question. I do not think that because we have been going on from 1865 onwards with English as the vehicle of communication, we should persist in going on only in that tongue. I do not think English will be spoken in the whole Presidency or the whole country. You should not shut out people who do not know English from taking part in those benefits which are more largely to be conferred by the proposed reforms. If the reforms are really to take shape and are really to benefit the people, I think we should welcome people who are not acquainted with the English language to enter this chamber and express their ideas. I earnestly press upon the attention of Government that aspect of this resolution. They should not think that this present practice should be continued for all time.

"There are difficulties, I do recognize,—the difficulties of having so many vernaculars spoken; but the advantages far outnumber the disadvantages. It will be a happy day when we can introduce these vernaculars because we will get real representation. I quite agree with the Honourable Member for Government that the issue might have been raised more directly; but I think the resolution proceeds on the assumption that there is nothing in the rules to prevent an Honourable Member from speaking in the vernacular. The Honourable Member for the Government said that there should be a special issue raised for the decision of this Council. I bow to the ruling of the Chair, but I question whether it is within the competency of the Council to give a decision on this point. The business rules have to be amended if any prohibition is to be put upon members from speaking in the vernaculars. If a member is to be prevented from speaking in the vernacular, there must be a rule preventing him from doing so. So long as there is no rule preventing it, I do not think it is within the competency of this Council to say 'we shall not hear you.' The Honourable Member has proceeded on the assumption that it is open to this Council to refuse to hear any Honourable Member if the member speaks in the vernacular. Members of the Council may laugh at him or jeer him and put him down like that; but they cannot say he shall not be heard simply because he speaks in the vernacular. It is open to any Honourable Member to speak in the vernacular and the Honourable Member has proceeded on that assumption. The question should not be brushed aside in this way. I ask the earnest attention of the Government to the aspect of the question that I have put forward."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, this resolution is a very simple one. I see no reason why we should confound ourselves with the broad question as to what shall be the language of the Council. If the Hon'ble Mr. Narasimha Ayyar is seeking to introduce the vernaculars into this Legislative Council by virtue of this resolution, I am not prepared to follow him for the present, but if the Honourable Member in charge is seeking to lay down that if a particular member does not know English, he shall be deprived of his voice in this Council."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (interrupting):—"I never said that."

The Hon'ble Mr. P. SIVA RAO:—"The ruling of His Excellency the President was quoted just to show that because a member talked in the vernacular, he was ruled out. The only question is one of convenience. It may be that a particular member may be highly cultured but he may not know English; he may know other languages. There is no literary qualification prescribed in the rules and regulations. The rules do not say that the candidate should be literate in English. If we want to prescribe English as a qualification for candidates, the rules must be amended and we must lay down that literacy in English is a qualification for being a candidate. The only question is which will be most convenient to the Council and whether there is any need for translators and vernacular shorthand reporters being introduced. We

[3RD APRIL 1919.] (Mr. Siva Rao ; Mr. M. Ramachandra Rao ; Mr. Subbarayalu
Reddiyar ; Mr. Ramaswami Ayyar.)

need not decide now whether English or the vernaculars should be language of the Council. I lay stress upon this consideration that there is absolutely nothing in the rules or regulations to prevent any member from addressing the Council in the vernacular and probably if he happens to know that language, the President will do very well to allow him the privilege of addressing his colleagues in that language."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I think the debate on this resolution has assumed a much wider character than is justified by the terms of the resolution or by the remarks made by the Honourable Mover and seconder. If I understand the Hon'ble Mr. Narasimha Ayyar aright, it seems to me altogether unnecessary under the guise of this resolution to discuss the very large question of national ideals, or national language in the legislature. At present, for the last nine years I have been in this Council, every member of this Council has talked in English and has been fairly understood, and if any member came into this Council and said that he had not sufficient knowledge of English or that he would be much more at home in the vernacular, I am perfectly certain that Honourable Members of this Council would not have refused to hear him or to find adequate facilities for his speech being understood by other Honourable Members. But the Hon'ble Mr. Narasimha Ayyar having been speaking in English for the last six years in this Council, suddenly wished to change the language of the Council and that was the situation which the President of this Council met by refusing to give him permission. That, Your Excellency, is the situation which has led up to this resolution. I for one suggested that no ruling should be given on that occasion. Your Excellency, I have not on this occasion looked up the regulations of the other Provinces, but my recollection is that in the rules of the Imperial Legislative Council provision has been made for a member who is not acquainted with English, being put even on the Select Committees and for translation for his understanding what is going on in the Select Committee. I am entirely at one with my Hon'ble Friend Mr. Ranga Achariyar that the rules as they stand now will not preclude anybody from talking any language he likes. If he does not care for the consideration that he should be understood by the majority of the members of this Council, it is quite open to any member to speak in any language. I believe that the object of every Honourable Member is to be heard not only by the non-official members but also by the official members who have to decide the fate of most resolutions. Your Excellency, I am reminded on more than one occasion I was asked to address the assessors in the vernacular. I knew very well that the Judge who had to decide the case was insufficiently acquainted with it and as I knew that there was no further argument except the address to the assessors, I expressed to the Judge that I was more anxious about his understanding the case than the assessors understanding it. In the circumstances, it seems to me there is no need for translators or interpreters. I am certain that if in this Council such a procedure is adopted, I for one am inclined to think that it will lead to a misunderstanding of the speeches rather than a clearer understanding of them. I am certain that the Hon'ble Mr. Rajaopala Achariyar and the Hon'ble Mr. Davidson will have to reply and I suppose the replies of all the official members will have to be translated, and if a gentleman brings forward a resolution and talks in the vernacular, he will have to be told what the reply is. Every member's speech would have to be translated and the position would be somewhat intolerable. In these circumstances, though I appreciate the object of my Honourable Friend in forcing this question for solution, I am not at present inclined to regard this thing as a matter for immediate solution. I am certain, Your Excellency, that it is more than likely that some members may get into the enlarged Councils who may not know English. I am certain that in those circumstances provision will have to be made for their speeches being translated, but it is only for those who cannot express themselves in English."

"I think that this proposition does not raise the general question. I am in great sympathy with the general question that anyone who does not understand English should have the liberty of speaking in the vernacular. When that question does arise, I am sure that all the members, official and non-official, European as well as Indian, would not place any obstacles in the way of changing the rules for the purpose. I do not see any object in pressing this matter further. I was first inclined to think that the Honourable Member wanted to give compulsory training to the members of the Indian Civil Service who had passed Tamil, Telugu or Malayalam—in all the languages of the Presidency. I am certain that even if he did want to do that, their colloquial knowledge of the languages of the country would not be equal to understanding the non-official members. Therefore I would ask my friend, now that he has given expression to his views, not to press this resolution before the Council, which is not of immediate practical necessity. I will be at one with him and most of the non-official members will be at one with him in securing an alteration of the rules when the time comes for such an alteration."

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR:—"Your Excellency, as the Council is at present constituted, or has been constituted for years together, there is no need I see, for the requisition of interpreters or translators."

The Hon'ble Mr. C. P. RAMASWAMI AYYAR:—"Your Excellency, I am one of those who believe that under the rules there is no warrant for stating that any Honourable Member is not at liberty to speak in any language he desires to employ. But at the same time I would appeal to the Honourable Member who moved this resolution to withdraw it. My reasons are the following: I hold strongly the view that the proceedings of this Council have two purposes,

1030 RESOLUTIONS RE LEGISLATION TO ORGANIZE ADMINISTRATIVE VILLAGE PANCHAYATS; TRAVELLING ALLOWANCE TO VILLAGE OFFICERS AND THE SALEM-SURAMANGALAM RAILWAY LINE.

(Mr. Rajagopala Achariyar; Mr. M. Ramachandra Rao; [3RD APRIL 1919.
Mr. Krishna Rao; the President; Mr. Siva Rao;
Mr. Narasimha Ayyar.)

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR (interrupting):—"The whole thing will be published and you had better wait."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I hope the Board will come into line with Your Excellency's Government."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency—"

His Excellency the PRESIDENT:—"The Honourable Member has heard what the Hon'ble Mr. Rajagopala Achariyar said, namely, that the Government would accept the resolution. In these circumstances there is hardly any advantage in debating the resolution further unless there is some special point."

The Hon'ble Mr. A. S. KRISHNA RAO:—"That is what I wish to do. Your Excellency is aware that there has been considerable divergence of opinion as to the feasibility or desirability of having different functional panchayats in villages or having single panchayats invested with various functions. We are all glad that the Government have now come to the conclusion that instead of placing these panchayats on a voluntary basis, they should be invested with legislative powers. We cannot ignore the fact, in the light of the remarks made by the Hon'ble Mr. Ramachandra Rao, that we have forest panchayats and judicial panchayats on the one hand and various informal panchayats which are now tried to be enlarged into panchayats with legislative powers. It is true that it will serve a useful purpose to appoint a special officer. But may I not point out that it would be far more desirable if in giving instructions to the special officer in framing this Bill some of the cardinal principles are settled definitely instead of their being discussed later on? The circumstances of each village are different. It is not possible for several villages to have different panchayats for different purposes. There is a considerable volume of opinion on the other side. Before the special officer is given general directions to frame the Bill and before the Bill is published, may I not suggest the desirability of having informal discussion and of settling the cardinal principles to be adopted in framing the Bill? It will be to the interest of the Government that they should have an idea as to the sort of objections likely to be raised against the Bill. We have got the experience of other provinces which have self-government Bills on the anvil, by which we might profit. I suggest that an informal conference should be called of people interested in the subject to consider the main lines on which the legislation should proceed."

The Hon'ble Mr. P. SIVA RAO:—"I thank the Government for having kindly accepted this resolution. There are difficult matters to be settled. When the Bill is framed it may be referred to a conference of leading people just as the Local Board Bill and the District Municipalities Bill were referred to a committee. There are irrigation panchayats, forest panchayats and judicial panchayats. It is very necessary to consider whether they might not be amalgamated. That seems to be the trend of opinion of the Government of India."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I may give a word of caution. Among the objects which I read out, I referred to irrigation and kudimaramat. The Bill will be a quite elastic thing which will lend itself to the conditions of different villages. It will be open under the Bill to have one panchayat for a number of things and also to have particular panchayats for particular things. In regard to judicial panchayats, we are already dealing with the bill on the subject. I do not think it would be right to interfere with it. It is unlikely that the Government would allow us to go back on what has been settled about judicial panchayats. Nor will they interfere with the panchayats under the Local Boards Act. The Bill will be elastic and under the rules we can have panchayats for any purpose. Until you have something definite a general discussion will not be very fruitful. This officer whom we have put is one of our good men. When he drafts the Bill, this discussion will be before him, and he will also know what has been done in other provinces. When the Bill is framed, it will be placed before a very strong committee and opportunity will be given to the non-official Members and others to have their say. So that there need be no apprehension that the Government will produce something cut and dried without careful and adequate consideration."

The resolution was put to the Council and agreed to.

RESOLUTION RE TRAVELLING ALLOWANCE TO VILLAGE OFFICERS.

The next resolution which stood in the name of the Hon'ble Mr. P. Siva Rao was as follows:—

"IX. This Council recommends to His Excellency the Governor in Council that travelling allowance may be paid to village officers when they are required to leave their villages on public duty."

The Hon'ble Mr. P. SIVA RAO:—"I do not propose to move it."

The resolution was not moved.

RESOLUTION RE THE SALEM-SURAMANGALAM RAILWAY LINE.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, this is a resolution which I wish to place before the Council for its acceptance. I find one of the later resolutions dealing

RESOLUTION RE THE SALEM-SURAMANGALAM RAILWAY LINE. 1031

3RD APRIL 1919.] (Mr. Narasimha Ayyar; Mr. Davidson.)

with the larger question of which this may become a part. If I were not to move it now but treated it as a part of the larger resolution, I may not be able to deal with the question properly and therefore I crave leave of Honourable Members for a few minutes to explain why I have singled out this line for consideration. The resolution runs thus:—

'X. This Council recommends to His Excellency in Council that steps should be taken—

(a) to run more trains between Salem and Suramangalam, and

(b) to extend the Salem-Suramangalam line towards Atur, at least as far as Valappadi, at a very early date.'

"I may inform Honourable Members that at present there is a small district board line of four miles running from the Suramangalam station to Salem town—one is called the Salem junction and the other is called Salem town. This line is now worked—it is rather nominally worked I should say. We have an engine which is occasionally spared for a few hours or minutes and that engine runs up at night and returns at night and again early in the morning it runs up and returns to the Salem junction. The disadvantage of running only these two trains between these two stations is very great. There is no connexion for those who wish to proceed to the main line towards Madras. Throughout the live-long day you may wait at the station without seeing any train. There is therefore considerable inconvenience to the travelling public, and if without great difficulty one more engine can be found, it will be possible to run more trains for people travelling between Salem and Suramangalam. That is the standpoint of the public.

"There is the standpoint of the District Board. The District Board which has been responsible for the starting of this line has not had the profit which it expected from this line. One of the reasons why it does not share the large profits which railways obtained during the course of the war in other places is it is not only a small line but it is not worked sufficiently. It is not the passenger traffic that pays, but it is the goods traffic that pays. Yet at the same time the passenger traffic may be attended to sufficiently to yield the best results from the point of view of income.

"Another reason why the line does not pay is that like Balaam's ass it leaves you suddenly in the middle in Salem station. The road from Salem to Atur is a well-frequented road and a long series of carts ply every night; hundreds of them pass every night and goods are carried over the road. The District Board hopes that by taking up that line large profits would accrue to it and it would at the same time be conferring a benefit on the public. In these circumstances it is regrettable that the District Board hardly gets a profit on this line. The proposal therefore in clause (b) is that the Salem-Suramangalam line should be extended at least to Valappadi which is exactly half way to Atur. Mention is made of Valappadi for this reason; the Salem District Board has put by some money like a prudent board and it has got still a few lakhs at its disposal and if it is helped to raise some more money by way of debentures or in some other way recommended by the Government, it may be able to push up the line some way up and take it to Valappadi. Eventually it has to be taken to Atur. I do not know how far it would be possible to take it to Atur. But it is the feeling of the people of Salem district that more trains should be running between Salem and Suramangalam and that that line should be extended to Atur at a very early date. I do not propose to go into the larger question which the Hon'ble Mr. Krishna Rao and the Hon'ble Mr. Rama Ayyangar will place before the Council later on. This is a very modest recommendation and I hope the Government will take up the suggestion and see what they can do in this matter."

The Hon'ble Mr. A. S. Krishna Rao seconded the resolution.

The Hon'ble Mr. L. DAVIDSON:—"Your Excellency, there is a very simple answer to clause (a) of this resolution. I made a reference to the Agent of the South Indian Railway inviting his remarks on it, and his reply shows that so far back as the 8th March he had written to the President of the District Board of Salem proposing an alternative revised train service between Salem and Suramangalam. At present, so far as I can make out from the time table, there is only one train in one direction and two trains in the other. The revised train service which the Agent has put before the President of the District Board proposes four trains each way and the timings are such that they will maintain connexion with all the arriving and departing up and down trains on the main line. I suppose the Honourable Member does not wish me to give him details. That letter was sent to the President of the District Board with the inquiry whether the revised timings met with the approval of the board and up to the 25th March no reply had been received from the district board. I have no doubt it will meet all local wishes. So much for clause (a).

"In regard to clause (b), the Agent again says it is up to the District Board to take the next step. In this case it is not the matter of three weeks' delay; it is a case of something like three years' delay but for very excellent reasons. Perhaps the best way of settling the matter before the Council is to give a little account of the past history of this extension to Atur. So far as I could follow the Honourable Mover, he hardly seemed to grasp himself, or at least to place before the Council, the lengthy earlier history of the project. This is not a new project. It has advanced a considerable stage and like many other projects it has been hung up by war conditions. I need not go back to the very beginning; I do not know how many years back it goes. I propose to read with your permission a brief summary of the later history. The Railway Board were addressed on the 15th September 1915 for sanction to the project, and on

BUDGET OF THE

XXIII. & 30. Stationery and Printing.

19-20

* Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Stationery receipts	10	11	21	12	20	12
Sales of gazettes and other publi- cations	59	59	63	59	63	61
Other press receipts	55	53	84	54	72	69
Total ..	1.24	1.23	1.68	1.25	1.55	1.42

220-226

* Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Stationery office at the Presidency ..	65	61	61	69	68	65
Stationery purchased in the country ..	07	04	04	05	04	05
Government Presses	5.76	5.39	4.75	5.33	4.43	4.94
Printing at Private Presses	44	34	34	38	30	40
Stationery supplied from Central Stores	7.93	6.54	8.68	8.18	8.70	8.70
Refunds	..	..	01	..	01	..
Additional provision for enhanced war allowances	..	..	..	..	..	10
Total ..	14.85	12.92	14.43	14.63	14.16	14.84

* Purely Imperial minor heads which are not under the financial control of this Government are not shown here.

19-20

Revenue.

111. *Other Press Receipts.*—The actuals for 1917-1918 and the revised estimate for 1913-1919 include special credits.

220-226

Expenditure.

112. *Government Presses.*—The decrease in the revised estimate for 1918-1919, as compared with the budget estimate for the current year, is due to—

(1) the gradual abolition of Collectorate presses and the transfer of the work done by them to the Government Press, Madras;

(2) the lapse of the provision of 19 under "Secretariat Presses" on account of the transfer of work referred to above, owing to economies in establishments in other directions; and

(3) a saving of 44 under piece-work—day-extra establishment.

The budget estimate for 1919-1920 provides for an increase under piece-work—day-extra establishment.

GOVERNMENT OF MADRAS FOR 1919-1920

1207 Reference to page
in the Civil Budget
Estimate.

XXV. & 32. Miscellaneous.

Revenue. *

20-21

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Percentage on capital cost of fur- niture supplied to high officers ..	01	01	01	01	01	01
Unclaimed deposits	2.40	1.65	80	2.00	1.40	1.59
Treasure trove	09	01	05	01	05	01
Sale of old stores and materials ..	03	02	05	02	04	03
Fees for Government audits	35	31	31	32	33	36
Contributions	32	1.05	32	27	28	17
Miscellaneous fees, fines and forfeitures	22	24	36	37	31	37
Miscellaneous	13	13	12	12	14	10
Sale of lands, houses, etc.	03	..	..	..	..	..
Extraordinary items	01	..	..	..	..	..
Total ..	3.59	3.43	2.02	3.12	2.56	2.64

* Purely Imperial minor heads which are not under the financial control of the Government of Madras are not shown here.

Expenditure. †

225-9

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Rewards for proficiency in oriental languages, etc.	03	07	04	05	03	05
Annual stipends to holders of literary titles	02	01	01	01	01	01
Subscriptions to periodicals	37	42	34	42	38	38
Cost of books and publications ..	12	05	01	05	02	03
Donations for charitable purposes ..	79	1.01	1.26	1.13	1.16	1.38
Charges on account of European vagrants	01	01	01	01	01	01
Rewards for destruction of wild animals	22	18	18	20	18	18
Petty establishments	21	21	21	22	24	27
Special commissions of inquiry ..	18	17	07	..	..	..
Irrecoverable temporary loans written off	03	02	02	03	01	03
Rents, rates and taxes	06	07	06	08	07	07
Contributions	2.61	1.98	3.24	2.33	2.61	2.37
Miscellaneous and unforeseen charges	05	05	03	9.25	03	11.11
Miscellaneous refunds	01	03	03	01	04	03
Charges for the treatment of pa- tients at the Pasteur Institute at Coonoor	02	01	02	02	02	03
War boards	..	..	..	..	44	..
Additional provision for enhanced war allowances	..	..	..	..	..	05
Total ..	4.73	4.29	5.53	13.81	5.25	16.00

† Purely Imperial minor heads which are not under the financial control of the Government of Madras are not shown here.

BUDGET OF THE

Revenue.

113. The receipts recorded under the first minor head *Percentage on capital cost of furniture supplied to high officers* represent a 5 per cent charge recovered as rent from the Resident and the Assistant Resident in Travancore and Cochin on the capital value of furniture supplied at the cost of Government. The other minor heads are for the most part self-explanatory.

Expenditure.

114. The minor heads under this major head are for the most part self-explanatory.

115. *Donations for charitable purposes.*—The actuals for 1916-1917 include a special grant of .22 paid to the Lawrence Memorial School, Ootacamund, out of a non-recurring assignment from Imperial revenues sanctioned by the Government of India for the purpose. Similar non-recurring assignments of .25 for each of the years 1917-1918 and 1918-1919 and a recurring assignment of .50 from 1919-1920 onwards have also been sanctioned towards the opening of a training college for the members of the domiciled community and the corresponding charges appear under this head.

116. *Special Commissions of Inquiry.*—The figures entered in the accounts for 1916-1917 and 1917-1918 under this minor head relate to the commission appointed to inquire into the conditions under which Indian labour is employed in Ceylon and the Federated Malay States.

117. *Contributions.*—The chief items of expenditure under this minor head are (i) contributions to municipalities which are given for general purposes, as for instance, to cover deficits and (ii) contributions to local funds. The grants in aid of municipalities for general purposes amounted to .13 in 1915-1916, .19 in 1916-1917 and .30 in 1917-1918. In the budget estimate for 1918-1919 a provision of .50 was entered for this purpose on the recommendation of the Finance Committee and it is expected that it will be utilized. A similar provision of .50 has been entered in the budget estimate for 1919-1920.

Under contributions to local funds the chief items are the usual annual grants to the District Boards of the Nilgiris and Koraput. The grant to the Nilgiri District Board, which now stands at 1.08, is made in consideration of the small income which it derives from general sources. The grant to Koraput, which now stands at .24, is given because the revenue of that district board falls short of the expenditure on the services to be maintained by it. A contribution of .49 is also paid to other district boards as compensation for the resumption by Government of certain fishery rentals formerly credited to those local bodies, the chief item being .36 per annum given to the district boards of South Arcot, Trichinopoly and Tanjore. The high actuals under contributions to local funds in 1917-1918 are due to the non-recurring grant of 1.25 to district boards for aid to informal panchayats, while the revised estimate for 1918-1919 includes a temporary grant of .23 to the district boards of Trichinopoly and South Arcot to meet the contribution payable by them towards the construction of a roadway across the Vellar.

118. *Miscellaneous and unforeseen charges.*—Collectors of districts have been empowered, with reference to the recommendations of the Decentralization Commission, to make discretionary grants for general purposes of a public nature calculated to be of benefit to their districts up to Rs. 200 per annum for recurring charges and Rs. 1,000 for non-recurring charges in each individual case. The total grant to be distributed among the Collectors of the several districts has been fixed at 1.25 per annum. The expenditure so incurred is budgeted for under this head in the first instance and the actual charges incurred are subsequently adjusted to the appropriate heads of account. A provision of 1.25 has accordingly been entered for this purpose in the budget estimate for 1919-1920. The budget estimate for 1918-1919 included a reserve provision of 9.01 for unforeseen expenditure. The amount has been reappropriated to other heads. The budget estimate for 1919-1920 includes a similar provision of 9.82.

GOVERNMENT OF MADRAS FOR 1919-1920

119. *War boards.*—The charges on account of the local Publicity Board and Labour and Employment Bureau established in connexion with the war are shown under this minor head.

33. Famine Relief.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
EXPENDITURE	..	(a) .07	.008	..	.75	2.00
Provincial share	..	..	(b) .002	(b) ..	(b) .19	(b) .50
(a) Wholly Imperial. (b) One-fourth.						

XXIX. & 42. Irrigation—Major Works.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Direct receipts	2.94	3.12	3.19	3.20	3.26	3.22
Provincial share (one-half) ..	1.47	1.56	1.60	1.60	1.63	1.61
Portion of Land Revenue due to Irrigation	106.97	102.08	108.33	103.66	106.47	107.22
Provincial share (one-half) ..	53.48	51.04	54.16	51.83	53.23	53.61

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Working expenses	22.36	19.69	22.13	23.00	19.90	17.24
Provincial share (one-half) ..	11.18	9.85	11.07	11.50	9.95	8.62
Interest on Debt (Provincial share only, viz., one-half)	15.07	14.48	15.41	14.79	15.56	15.69

Interest on Debt is not open to discussion.

120. For purposes of classification in the accounts, irrigation works are divided into (a) Productive works, (b) Protective works, and (c) Minor works and navigation.

121. *Productive works* are works of a remunerative character undertaken for the improvement of the country, the capital expenditure on which is usually met from borrowed money; the interest and the cost of maintenance and working are provided out of current revenues, the income being credited thereto. Capital outlay on such irrigation works is recorded under the major head 49. IRRIGATION WORKS—a wholly Imperial head. The revenue is credited under XXIX. IRRIGATION—MAJOR WORKS and the interest and working expenses are debited to the head 42. IRRIGATION—MAJOR WORKS.

BUDGET OF THE

122. *Protective works* are those which are calculated to diminish future expenditure on famine relief. The cost of the construction of protective irrigation projects is paid out of the annual grants under famine relief and insurance, and is chargeable to the major head 35. CONSTRUCTION OF PROTECTIVE IRRIGATION WORKS—a wholly Imperial head. The receipts and the interest and working expenses are, as in the case of productive works, classed under the heads XXIX. & 42. IRRIGATION—MAJOR WORKS.

123. The head *Minor Works and Navigation* includes all classes of irrigation works other than the above, and is subdivided into

- (a) works for which capital and revenue accounts are kept;
- (b) works for which neither capital nor revenue accounts are kept; and
- (c) agricultural works, consisting of the conservancy of rivers or training of river-beds, and the maintenance of their embankments.

Revenue.

124. The receipts from Major Irrigation works are classified into *Direct Receipts* and *Indirect Receipts*.

125. The *Direct Receipts* are realized in the Public Works Department and are derived from the following sources: (a) sale-proceeds of water supplied for purposes other than irrigation or town consumption, (b) sale-proceeds of water supplied to towns, (c) sale-proceeds of produce from canal plantations, (d) sale-proceeds of wood and grass from canal banks other than regular plantations, (e) charges for water supplied to mills, etc., (f) receipts from navigation and (g) rent of buildings, etc.

The revised estimate for 1918-1919 is based on the latest actuals available, and the budget estimate for 1919-1920 mainly follows the revised estimate.

126. The *Indirect Receipts* consist of land revenue due to, or dependent on, major productive and protective works for which capital and revenue accounts are maintained.

The increase in the revised estimate for 1918-1919, as compared with the budget for that year, occurs mainly under the Godāvari, the Kistna and the Cauvery delta systems.

Expenditure.

127. *Working expenses*.—The working expenses of each system are classified under the four sub-heads—(a) Extensions and improvements, (b) Maintenance and repairs, (c) Establishment charges, and (d) Tools and plant.

The expenditure under 'Extensions and improvements' relates mainly to minor works costing less than Rs. 1,000, such as the construction of dams across channels and excavation of small distributaries, while the sub-head 'Maintenance and repairs' relates to head works, main canals and branches, distributaries and drainage, and includes works of the nature of repairing and strengthening canal banks, clearing silt in canals, repairing locks, lock weirs and masonry works.

128. The fall in the expenditure for 1916-1917 occurs chiefly under the Godāvari and Kistna delta systems. The decrease under the Godāvari delta system was due to abnormal rains in the early part of the year, and the lapse under the Kistna delta system was caused mainly by savings effected on canal maintenance and repair estimates.

The decrease in the revised estimate for 1918-1919 as compared with the budget for that year is due chiefly to a change introduced by the Government of India with effect from the current year in the system of distributing the charges for Public Works establishment among the several Public Works major heads.

The budget for 1919-1920 is based on ascertained demands.

129. *Interest on Debt*.—Interest on the irrigation debt is calculated at the average rate of interest paid during the year on the total public debt of the Government of India, and the capital outlay upon which interest is calculated in 1919-1920 is that incurred up to the end of 1918-1919 plus half the estimated outlay in 1919-1920.

GOVERNMENT OF MADRAS FOR 1919-1920

The rate of interest which is the average rate paid on the total public debt of the Government of India has risen from 3.29 to 3.47 per cent.

XXX. & 43. Minor Works and Navigation.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Civil officers	·24	·26	·25	·23	·22	·25
Public Works officers	2·35	2·53	2·92	2·50	2·75	2·90
Total	2·59	2·79	3·17	2·73	2·97	3·15

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1916-1916.	1916-1917.	1917-1918.			
Civil officers	5·94	6·18	7·69	8·75	7·28	8·69
Public Works officers—						
Minor Works, Revenue Department	·37	·51	·52	·47	·53	·52
Works in charge of Civil officers acting as Public Works disbursers	·39	·38	·24	·50	·66	·65
Works in charge of the Public Works Department	31·47	28·64	32·19	32·53	36·31	35·13
	32·23	29·53	32·95	33·50	37·50	36·30
Total	38·17	35·71	40·64	42·25	44·78	44·99

Revenue.

130. *Civil officers*.—The receipts, which consist chiefly of fines under section 6 of the Madras Compulsory Labour Act, 1858, are fluctuating in character.

131. *Public Works officers*.—The revenue comprises receipts from sale of water, canal produce, navigation, and rent of buildings, and is derived mainly from the Madras water-supply and irrigation system and the Buckingham Canal, and from ordinary and agricultural works.

The revised estimate is based on the latest actuals available and the budget for 1919-1920 follows the revised estimate in the main.

Expenditure.

132. *Civil officers*.—The expenditure represents the cost of minor irrigation works, chiefly repairs to tanks, costing not more than Rs. 2,500 each, which are executed under the supervision of the Revenue Department. Voluntary contributions towards repairs received from private persons and bodies are taken in abatement of the charges. The outlay depends to a large extent on the character of the season, since it is impossible to carry out repairs when heavy rains cause the tanks to be full for longer periods than usual.

The revised estimate for 1918-1919 is based on the latest actuals. The budget for 1919-1920 is 1.41 more than the current year's revised estimate and provides fully for the demands made by Collectors.

BUDGET OF THE

122. *Protective works* are those which are calculated to diminish future expenditure on famine relief. The cost of the construction of protective irrigation projects is paid out of the annual grants under famine relief and insurance, and is chargeable to the major head 35. CONSTRUCTION OF PROTECTIVE IRRIGATION WORKS—a wholly Imperial head. The receipts and the interest and working expenses are, as in the case of productive works, classed under the heads XXIX. & 42. IRRIGATION—MAJOR WORKS.

123. The head *Minor Works and Navigation* includes all classes of irrigation works other than the above, and is subdivided into

- (a) works for which capital and revenue accounts are kept;
- (b) works for which neither capital nor revenue accounts are kept; and
- (c) agricultural works, consisting of the conservancy of rivers or training of river-beds, and the maintenance of their embankments.

Revenue.

124. The receipts from Major Irrigation works are classified into *Direct Receipts* and *Indirect Receipts*.

125. The *Direct Receipts* are realized in the Public Works Department and are derived from the following sources: (a) sale-proceeds of water supplied for purposes other than irrigation or town consumption, (b) sale-proceeds of water supplied to towns, (c) sale-proceeds of produce from canal plantations, (d) sale-proceeds of wood and grass from canal banks other than regular plantations, (e) charges for water supplied to mills, etc., (f) receipts from navigation and (g) rent of buildings, etc.

The revised estimate for 1918-1919 is based on the latest actuals available, and the budget estimate for 1919-1920 mainly follows the revised estimate.

126. The *Indirect Receipts* consist of land revenue due to, or dependent on, major productive and protective works for which capital and revenue accounts are maintained.

The increase in the revised estimate for 1918-1919, as compared with the budget for that year, occurs mainly under the Gōdāvari, the Kistna and the Cauvery delta systems.

Expenditure.

127. *Working expenses*.—The working expenses of each system are classified under the four sub-heads—(a) Extensions and improvements, (b) Maintenance and repairs, (c) Establishment charges, and (d) Tools and plant.

The expenditure under 'Extensions and improvements' relates mainly to minor works costing less than Rs. 1,000, such as the construction of dams across channels and excavation of small distributaries, while the sub-head 'Maintenance and repairs' relates to head works, main canals and branches, distributaries and drainage, and includes works of the nature of repairing and strengthening canal banks, clearing silt in canals, repairing locks, lock weirs and masonry works.

128. The fall in the expenditure for 1916-1917 occurs chiefly under the Gōdāvari and Kistna delta systems. The decrease under the Gōdāvari delta system was due to abnormal rains in the early part of the year, and the lapse under the Kistna delta system was caused mainly by savings effected on canal maintenance and repair estimates.

The decrease in the revised estimate for 1918-1919 as compared with the budget for that year is due chiefly to a change introduced by the Government of India with effect from the current year in the system of distributing the charges for Public Works establishment among the several Public Works major heads.

The budget for 1919-1920 is based on ascertained demands.

129. *Interest on Debt*.—Interest on the irrigation debt is calculated at the average rate of interest paid during the year on the total public debt of the Government of India, and the capital outlay upon which interest is calculated in 1919-1920 is that incurred up to the end of 1918-1919 plus half the estimated outlay in 1919-1920.

GOVERNMENT OF MADRAS FOR 1919-1920

The rate of interest which is the average rate paid on the total public debt of the Government of India has risen from 3.29 to 3.47 per cent.

XXX. & 43. Minor Works and Navigation.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Civil officers	24	26	25	23	22	25
Public Works officers	2.35	2.53	2.92	2.50	2.75	2.90
Total	2.59	2.79	3.17	2.73	2.97	3.15

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Civil officers	5.94	6.18	7.69	8.75	7.28	8.69
Public Works officers—						
Minor Works, Revenue Department	37	51	52	47	53	52
Works in charge of Civil officers acting as Public Works disbursers	39	38	24	50	66	65
Works in charge of the Public Works Department	31.47	28.64	32.19	32.53	36.31	35.13
	32.23	29.53	32.95	33.50	37.50	36.30
Total	38.17	35.71	40.64	42.25	44.78	44.99

Revenue.

130. *Civil officers*.—The receipts, which consist chiefly of fines under section 6 of the Madras Compulsory Labour Act, 1858, are fluctuating in character.

131. *Public Works officers*.—The revenue comprises receipts from sale of water, canal produce, navigation, and rent of buildings, and is derived mainly from the Madras water-supply and irrigation system and the Buckingham Canal, and from ordinary and agricultural works.

The revised estimate is based on the latest actuals available and the budget for 1919-1920 follows the revised estimate in the main.

Expenditure.

132. *Civil officers*.—The expenditure represents the cost of minor irrigation works, chiefly repairs to tanks, costing not more than Rs. 2,500 each, which are executed under the supervision of the Revenue Department. Voluntary contributions towards repairs received from private persons and bodies are taken in abatement of the charges. The outlay depends to a large extent on the character of the season, since it is impossible to carry out repairs when heavy rains cause the tanks to be full for longer periods than usual.

The revised estimate for 1918-1919 is based on the latest actuals. The budget for 1919-1920 is 1.41 more than the current year's revised estimate and provides fully for the demands made by Collectors.

BUDGET OF THE

133. *Public Works officers.*—Expenditure on minor irrigation works other than those mentioned under *Civil officers* is shown under this head under the following subdivisions:—

(a) 'Minor Works, Revenue Department' relating to works of the Revenue Department, the execution of which requires technical skill and which are entrusted to the Public Works Department;

(b) 'Works in charge of Civil officers acting as Public Works disbursers' under which is recorded the expenditure on works costing more than Rs. 2,500 each executed by the officers of the Revenue Department; and

(c) 'Works in charge of the Public Works Department.'

134. The decrease in the actuals for 1916-1917 is due to the fact that progress on a number of works was retarded by untimely rains and the presence of water in tanks and channels.

The increase in the revised estimate for 1918-1919 and in the budget for 1919-1920, as compared with the budget for the current year, is due mainly to a change introduced by the Government of India with effect from the current year in the system of distributing the charges for Public Works establishment among the Public Works major heads of account. The revised estimate for 1918-1919 covers also additional expenditure on account of repairs to certain flood banks.

For Tank Restoration scheme works the budget for 1919-1920 provides a sum of 7.10 (including establishment charges) against a grant of 5.50 in the current year's budget. The only important work in the course of construction is the Panjapatti reservoir project for which a grant of .18 has been provided for next year. The probable outlay on this work up to the end of 1918-1919 is 3.18 against an estimate of 3.36.

XXXI. & 45. Civil Works.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Civil officers	1.70	1.11	.42	.10	.84	.10
Public Works officers	4.32	4.03	4.41	4.29	4.33	4.25
Total	6.02	5.14	4.83	4.39	5.17	4.35

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Civil officers	23.42	20.07	28.83	27.05	48.19	36.34
Public Works officers—						
(i) Works in charge of Civil officers acting as Public Works disbursers	1.60	.78	1.15	1.65	1.55	2.05
(ii) Works in charge of the Public Works Department.	61.98	58.91	50.73	57.70	49.58	66.10
(iii) Additional provision for enhanced war allowances.	..	..	..	..	.12	.72
	63.58	59.69	51.88	59.35	51.25	68.87
Total	87.00	79.76	80.71	86.40	99.44	105.21

GOVERNMENT OF MADRAS FOR 1919-1920

Revenue.

135. *Civil officers.*—The receipts represent the sale-proceeds of grass and fruit in Government cemeteries, and tolls levied under the Indian Tolls Act, 1851, in the Agency tracts of Ganjam.

The actuals from 1915-1916 to 1917-1918 and the revised estimate for 1918-1919 include special credits mostly on account of refunds by local bodies of unspent balances of Provincial contributions. The budget for 1919-1920 follows the revised estimate for the current year after excluding the special items provided for in the latter.

136. *Public Works officers.*—The receipts are derived mainly from rents of buildings in charge of the Public Works Department, sale-proceeds of buildings and materials, tolls on roads, the net profits in the Public Works Workshops, and fines levied from contractors for failure in the execution of works.

The revised estimate for 1918-1919 is based on the latest actuals available, and the budget for 1919-1920 mainly follows the revised estimate.

Expenditure.

137. *Civil officers.*—The expenditure under this minor head relates chiefly to (i) grants to local bodies in aid of roads and bridges and other miscellaneous public improvements, and (ii) public works in the Agency tracts of Ganjam, Vizagapatam and Gōdāvari costing not more than Rs. 2,500 each, and executed by officers other than those of the Public Works Department.

138. The following are the principal items of expenditure during the three years 1917-1918 to 1919-1920:—

Number.	Particulars.	Accounts, 1917-1918.	Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
(a)	Grants to district boards to supplement their resources, of which a sum of 14 lakhs has been specially provided by the Government of India.	17.12	17.13	17.28	17.28
(b)	Grants to poorer district boards for communications	5.00	5.00	5.00	5.00
(c)	Grants to district boards for improvement of important roads	..	..	20.00	6.00
(d)	Special grants to local bodies for roads and bridges	5.63	3.57	4.47	6.20
	Total	27.76	25.70	46.75	34.48

Item (a).—In order to enable district boards to frame their budgets on a permanent basis, it was decided to stereotype this grant on the basis of the grants made to them in 1917-1918 and to give additional subsidies, as funds permitted, to the poorer district boards. The increase in the revised estimate for 1918-1919 and the budget for 1919-1920 is due to the raising of the grant to the Malabar District Board by .15. The details are furnished in Annexure I.

Item (b).—A special grant of 5.00 for the improvement of communications was distributed, both in 1917-1918 and 1918-1919, among the district boards of Anantapur (1.00), Bellary (.80), Kurnool (.80), Cuddapah (.80), Chittoor (.40), Salem (.40), Nellore (.40) and Chingleput (.40).

In accordance with the recommendation of the Finance Committee of January 1919, a similar grant of 5.00 has been entered in the budget for 1919-1920 for distribution among the district boards of Anantapur (.80), Bellary (.90), Chingleput (.40), Chittoor (.40), Cuddapah (.80), Kurnool (.90), Nellore (.40) and Salem (.40).

Item (c).—With a view to special repairs to certain trunk roads in the Presidency which have been burdened with increased traffic as a result of the restrictions

BUDGET OF THE

281

133. *Public Works officers*.—Expenditure on minor irrigation works other than those mentioned under *Civil officers* is shown under this head under the following subdivisions:—

(a) 'Minor Works, Revenue Department' relating to works of the Revenue Department, the execution of which requires technical skill and which are entrusted to the Public Works Department;

(b) 'Works in charge of Civil officers acting as Public Works disbursers' under which is recorded the expenditure on works costing more than Rs. 2,500 each executed by the officers of the Revenue Department; and

(c) 'Works in charge of the Public Works Department.'

134. The decrease in the actuals for 1916-1917 is due to the fact that progress on a number of works was retarded by untimely rains and the presence of water in tanks and channels.

The increase in the revised estimate for 1918-1919 and in the budget for 1919-1920, as compared with the budget for the current year, is due mainly to a change introduced by the Government of India with effect from the current year in the system of distributing the charges for Public Works establishment among the Public Works major heads of account. The revised estimate for 1918-1919 covers also additional expenditure on account of repairs to certain flood banks.

For Tank Restoration scheme works the budget for 1919-1920 provides a sum of 7.10 (including establishment charges) against a grant of 5.50 in the current year's budget. The only important work in the course of construction is the Panjapatti reservoir project for which a grant of .18 has been provided for next year. The probable outlay on this work up to the end of 1918-1919 is 3.18 against an estimate of 3.36.

XXXI. & 45. Civil Works.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Civil officers	1.70	1.11	.42	.10	.84	.10
Public Works officers	4.32	4.03	4.41	4.29	4.33	4.25
Total	6.02	5.14	4.83	4.39	5.17	4.35

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Civil officers	23.42	20.07	28.83	27.05	48.19	36.34
Public Works officers—						
(i) Works in charge of Civil officers acting as Public Works disbursers	1.60	.78	1.15	1.65	1.55	2.05
(ii) Works in charge of the Public Works Department.	61.98	58.91	50.73	57.70	49.58	66.10
(iii) Additional provision for enhanced war allowances.	..	..	..	..	.12	.72
	63.58	59.69	51.88	59.35	51.25	68.87
Total	87.00	79.76	80.71	86.40	99.44	105.21

32

331-338

GOVERNMENT OF MADRAS FOR 1919-1920

22

Revenue.

135. *Civil officers*.—The receipts represent the sale-proceeds of grass and fruit in Government cemeteries, and tolls levied under the Indian Tolls Act, 1851, in the Agency tracts of Ganjam.

The actuals from 1915-1916 to 1917-1918 and the revised estimate for 1918-1919 include special credits mostly on account of refunds by local bodies of unspent balances of Provincial contributions. The budget for 1919-1920 follows the revised estimate for the current year after excluding the special items provided for in the latter.

136. *Public Works officers*.—The receipts are derived mainly from rents of buildings in charge of the Public Works Department, sale-proceeds of buildings and materials, tolls on roads, the net profits in the Public Works Workshops, and fines levied from contractors for failure in the execution of works.

The revised estimate for 1918-1919 is based on the latest actuals available, and the budget for 1919-1920 mainly follows the revised estimate.

Expenditure.

137. *Civil officers*.—The expenditure under this minor head relates chiefly to (i) grants to local bodies in aid of roads and bridges and other miscellaneous public improvements, and (ii) public works in the Agency tracts of Ganjam, Vizagapatam and Godavari costing not more than Rs. 2,500 each, and executed by officers other than those of the Public Works Department.

138. The following are the principal items of expenditure during the three years 1917-1918 to 1919-1920:—

Number.	Particulars.	Accounts, 1917-1918.	Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
(a)	Grants to district boards to supplement their resources, of which a sum of 14 lakhs has been specially provided by the Government of India.	17.18	17.13	17.28	17.28
(b)	Grants to poorer district boards for communications	5.00	5.00	5.00	5.00
(c)	Grants to district boards for improvement of important roads	..	..	20.00	6.00
(d)	Special grants to local bodies for roads and bridges	5.63	3.57	4.47	6.20
	Total	27.76	25.70	46.75	34.48

Item (a).—In order to enable district boards to frame their budgets on a permanent basis, it was decided to stereotype this grant on the basis of the grants made to them in 1917-1918 and to give additional subsidies, as funds permitted, to the poorer district boards. The increase in the revised estimate for 1918-1919 and the budget for 1919-1920 is due to the raising of the grant to the Malabar District Board by .15. The details are furnished in Annexure I.

Item (b).—A special grant of 5.00 for the improvement of communications was distributed, both in 1917-1918 and 1918-1919, among the district boards of Anantapur (1.00), Bellary (.80), Kurnool (.80), Cuddapah (.80), Chittoor (.40), Salem (.40), Nellore (.40) and Chingleput (.40).

In accordance with the recommendation of the Finance Committee of January 1919, a similar grant of 5.00 has been entered in the budget for 1919-1920 for distribution among the district boards of Anantapur (.80), Bellary (.90), Chingleput (.40), Chittoor (.40), Cuddapah (.80), Kurnool (.90), Nellore (.40) and Salem (.40).

Item (c).—With a view to special repairs to certain trunk roads in the Presidency which have been burdened with increased traffic as a result of the restrictions

231-233

232

232-233

233

233

on railway traffic and also to the construction of bridges and causeways on some of the more important roads, a special grant of 20.00 for this purpose, as detailed in Annexure II, has been made in the revised estimate for 1918-1919 while the budget for 1919-1920 contains a provision of 6.00.

139. *Item (d).*—The budget estimate for 1919-1920 contains the following allotments which have been entered in accordance with the recommendation of the Finance Committee of January 1919:—

(i) Grants to local bodies for bridges and causeways	3.00
(ii) Grants to the district boards of Vizagapatam (.47), Koraput (.79) and Gōdāvari (.72)	1.98

The Finance Committee also recommended an allotment of .40 for outlay on works in the Agency tracts. Of this amount a sum of .10 for works in the Ganjam and Vizagapatam Agencies costing not more than Rs. 2,500 appears under this minor head, while the balance, viz., .30 for works in the Vizagapatam Agency costing more than Rs. 2,500 appears under the next minor head "Works in charge of Civil officers acting as Public Works disbursers."

140. *Public Works officers.*—This minor head comprises two sub-heads—

- (i) Works in charge of Civil officers acting as Public Works disbursers ;
and
(ii) Works in charge of the Public Works Department.

141. *Works in charge of Civil officers acting as Public Works disbursers.*—Under this sub-head is recorded the expenditure on works costing more than Rs. 2,500 each carried out by officers of the Civil department acting in the capacity of Public Works disbursers. Works costing not more than Rs. 2,500 each which are executed by officers of the Civil department are debited as contingent charges of the department concerned. In the case, however, of the Salt, Excise and Forest departments all works executed by Civil officers, irrespective of their cost, are adjusted not to the Public Works Department head but to the contingencies of the department concerned.

The main items under this sub-head relate to works in the Jail department executed by Superintendents of Jails as Public Works disbursers and to works in the Agency tracts.

142. *Works in charge of the Public Works Department.*—The decrease in the revised estimate for 1918-1919, as compared with the budget for that year, occurs mainly under 'Original works—Civil Buildings', 'Tools and Plant' and 'Stock and Suspense'. The budget for 1919-1920 provides for an increased expenditure of 16.52 over the current year's revised estimate due chiefly to the inclusion of provision for a larger number of urgent works. There is also an increase under 'Establishment' owing mainly to anticipated shorter recoveries on this account from other Public Works major heads.

The scheme for redistribution of district, subdivisional and other charges which was drawn up by Sir William Meyer involved a total outlay of about 42.00 on new buildings, towards which the Government of India sanctioned assignments aggregating 25.00 from Imperial revenues. The total expenditure up to the end of 1917-1918 amounted to 22.91, and the probable outlay in 1918-1919 is about .21 and in 1919-1920 about .10.

143. The following is a list of important works (a) which were completed in 1917-1918, (b) which are in progress in the current year, and (c) which are to be commenced in 1919-1920:—

(a) Works completed in 1917-1918.

	Actual cost.
(1) Police huts and quarters at Palamcottah and Sindupundurai	1.89
(2) Agricultural College and Research Institute at Coimbatore	9.94
(3) Salem hospital buildings	1.73

(b) Works in progress in 1918-1919.

Number.	Name of work.	Total estimated cost.	Actuals to end of 1917-1918.	Probable outlay, 1918-1919.	Provision in the budget for 1919-1920.
1	Quarters for 1 inspector and 3 sergeants and huts for 17 head constables and 125 constables of the Armed Reserve Police, Vellore	1.00	.58	.36	.05
2	Police Recruits' school, Anantapur	2.46	2.29	.14	..
3	The remaining blocks of hostel accommodation for the Rayapuram Medical School pupils	3.00	..	.15	.50
4	New Rayapuram hospital and subsidiary buildings	7.03	4.94	1.25	.84
5	New Engineering College buildings at Guindy	15.55	7.77	2.50	1.60
6	New court-house for the District Judge, Trichinopoly	1.99	.81	.83	.34
7	Quarters for 4 sub-inspectors and huts for 16 head constables and 84 constables of the C1 and C2 police stations, Madras	1.49	.50	.37	.50
8	Kalinghia Ghat road	1.86	1.41	.37	.06
9	Technical Institute buildings at Madura	2.55	2.00	.25	.29
10	New Chemistry block for the Presidency College, Madras	3.41	..	.30	1.50
11	New medical school at Coimbatore	2.16	..	.10	.50
12	Regulator with a road way across the Vellar	2.69	.94	.16	.24
13	Huts for 18 head constables and 97 constables of the B1 and B2 police stations, Madras	3.19	2.22	.55	.24
14	New Civil Hospital, Vizagapatam	4.98	.62	1.50	1.50
15	New buildings for the Medical School at Tanjore	2.47	..	.30	1.00

(c) Works to be commenced in 1919-1920.

Name of work.	Total estimated cost.	Provision in the budget for 1919-1920.
1. Improvements to the Collector's office at Saidapet	1.20	.30
2. Construction of a building for the high school department of the Government Secondary and Training school for mistresses	2.65	.50
3. Constructing buildings for the Engineering school at Vizagapatam	1.50	.70
4. Improvements to the General Hospital	1.00	.50
5. New General Hospital at Cocanada	1.63	.30
6. Construction of hostel blocks for Sub-Assistant Surgeon pupils at Royapetta	1.30	.40
7. Extensions and improvements to the Rayapuram New Hospital	..	1.00
8. Construction of a Photo-Zincographic office for the Survey office, Madras	2.10	1.00
9. Additions to the Coimbatore Agricultural College	3.00	1.00

BUDGET OF THE

Transfers between Imperial and Provincial Revenues.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Net assignment to Provincial revenues ..	+ 22.65	+ 16.53	+ 16.75	+ 21.11	+ 20.33	+ 20.17

144 All adjustments between Imperial and Provincial funds are recorded on the revenue side of the accounts under the above head.

145. The details of the adjustments for the current and coming years are shown in the following statement:—

	Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
IMPERIAL TO PROVINCIAL.			
(1) Assignment on account of the sugarcane breeding station for five years from 26th October 1917	44	44	44
(2) Contribution towards the cost of the appointment of a Scientific Officer to assist the planting industries in Southern India by the Administration of Coorg	02	02	02
(3) Assignment for recurring charges in connexion with the constitution of additional district and other charges given in addition to the sum of 7.10 per annum which has merged in the Provincial Settlement	75	75	75
(4) Assignment to meet the expenditure thrown on Provincial funds by the abolition of the Proprietary Estates Village Service funds ..	12.17	11.52	12.02
(5) Assignment on account of stipends to Mahamahopadhyaya and Shams-ul-ulama title-holders	02	02	02
(6) Assignment for improvement of sanitary services	35	35	35
(7) Assignment for expenditure on urban sanitation given from 1913-1914	6.00	6.00	6.00
(8) Assignment for expenditure on education (made up of 8.25 given out of the coronation grant in 1912-1913 and increases of 6.80 sanctioned in 1913-1914 and 1.25 sanctioned in 1914-1915)	16.30	16.30	16.30
(9) Assignment for development of the Madras University (given from 1912-1913)	65	65	65
(10) Assignment for improvement of education in Aided English Secondary schools (given from 1912-1913)	80	80	80
(11) Assignment for the extension of education among the poorer classes of the Domiciled Community in the City of Madras (given from 1912-1913)	30	30	30
(12) Assignment for the improvement of Muhammadan education (given from 1914-1915) ..	30	30	30
(13) Assignment for grant to the Lawrence Memorial School, Ootacamund	15	15	15
(14) Assignment towards the expenditure in connexion with the audit of the Hyderabad and Secunderabad local funds	03	03	03

GOVERNMENT OF MADRAS FOR 1919-1920

	Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
IMPERIAL TO PROVINCIAL—cont.			
(15) Assignment on account of the transfer of Nugur, Albaka and Cherla taluks from the Central Provinces to the Madras Presidency.	24	24	24
(16) Assignment for meeting the transfer from Imperial to Provincial funds of the cost of maintenance of Government cemeteries not attached to Government churches	09	09	09
(17) Assignment for remission of certain recoveries from local bodies	1.71	1.71	1.71
(18) Assignment on account of the provincialization with effect from 1914-1915 of the salaries of officers of the Indian Civil Veterinary Department	29	29	29
(19) Assignment on account of the compensation for interest charged to Provincial funds for five Minor Irrigation works transferred to the class of Major Irrigation works ..	50	50	50
(20) Assignment for improvement of pay and training of teachers	4.00	4.00	4.00
(21) Assignment for primary education	5.50	5.50	5.50
(22) Assignment towards a Training College at Ootacamund for male teachers of the domiciled community	25	25	50
(23) Assignment in consequence of the crediting of receipts from mica-mining in the Nellore district under I. LAND REVENUE (Provincial share = one-half) instead of under IX. FOREST (wholly Provincial)	..	12	12
(24) Assignment for technical education (construction of a building for Madras Trades' school)	..	75	..
(25) Assignment for agricultural education	..	3.50	..
(26) Assignment for improving the health conditions of pilgrim centres	..	1.50	..
(27) Assignment towards the cost of Provincial Director of Civil Supplies	..	50	79
(27) (a) Assignment for Anti-malarial works	..	50	..
(27) (b) For loss in the Provincial share of income-tax revenue necessitated by changes in taxation (from 1919-20)	..	..	6.05
Total	50.86	57.08	57.92
PROVINCIAL TO IMPERIAL.			
(28) Fixed assignment under the Provincial Settlement	18.09	18.09	18.09
(29) Assignment on account of the reduction from 18 to 8 of the percentage charged against Provincial revenues on the value of imported stationery stores	29	29	29
(30) Assignment on account of the imperialization of the Public Works Department Account staff	94	94	94
(31) Compensation payment on account of the Provincial share of the extra Excise and Income-tax revenues accruing from additional taxation imposed by the Government of India	10.43	17.43	18.43
Total, Provincial to Imperial	29.75	36.75	37.75
Net addition to Provincial	21.11	20.33	20.17

BUDGET OF THE

Item 27 (b).—An assignment of 6.05 in favour of Provincial revenues has been entered in the budget estimate for 1919-1920 to compensate them for their share of the loss of income-tax revenue as the result of the raising of the assessable limit of income from Rs. 1,000 to Rs. 2,000 per annum and the imposition of an excess Profits duty—vide paragraph 21 ante.

Item (31).—The Government of India imposed additional taxation with effect from 1916-1917 solely to meet Imperial needs, and the heads under which the proceeds of the additional taxation accrue are III. SALT, VII. CUSTOMS, V. EXCISE and VIII. INCOME-TAX. The heads SALT and CUSTOMS are purely Imperial, while the heads EXCISE and INCOME-TAX are shared equally between Imperial and Provincial. To enable Imperial resources to receive the full increment due to the new taxation, it is necessary to pay from Provincial revenues a recurring compensatory assignment equivalent to the estimated amount accruing as the Provincial share of the new taxation. The Provincial share of the additional taxation was provisionally fixed at 43; being made up of 13 under V. EXCISE and 6.25 under VIII. INCOME-TAX. The original forecast of 6.25 under Income-tax will be exceeded by 11.00 in 1918-1919 and by 12.00 in 1919-1920.

The remaining items are self-explanatory.

Provincial Advance and Loan Account.

146. Four statements are annexed showing the transactions under Provincial loans and advances. As explained in paragraphs 33 and 34 ante, the interest on loans advanced by this Government is credited to XII. INTEREST, while the payment by this Government to the Government of India of the interest on the mean between the outstanding balance at the beginning and at the end of each year is debited to 13. INTEREST. The rate of interest charged to the local Government was raised from $3\frac{1}{2}$ to $4\frac{1}{2}$ per cent per annum in respect of loans sanctioned from the 1st October 1916, and to $5\frac{1}{2}$ per cent per annum in respect of loans sanctioned from the 1st April 1917. Statement I annexed exhibits the transactions relating to loans sanctioned prior to the 1st October 1916, statement II those relating to loans sanctioned subsequent to that date but before 1st April 1917, statement III those relating to loans sanctioned on or after the 1st April 1917 and statement IV exhibits in one view, the total transactions under each class of loans.

147. Class I. Loans include advances to cultivators made under the Land Improvement Loans Act and the Agriculturists' Loans Act and advances to co-operative credit societies. The advances to cultivators in the current year are estimated at 8.69 as against the budget estimate of 8.50. The budget estimate for 1919-1920 has been fixed at 8.50.

148. Class IV. Loans. These represent loans to district boards and municipalities in connexion with drainage and water-supply schemes, the construction of markets and other public works, and plague preventive measures.

The allotment for 1919-1920 is intended for works which are actually in progress, or which will be taken up for execution at an early date, and represents the minimum necessary to meet actual requirements.

149. Class V. Loans. A provision of Rs. 1,100 in the current year and Rs. 2,500 in the coming year has been entered under "Miscellaneous advances" for the purpose of granting advances to divers for the purchase of canoes and to Chenchus for the purchase of bulls and agricultural implements.

PROVINCIAL ADVANCES AND LOANS.
I.—LOANS SANCTIONED PRIOR TO 1ST OCTOBER 1916.

	Accounts.										Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1911-1912.	1912-1913.	1913-1914.	1914-1915.	1915-1916.	1916-1917.	1917-1918.	1918-1919.	1919-1920.	1920-1921.			
Class I (a)—Loans to Cultivators.	48.30	48.33	49.88	50.03	52.25	52.84	49.10	40.58	42.06	34.80			
Advances ..	7.38	8.20	7.37	8.58	7.70	3.81	.05						
Recoveries ..	7.35	6.65	7.22	6.36	7.11	7.55	7.09	7.40	7.26	6.83			
Balance ..	48.33	49.88	50.03	52.25	52.84	49.10	42.06	33.18	34.80	27.97			
Balance ..	.41	.37	.31	.25	.21	.16	.11	.06	.07	.022			
Class I (b)—Loans to Co-operative Credit Societies.													
Advances ..													
Recoveries ..													
Balance ..													
Class III—Loans to Landholders and Notabilities.													
Advances ..													
Recoveries ..													
Balance ..													
Class IV (a)—Loans to Municipalities.													
Advances ..	24.79	25.56	25.63	28.17	27.45	27.04	26.41	24.34	22.38	20.55			
Recoveries ..	2.27	1.69	4.09	.92	1.35	1.81	2.07	1.82	1.95	1.84			
Balance ..	1.50	1.62	1.55	1.64	1.76	1.81	2.41	2.52	2.39	1.87			
Class IV (b)—Loans to District Boards.													
Advances ..													
Recoveries ..													
Balance ..													
Class V—Miscellaneous Loans.													
Advances ..													
Recoveries ..													
Balance ..													
Total, Classes I to V.	73.59	74.34	75.89	78.51	80.91	80.91	78.08	67.16	68.79	59.42			
Advances ..	9.65	9.89	11.46	10.45	9.99	5.63	.05	.38	.93	8.91			
Recoveries ..	8.90	8.34	8.84	8.05	8.94	9.51	9.34	57.78	59.42	50.51			
Balance ..	74.34	75.89	78.51	80.91	81.96	78.08	68.79	11.08	11.08	10.16			
Loans to Local Boards for Railway Construction — Kistna District Board.													
Advances ..													
Recoveries ..													
Balance ..													
Grand Total ..	90.23	91.06	92.93	94.54	97.84	99.72	90.04	67.94	69.58	59.71			
Advances ..	9.65	9.89	11.46	10.45	9.99	5.63	.05	.38	.93	8.91			
Recoveries ..	8.90	8.34	8.84	8.05	8.94	9.51	9.34	57.78	59.42	50.51			
Balance ..	74.34	75.89	78.51	80.91	81.96	78.08	68.79	11.08	11.08	10.16			

PROVINCIAL ADVANCES AND LOANS—cont.

IV.—CONSOLIDATED STATEMENT SHOWING THE TRANSACTIONS UNDER EACH CLASS OF LOANS.

		Accounts, 1917-1918.	Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
		LAKHS.	LAKHS.	LAKHS.	LAKHS.
Class I (a)—Loans to cultivators ..	Balance ..	52.45	52.40	53.65	54.32
	Advances ..	8.63	8.50	8.69	8.50
	Recoveries ..	7.43	7.86	8.02	8.14
	Balance ..	53.65	53.04	54.32	54.68
Class I (b)—Loans to Co-operative Credit Societies.	Balance ..	.11	.06	.07	.022
	Advances ..	..	..	..	..
	Recoveries ..	.04	.05	.05	.020
	Balance ..	.07	.01	.02	.002
Class III—Loans to Landholders and Notabilities.	Balance ..	1.502	1.53	1.532	1.526
	Advances ..	.05	..	.001	..
	Recoveries ..	.02	.01	.007	.287
	Balance ..	1.532	1.52	1.526	1.24
Class IV (a)—Loans to Mufassal Municipalities.	Balance ..	27.40	28.34	27.53	30.25
	Advances ..	2.26	4.27	4.85	6.00
	Recoveries ..	2.13	1.93	2.13	2.05
	Balance ..	27.53	30.68	30.25	34.20
Class IV (b)—Loans to District Boards.	Balance ..	1.12	2.81	2.45	3.04
	Advances ..	1.67	.98	.75	..
	Recoveries ..	.34	.22	.16	.19
	Balance ..	2.45	3.57	3.04	2.85
Class V—Miscellaneous Loans ..	Balance ..	.029	.012	.014	.018
	Advances ..	.002	.005	.01	.025
	Recoveries ..	.018	.007	.006	.006
	Balance ..	.014	.01	.018	.037
Loans to Local Boards for Railway construction—Kistna District Board.	Balance ..	11.96	11.08	11.08	10.16
	Advances ..	..	..	..	..
	Recoveries ..	.88	.92	.92	.96
	Balance ..	11.08	10.16	10.16	9.20
Grand total	Balance ..	94.57	96.23	96.33	99.34
	Advances ..	12.62	13.76	14.301	14.53
	Recoveries ..	10.86	11.00	11.29	11.66
	Balance ..	96.33	98.99	99.34	102.21

31st March 1919.

N. E. MARJORIBANKS,
Acting Chief Secretary.

ANNEXURE I (vide paragraph 138 ante).

Distribution of the grant of 17.28 lakhs in 1919-1920 to district boards in aid of their resources.

[G.Os. No. 1856 L., dated 8th December 1917, and No. 918 L., dated 11th July 1918.]

Name of district board.	Amount of grant. RS.	Name of district board.	Amount of grant. RS.
Anantapur	26,219	Kurnool	41,689
Arcot, North	61,416	Madura	55,239
Arcot, South	72,098	Malabar	1,73,639
Bellary	35,100	Nellore	62,642
Chingleput	50,275	Nilgiris, The	4,004
Chittoor	46,767	Ramnad	74,487
Coimbatore	55,953	Salem	45,471
Cuddapah	37,780	Tanjore	1,21,437
Ganjam	89,268	Tinnevely	57,110
Godavari	1,01,419	Trichinopoly	57,480
Guntur	1,09,357	Vizagapatam	72,046
Kanara, South	1,14,306		
Kistna	1,52,828	Total	17,28,332
Koraput	10,302		

ANNEXURE II (vide paragraph 138 ante).

Distribution of the grant of 20 lakhs in 1918-1919 to local boards for the improvement of the condition of important roads on which the traffic has increased in recent years as a consequence of the restrictions on railway traffic.

Name of district board.	Amount of grant sanctioned. RS.	Name of district board.	Amount of grant sanctioned. RS.
1. Anantapur	40,000	15. Madura	1,00,000
2. Arcot, North	92,300	16. Malabar	80,000
3. Arcot, South	1,00,000	17. Nellore	1,00,000
4. Bellary	1,00,000	18. Nilgiris, The	41,450
5. Chingleput	1,16,000	19. Ramnad	76,200
6. Chittoor	65,000	20. Salem	90,600
7. Coimbatore	99,850	21. Tanjore	75,000
8. Cuddapah	54,000	22. Tinnevely	99,400
9. Ganjam	79,800	23. Trichinopoly	85,200
10. Godavari	81,000	24. Vizagapatam	1,00,900
11. Guntur	81,000		
12. Kanara, South	92,300	Total	20,00,000
13. Kistna	1,00,000		
14. Kurnool	50,000		

31st March 1919.

N. E. MARJORIBANKS,
Acting Chief Secretary.

1032 RESOLUTIONS RE THE SALEM-SUBAMANGALAM RAILWAY LINE AND
CONSTITUTION OF TEXT-BOOK COMMITTEES.

(Mr. Davidson; Mr. Narasimha Ayyar; Mr. Krishna Rao.) [3RD APRIL 1919.
the 30th November following they were furnished at their request with details of the method by which the District Board proposed to finance the line. In the following April (1916) the Agent furnished copies of the revised detailed project report and estimate and requested that the necessary sanction might be obtained and communicated to him. After scrutiny by the Government Inspector and in the Public Works Secretariat the President of the District Board was requested to report whether his board accepted the revised estimate. That was nearly three years ago. At the same time the Public Works Department (Irrigation Branch), consulted the Superintending Engineer, IV Circle, as to the adequacy of the provision made for water-ways and certain other technical matters. The Superintending Engineer's report has been received but is lying over until we get the final expression of the District Board's views on the revised project. It would seem therefore that the District Board is to blame for the delay in the matter. I find that the question was first placed before the District Board on the 29th September 1916. As the result of that they sent an intermediate communication. I need not trouble the Council with details; suffice it to say that it did not deal with all the points in issue. In the following February (1917) the President of the District Board recommended the postponement of the detailed scrutiny of the water-ways on the main ground that railway construction was unlikely to be taken up until the present prices had greatly decreased. In October 1918 he was reminded by Government and he replied: 'There is not any likelihood of the railway being constructed in the near future so far as I can see. Both funds and materials will be impossible to obtain. As all our staff are fully engaged at present with special work due to the war or the state of the season, it is, I think, in the general interest to keep the matter still pending. We have very heavy allotments to spend on our roads and I do not want to divert the Engineer's attention from them if possible.'

"That was in last October, and that is how the matter stands at present. Independently of the present resolution we should have asked the President of the District Board this month whether matters were any further advanced. I now propose to communicate to him a copy of the proceedings in this debate and ask him if things have advanced to a further stage and if not whether he can furnish us with a final reply without any greater delay. I may say however that even when we get his reply we shall have to pass that on together with the Superintending Engineer's report about water-ways to the Agent and then we shall have to get the final sanction of the Railway Board. If the Railway Board give the final sanction, it is quite possible that owing to the unsettled state of the money market it may be necessary to alter the terms of the original agreement. The original understanding was to raise a debenture loan as in the case of the Podanur-Pollachi line. In 1915 it was thought that such a loan might be advanced at 4½ per cent. I do not think such a thing is possible now."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"That is a satisfactory statement. I withdraw the resolution."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION RE CONSTITUTION OF TEXT-BOOK COMMITTEES.

The Hon'ble Mr. A. S. KRISHNA RAO:—"I have the honour to move—

'**XI. This Council recommends that His Excellency the Governor in Council be pleased to take early steps**

- (a) to modify the constitution of the present text-book committee;
- (b) to appoint one general text-book committee and certain special text-book committees dealing with particular subjects;
- (c) to provide for the adequate representation on those committees of persons having special knowledge of those subjects; and
- (d) generally to make better arrangements for the selection of the text-books to be used in recognized schools.'

"This resolution deals with the constitution and functions of the text-book committee. It is at the outset necessary for me to give the Council an idea of the constitution of the text-book committee and the functions which the committee are now expected to discharge. I shall place certain facts before the Council tending to show that, notwithstanding the attempts made to strengthen the text-book committee within recent years, it is absolutely desirable that further inquiry should be made and that alterations effected. It is as the result of certain complaints in getting books recognized that I have thought it fit to place this resolution before the Council with the full hope that modifications will be effected in the text-book committee in the best manner possible. I have suggested certain lines of modification—though I do not wish to commit the Council to the particular methods I have indicated. I have suggested that it is necessary for the text-book committee being split up into one general text-book committee and other various committees with co-ordinate and independent powers as in the case of the boards of studies in the University. I have also suggested that it is necessary to increase the strength of these various committees so as to provide for the adequate representation of persons having knowledge of the various subjects as is contained in clauses (b) and (c). Clauses (a) and (d) are

RESOLUTION RE CONSTITUTION OF TEXT-BOOK COMMITTEES. 1033

3RD APRIL 1919.]

(Mr. Krishna Rao.)

general. I suggest that independently of these specific proposals, better arrangements should be made for the selection of text-books and that the constitution of the committee should be improved.

"According to the rules now in force we find that the text-book committee consists of 40 members exclusive of the President, the Director of Public Instruction being the ex-officio President. One of the members of the committee is to be the Secretary; and the committee is authorized to appoint sub-committees to deal with particular questions. This text-book committee consisting of the President and 40 members is required to meet twice a year, and the days also have been specified; they should ordinarily meet on the second Wednesday in February and September. It is stated that these sub-committees may appoint a Chairman who in the case of the vernacular languages shall ordinarily be an Inspector of the department. It is provided that the Secretary may send the books to be prescribed to any two members of the committee of his choice, subject of course to the general control of the Director of Public Instruction. What are the functions of the text-book committee? The text-book committee was appointed to take into consideration such books as may be submitted to it by the Director of Public Instruction and advise him in regard to their suitability as text-books for the several classes and forms and again to advise the Education Department as to the steps to be taken for the preparation and publication of new text-books where necessary and to help in forming an educational library and museum.

"These are the functions of the text-book committee; and we may draw analogies from the boards of studies appointed under the University Regulations. I am aware that the scope and functions of the boards of studies are essentially different; but there is an analogy which can be drawn in considering the best principle which can be adopted for that purpose. The first principle which I wish to place before this Council is whether it is desirable to have a general text-book committee consisting of persons having knowledge of the various subjects though no doubt they may be given the discretion and the power to appoint sub-committees to deal with special subjects. What is the result of the present system? It is not ordinarily possible for the text-book committees representing the various subjects to meet as often as they might if they consisted only of persons consisting of the representatives of the special subjects. It is also a point for consideration whether it is a correct principle to submit the decision of these separate sub-committees dealing for instance with one of the Dravidian languages to the general text-book committee consisting of persons not well versed in that particular subject but acquainted with or having special knowledge of other subjects. What salutary effect or check can you expect from persons who have no special knowledge of this particular branch over the selection of text-books made by the members of the sub-committee? It leads to delay and it leads also to considerable inconvenience. As the matter stands at present, the books are published once a year and two meetings are held, one in September and the other in February; and we find from the report of the Director of Public Instruction for the year 1917-18 that all those books selected for that year were published in the Gazette only in August last. I understand that there is no procedure by which these books selected by the various sub-committees are approved by the general text-book committee immediately, and that there is no procedure by which these books are immediately published in the Gazette. The result is that the books selected—according to the information furnished in the report for 1917-18—in September 1917 by the general text-book committee had to be published only in August 1918 as also the books selected in February 1918. The proceedings of the text-book committees at both of these meetings were given effect to only some time later. It is possible to effect some improvement in this direction if, as I venture to suggest, this committee is split up into different sub-committees formed for the purpose. I need hardly draw the attention of the Council to the rules and regulations framed by the University, 139 to 143, regarding the boards of studies wherein we find we have separate boards of study—one for English and one for the Dravidian languages separately, with separate boards having co-ordinate powers for Tamil, Telugu, Malayalam and Kanarese.

"That would certainly facilitate the selection of books and conduce to the speedy disposal of the various questions placed before the several sub-committees. That would also facilitate the distribution of work among the various members of the text-book committees.

"Another point which I wish to place before the Council is this. It is often found that some of the publishers of these books are themselves members of the text-book committees but it has not been possible to avoid it. I wish to know from the Hon'ble the Director of Public Instruction if rules have been framed to avoid such of these members as have published books from offering opinions regarding the suitability of their own books. I find that at the meeting held in May 1915 Mr. Srinivasa Sastri asked this question:—

(a) Is it a fact that some members of the text-book committee are themselves the authors of text-books or class-books?

(b) If so, are there rules restraining them from passing opinions on their own books or on books likely to compete with theirs?

The answer was—

(a) Yes.

(b) The Government have no information on the point. The power to frame rules for the guidance of the committee has been delegated to the Director of Public Instruction. "So far as I have been able to gather I have not been able to find any rules whereby they have been specifically restrained from expressing opinions regarding the books published by them. I do not know that anything has been done, after the Government's attention has been specifically drawn to it. That is one point regarding which something may be done.

PART III

Memorandum showing the variations between the figures in the Amended Draft Financial Statement and those in the present Budget for 1919-1920.

Revised Estimate, 1918-1919.

Receipts.

Heads of Revenue.	According to the Amended Draft Financial Statement.			According to the Budget for 1919-1920.			Difference in Provincial figures (column 7—column 4).
	Total.	Imperial.	Provincial.	Total.	Imperial.	Provincial.	
1	2	3	4	5	6	7	8
I. LAND REVENUE (INCLUDING PORTION OF LAND REVENUE DUE TO IRRIGATION).	689.54	344.77	344.77	685.54	342.77	342.77	— 2.00
IV. STAMPS	156.73	78.36	78.37	160.00	80.00	80.00	+ 1.63
V. EXCISE .. .	452.32	226.16	226.16	459.32	229.66	229.66	+ 3.50
VIII. INCOME-TAX (EXCLUDING SUPER-TAX AND EXCESS PROFITS DUTY).	81.00	40.50	40.50	75.00	37.50	37.50	— 3.00
IX. FOREST .. .	42.63	..	42.63	39.63	..	39.63	— 3.00
X. REGISTRATION ..	25.60	..	25.60	26.60	..	26.60	+ 1.00
XVI-B. LAW AND JUSTICE—JAILS.	No change.						
XXI-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.							
TRANSFERS BETWEEN IMPERIAL AND PROVINCIAL.	..	— 26.33	+ 26.33	..	— 20.33	+ 20.33	— 6.00
OTHER HEADS .. .	No change.						
							— 7.87

Transfers between Imperial and Provincial.— The decrease is made up of—

- (1) Assignment to Provincial funds for improving the health conditions of pilgrim centres (.50) and anti-malarial works (.50) + 1.00
 - (2) Compensation payment to Imperial revenues on account of the Provincial share of the extra Excise revenue and Income-tax revenue accruing from the additional taxation imposed by the Government of India from 1916-1917 .. — 7.00
- 6.00

The variations under other major heads are based on later actuals.

Revised Estimate, 1918-1919.

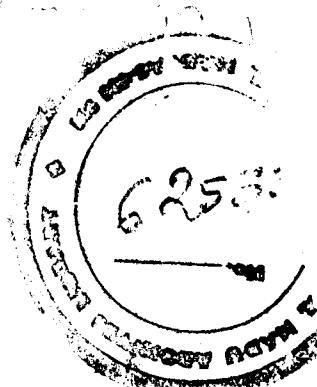
Expenditure.

Heads of Expenditure.	According to the Amended Draft Financial Statement.			According to the Budget for 1919-1920.			Difference in Provincial figures (column 7—column 4).
	Total.	Imperial.	Provincial.	Total.	Imperial.	Provincial.	
1	2	3	4	5	6	7	8
3. LAND REVENUE ..							
11. FOREST							
12. REGISTRATION ..							
19-A. LAW AND JUSTICE—COURTS OF LAW.				No change.			
20. POLICE							
22. EDUCATION	106.77	..	106.77	108.00	..	108.00	+ 1.2
24-A. MEDICAL							
24-B. SANITATION ..							
26-A. AGRICULTURE ..							
26-B. SCIENTIFIC, ETC., DEPARTMENTS.				No change.			
45. CIVIL WORKS—CIVIL OFFICERS ..							
PUBLIC WORKS OFFICERS.	53.25	..	53.25	51.25	..	51.25	— 2.00
OTHER HEADS				No change.			
							— .77

The above alterations are based on later information.

BUDGET OF THE
Budget Estimate, 1919-1920

Receipts.



Heads of Revenue.	According to the Draft Amended Statement.			According to the Budget for 1919-1920.			Difference in Provincial figures (column 7—column 4).
	Total.	Imperial.	Provincial.	Total.	Imperial.	Provincial.	
1	2	3	4	5	6	7	8
I. LAND REVENUE (INCLUDING PORTION OF LAND REVENUE DUE TO IRRIGATION).				No change.			
IV. STAMPS ..	160.00	80.00	80.00	165.00	82.50	82.50	+ 2.50
V. EXCISE ..	458.17	229.09	229.08	468.17	234.09	234.08	+ 5.00
VIII. INCOME-TAX (EXCLUDING SUPER-TAX AND EXCESS PROFITS DUTY).	90.00	45.00	45.00	77.90	38.95	38.95	— 6.05
IX. FOREST.				No change.			
X. REGISTRATION ..	26.50	..	26.50	27.10	..	27.10	+ .60
XVI-B. LAW AND JUSTICE—JAILS.				No change.			
XXI-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.				No change.			
TRANSFERS BETWEEN IMPERIAL AND PROVINCIAL.		— 21.12	+ 21.12	..	— 20.17	+ 20.17	— .95
OTHER HEADS ..				No change.			
							+ 1.10

IV. STAMPS (+ 2.50), V. EXCISE (+ 5.00) and X. REGISTRATION (+ .60).—The increases are based on later information.

VIII. INCOME-TAX (— 6.05).—The reduction represents the Provincial share of the estimated total loss of revenue (12.10 lakhs) under the divided head Income-tax as the result of the raising of the assessable limit of income from Rs. 1,000 to Rs. 2,000 and the imposition of an excess profits duty. To compensate Provincial revenues for this loss, an assignment of 6.05 is being given from Imperial revenues.

Transfers between Imperial and Provincial (— .95).—The decrease is the net result of :—

(1) Assignment in favour of Provincial revenues as compensation for the loss of income-tax revenue + 6.05

(2) Assignment to Imperial revenues on account of the Provincial share of the extra Excise revenue and Income-tax revenue accruing from the additional taxation imposed by the Government of India from 1916-17 — 7.00

— .95

(Mr. Krishna Rao.)

[3RD APRIL 1919.]

"Another point is this. It is a matter for consideration whether with the increasing number of text-books it is not desirable to increase the strength of these committees. My first suggestion is that there should be different committees with co-ordinate powers. Then I would suggest that the strength of these various committees should be increased. I wish the Hon'ble the Director of Public Instruction would consider whether according to the present scheme it is possible for these four or five members of the various sub-committees to go through the text-books which are sent to them for perusal and then form an opinion as to the suitability of these text-books. I find that according to the rules a month's time is given to each member for the purpose of scrutinizing these books. The Secretary is allowed to send it to any two members of the sub-committee giving them a month's time. But I have heard—I am subject to correction by the Hon'ble the Director of Public Instruction—that there are a number of cases in which no reminders were even sent and that books were with them for several months; there are cases in which they have taken months. That rule about a month has not often been acted up to; and that is a point which requires to be verified and to be scrutinized. After all, I think that according to the present system it is not possible to expect a better state of things unless we effect some improvement in the constitution of the committee. So long as we restrict the number of members to three or four—I do not know if they get any special remuneration, I understand there are some proposals under consideration—is it possible that with a limited small text-book committee you can expect to have satisfactory work in a limited time? I think not. If on the other hand you can get a committee consisting of twice or thrice this number which can deal with the various subjects and you give discretion to the Secretary to send the book to two or three different persons, it is possible to expect a better state of things. Suppose for a particular vernacular language or subject, say history, you have ten or fifteen, if you find one who has published books or is interested in a publisher of books, the Secretary can have the discretion to send it to others who are not so interested. Will not this system facilitate the work that has to be done by the sub-committees at present? Increase the number of members and make the sub-committees really more representative and give discretion to the Secretary to send books to persons who have nothing to do with the books or who are not interested in the publishers. If that modification is effected, I believe it will produce more satisfactory results.

"Again there is one other aspect which might be considered. Even according to the rules framed by the Director of Public Instruction these sub-committees are authorized to consult other experts outside the committee. I would suggest the desirability of there being definite provision for such consultation. I only know that the rules provide for such consultation. I should like to know on how many occasions the sub-committees have consulted these outside persons. I want to get that information if it is available. That is another direction in which we can get more satisfactory opinion in the selection of text-books.

"Another point might be raised, as to whether it is necessary to increase the number of members and whether with the present staff you cannot cope with the work. I have no doubt that past experience shows that the results have not been satisfactory. There has been a small increase in the number of members in the text-book committee. It may be pointed out that we have increased the number; it was 24 in 1909; in 1912 it was raised to 30; and again it was raised to 48? That is not the standpoint. They are required to select text-books regarding various languages; they have different subjects and different vernaculars to deal with. We must give them sufficient time to study these books and give a reasonable opinion. You must give them sufficient scope for the distribution of the books, among people competent to give an opinion.

"These principles ought to be kept in view. I have not the slightest doubt that the number is insignificantly small and cannot cope with the work. I therefore suggest the desirability of accepting this resolution with the full hope that there will be no difficulty in reorganizing the text-book committees in a manner which will produce more satisfactory results. As I said in the beginning, clause (a) of this resolution is general, 'to modify the constitution of the present text-book committee.' If the Hon'ble the Director of Public Instruction is going to say that the text-book committee is all that can be desired and is working satisfactorily, I can state nothing. But if he really thinks that there is scope for further inquiry and modification, many more steps have to be taken before we can arrive at a proper selection of text-books with the least possible delay. I think I have made out a case for this general clause (a) being accepted.

"Clause (b) definitely suggests that there should be one general text-book committee and certain special text-book committees dealing with particular subjects. My idea is this. I am aware that sub-committees are appointed, but it is desirable that these separate committees should have general power to deal with separate subjects without placing them again before the general committee which can only lead to delay. If there is anything wrong or objectionable, the Hon'ble the Director of Public Instruction can always exercise his discretion. Every thing has to work under his guidance. But still what is the necessity for this selection by the various text-book committees? That is why I suggest the appointment of separate text-book committees?

"In clause (c) I want 'to provide for the adequate representation on those committees of persons having special knowledge of those subjects.' I have raised that point, because I think opinions, it is necessary to increase the strength. Clause (d) is general.

"If I have satisfied the Council that things are not as satisfactory as they should be, it is necessary to make further arrangements for that purpose. There is only one point which I may impress upon the Council. According to the rules the Chairman in the case of the vernacular

3RD APRIL 1919.]

(Mr. Krishna Rao; Mr. Littlehales.)

languages should be the Inspector of Schools. For Telugu, Mr. Yates was formerly the chairman and Mr. Ross is the chairman now. When we really want a proper selection of books, we are asked to assent to the proposition that they would be proper judges of books. I find it difficult to accept that position. I do not want that there should be a rule excluding any person from being chairman; but I object to the rule which says that ordinarily it should be the Inspector of Schools. Have we arrived at such a state of things that all Inspectors would know the vernacular? If all Inspectors were Indians, there would be justification for that rule. But so long as we have not arrived at that stage, there is no justification for that rule. I would suggest the desirability of appointing as chairmen persons who are in a position to judge of the various subjects. In the case of the vernaculars I refuse to listen to the proposition that one whose mother tongue is not Tamil and who is not very well conversant with that language should be the chairman of the committee for selection of books in that language. Your Excellency is aware that there has been a controversy about classic Tamil and modern Tamil and classic Telugu and modern Telugu. We must have persons who know the language and who can decide on the text-books; and not persons who have only a superficial idea of the language. It is difficult to accept the judgment of such persons. With these remarks I commend the resolution to the Council."

The Hon'ble the Raja of Pithapuram seconded the resolution.

The Hon'ble Mr. R. LITTLEHAILES:—"Your Excellency, I think I had better state at the outset that the constitution of the text-book committee is dictated by the Government of India and any major modifications therein might run counter to the expressed opinions of that Government. The Honourable Member has asked for committees with independent powers which might submit text-books which are approved by them independently of any expression of opinion on the part of the text-book committee as a whole. I may invite his attention to the fact that quite recently the Government have accepted a proposal of the Director of Public Instruction to this effect, that in the case of books specially prepared for the use of schools in the Presidency the Director of Public Instruction may call for the opinion of the sub-committee and may, if such opinion be favourable, notify the book as approved for use in schools without its being referred to the full text-book committee. I quote from the Government Order of 1918. Should the opinion of the sub-committee be unfavourable, the book shall be referred in the ordinary course to the text-book committee. What the Honourable Member desires is already in force in that respect. The text-book committee is primarily an advisory body with the main function of excluding books which are unfavourable. It does not specify that any particular text-book shall be read in any school. It merely compiles a list of books from which managers of schools may select books in order that they may give instruction from those books in their recognized institutions.

"I do think, however, that the Honourable Member has one cause for complaint, that is in the delay caused in the official publication of these text-books. I shall consider whether it is not possible to have published in the gazette a list of approved text-books twice a year instead of once as is the case at present. I hope that will meet the objection as to the delay that at present exists.

"He desires an increase in the number of members of the committee. In some subjects in which there is a large amount of work, it has to be done in sub-committees. In the sub-committee in English we have eleven members. In other subjects where the amount of work is relatively small, French or German, for example, we have only three members; and many members of the general text-book committee are able to serve, just as they are in the boards of studies in the University, on more than one sub-committee. So that although we limit it to 40 members the effective strength is considerably greater than 40.

"The Honourable Member would like to know what authors expressed their opinion on their own books. I have had no instance brought to my notice. If he would communicate to me any particular case, I would inquire into it. There is no intention whatever on the part of the department to allow a man who publishes a book to express his opinion independently of the opinion that he inherently expresses as publisher of the book.

"With regard to consultation it is clear that we can have no official record of consultations. I may mention a few years ago, when I was myself a member of more than one of these sub-committees, I discussed the books that came to me with more than one person who had a knowledge of the books which I was reviewing, without communicating officially that I had consulted any one in the matter although the opinion that I formed was the conjoint opinion of myself and the individual or individuals whom I consulted. We have no official record of such consultations and I do not see how we can ever maintain an official record of that kind. A great deal of the formation of the opinion on a book must be of an un-official nature. One reads a book; three or four salient features strike one; they may be correct or they may be wrong. One meets with one's academic friends and discusses with them at intervals and finally one comes to the conclusion as to whether the book is fit for recommendation or not. I think I have met most of the points raised."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Except about the Inspector of Schools being the chairman."

The Hon'ble Mr. R. LITTLEHAILES:—"As I said, in the constitution of these committees we are acting on the orders of the Government of India."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I wish to know, Your Excellency, whether it is to be supposed that the removal of restrictions in the rules which say that ordinarily the Inspector

1036 RESOLUTIONS *RE* CONSTITUTION OF TEXT-BOOK COMMITTEES AND DEVELOPMENT OF DISTRICT BOARD RAILWAYS.

(Mr. Krishna Rao ; Mr. Littlehailes ; The President.) [3RD APRIL 1919.

of the department shall be the chairman, is one which requires the sanction of the Government of India. Except what the Honourable the Director of Public Instruction has told us that the text-book committee is formed under the orders of the Government of India, we have no information as to the specific restrictions placed by them in the matter of the constitution of the committee. If the hands of the local Government are fettered in matters of detail, it will be a matter for consideration whether an attempt should not be made to induce the Government of India to change their instructions. If the Government of India simply give general instructions regarding the constitution, and if Your Excellency's Government have the discretion to modify some of the provisions in the best manner possible, is it unreasonable for me to ask that there should be no hard and fast rule that Inspectors of Schools should be the chairmen of vernacular sub-committees ?

The Hon'ble Mr. R. LITTLEHAILES :—" Although we accept the general rule that the Inspector shall be the chairman ordinarily we do make use of the word 'ordinarily.' The chairman of the sub-committee in English is not the Inspector of Schools."

The Hon'ble Mr. A. S. KRISHNA RAO :—" The rule is about the vernaculars."

The Hon'ble Mr. R. LITTLEHAILES :—" The chairman of the board in Telugu is at present the Principal of a training college and not an Inspector. We have utilized that discretion. The chairman of the board of studies in Tamil is a retired Inspector of Schools. I quote two instances which are sufficient to show that we exercise the discretion which is vested in us by the word 'ordinarily.'"

The Hon'ble Mr. A. S. KRISHNA RAO :—" Your Excellency, it is not my desire to divide the Council in case the Government are willing to do something to improve the constitution of the committee. But may I point out that the Honourable the Director of Public Instruction may have been fuller in regard to one point ? It makes no difference whether it is Mr. Yates or Mr. Ross who was once Inspector of Schools but now the Principal of the training college. Does he or does he not accept the principle that in the case of the vernacular languages it is desirable that one who has an intimate knowledge of the vernaculars should be the chairman of the vernacular text-book committee ? If he accepts the principle, he should effect the change at the earliest opportunity. I may inform Your Excellency that there has been any amount of misapprehension in the case of the vernaculars. Persons refuse to believe that an Inspector of Schools, though he may have learnt a smattering of Telugu, would be a competent judge. Mr. Ross cannot be a competent judge. In the case of Tamil I understand Mr. Pranatharthihara Ayyar is the chairman. Why not the same principle be adopted in the case of Telugu and other vernacular languages ? Nobody can raise any objection to Mr. Pranatharthihara Ayyar being chairman in Tamil. In the case of Telugu why you cannot find a person better fitted than Mr. Ross or Mr. Yates to preside over the Telugu sub-committee I cannot understand. If the Honourable the Director of Public Instruction accepts the importance of having as chairman one who has an intimate knowledge of the language, and if he expresses a desire to move in that very reasonable direction, I for one would not press the resolution."

His Excellency the PRESIDENT :—" I understand that the Government of India have laid down that when a sub-committee has to be appointed to deal with a vernacular, the Inspector of the educational department should either be the president or the secretary. I have no doubt that the Honourable the Director of Public Instruction recognizes the desirability of having men on the committee who have a thorough knowledge of the vernaculars and he will bear that in mind. As he has been able to do in the past, the Honourable Member may rest assured that it will be done in the future."

The Hon'ble Mr. A. S. KRISHNA RAO :—" I am glad that we have agreed regarding some of the main principles, and that some delay would be avoided. Though technically the number is 40 it is stated that the number has exceeded 40 when they take advice. It is not necessary to proceed further with it."

With the permission of His Excellency the President the resolution was withdrawn.

RESOLUTION *RE* DEVELOPMENT OF DISTRICT BOARD RAILWAYS.

The Hon'ble Mr. A. S. KRISHNA RAO :—" I have the honour to move

'XII. This Council recommends that His Excellency the Governor in Council be pleased to take special steps to promote the rapid development of district board railways in this province.'

"I am glad that in this resolution I do not expect any difference of opinion on behalf of the Government regarding the principles underlying it. There may be differences as to the details, as to the mode of working, as to the pace at which we can proceed and we ought to proceed, but as to the intention of securing a rapid development of district board railways, the Madras Government have always expressed their concurrence with that view. The previous history of this resolution will illustrate these remarks. Before I point out to this Council that it is necessary to take special steps to promote the rapid development of district board railways in this Presidency, it may probably be interesting to notice what advance has been effected in that direction in this province which is likely to lead other provinces in respect of this particular

RESOLUTION *RE* DEVELOPMENT OF DISTRICT BOARD RAILWAYS. 1037

3RD APRIL 1919.] (Mr. Krishna Rao ; the President ; Mr. Davidson.)

question. I believe we must on this occasion give credit to the Tanjore district for having led us on to this state of things and particularly to Mr. Thomas who, as Collector of Tanjore, sent us on a special memorandum in January 1878 pointing out the desirability of having railways in place of roads. He pointed out on that occasion the advantages that would accrue by having such light railways in various parts of the country. He pointed out that these railways would not only procure benefit but would also pay their own maintenance unlike roads. So far as the Tanjore district is concerned, it is a rich district : and it was not found necessary in that district to levy the full cess of one anna in the rupee. The Collector pointed out that 9 pies having been collected up to that date, the balance of 3 pies might also be collected and might be utilized for the development of railways."

His Excellency the PRESIDENT :—" I am reluctant to interrupt the Honourable Member. I think the practical question which the Council would be anxious to get at is what are the special steps that the Honourable Member wants. That is the only point at issue between the Honourable Member and the Government."

The Hon'ble Mr. A. S. KRISHNA RAO :—" Is it only the word 'special' ?"

His Excellency the PRESIDENT :—" That is the only difficulty."

The Hon'ble Mr. A. S. KRISHNA RAO :—" I have not the slightest objection to confine myself to that aspect of it since the principle is accepted. So far as the special steps are concerned, I believe the main question will be one of procuring funds to help the district boards in the matter of the construction of railways. There has been no difference of opinion at all regarding the desirability of pushing through these district board railways wherever possible. The district boards themselves have been anxious to show a rapid advance in that direction. The answer given to one of the questions put by me shows that we have 16 district boards now levying the railway cess ; and the accumulation of railway cess to their credit is a considerable sum of money which can always be utilized for this purpose. But the difficulty has been whether it is possible to induce the Government of India to make substantial grants to push through this programme of railway development."

"Questions have been raised in this Council particularly from 1914 with the object of inducing this Government to take further steps in this direction. It was pointed out, when a resolution was moved in 1914, by Sir Harold Stuart who was in charge of the department on that occasion that there were three ways in which it would be possible to further the extension of railways. The first was to induce the Government of India to include these railways in their programme of works and make grants for the purpose. The second method which he suggested on that occasion was to help these district boards in the matter of securing funds for the purpose of the construction of these railways. The third way he suggested was to encourage private companies also to come forward for the purpose of helping these district boards in the formation of railways. He was good enough to suggest that before the offer of private companies was accepted, he would give preference to the district boards themselves and he would ascertain whether the district boards would be in a position to find the funds or to raise debentures in the market for carrying on district board railway construction and that it was only in cases where they were not able to do so, he would suggest the acceptance of the offer of private companies. He also assured us that in the settlement of terms with the private companies the interests of the district boards would be safeguarded and steps would be taken to see that they secured a proper share of the income. When we come to 1916, it is very unfortunate that owing to various causes and owing to the restricted finance of the Government of India, we had a different story from Mr. Gillman who was the Member in charge. He said something which was somewhat disheartening in the course of the debate. He said there was no chance of getting any money from the Government of India and so far as borrowing was concerned the Government of India were not likely to allow us to borrow."

The Hon'ble Mr. L. DAVIDSON :—" May I remind the Honourable Member that then the war was on."

The Hon'ble Mr. A. S. KRISHNA RAO :—" The Hon'ble Mr. Davidson may have a little patience. I am pointing out that these were the lines on which we were assured that there might be some advance in the matter of securing funds. In 1916 we were informed that the Government of India would not be in a position to give any money from Imperial funds and would not be in a position to allow the local Government to borrow money for that purpose. That was the statement in 1916 from the official spokesman. Your Excellency, I would ask whether, in view of the change of circumstances, in view of the railway cess collections in the various districts having increased during these years and in view of the fact that we have seen the end of the war and that the circumstances have changed to a considerable extent, we cannot with confidence and hope make an effective representation for the proper distribution of the Imperial grants for railway purposes. That is one way in which we ought to move without any delay. I am sure that so far as this aspect is concerned, the Government are always willing to do that."

"The second suggestion is that it is a case in which permission may be obtained for this Government borrowing money and lending it to the district boards. It is unfortunate that in the year 1909 the Secretary of State did not give sanction to that proposal. It was only the Beawada-Masulipatam railway that was fortunate enough to escape from that injunction. It was after they got the loan from the Provincial loan account, that that particular order of the Secretary of State was published, and that other district boards were placed in a disadvantageous

1038 RESOLUTION RE DEVELOPMENT OF DISTRICT BOARD RAILWAYS.

(Mr. Krishna Rao ; Mr. Suryanarayana Rao ; Mr. L. Davidson.) [3RD APRIL 1919.]

position. May I not ask if the time has not come when we can with considerable force ask for a modification of the order and for permission to allot a specific sum of money for the development of district board railways year after year? The Government of India may not be willing to allot funds for this purpose because they may consider that these lines are required only in particular local areas. If they are not in a position to include it in their own programme, is it unreasonable to ask that they should permit this Government to draw from the Provincial loan account and allot money year after year? That is one direction in which we can possibly proceed.

"Other suggestions which can be made are—which I believe the Government are also willing to do—to enable the district boards to indent upon trust moneys and to allow various public bodies which have moneys to invest them in these railways. That position can be easily accepted. It will secure an additional amount, and so far as the district boards are concerned, it would enable them to take a further step. When Your Excellency's Government are satisfied that it is highly essential to proceed further in this direction, it is not of much use for us to have a theoretical or academic discussion as to the special steps that should be devised for carrying out this programme with the least possible delay. Honourable Members are aware that, as is shown in the report of the Public Works Department especially with reference to several stages of progress have been achieved but nothing further could be done. We find particularly that the Tirutturaipundi-Vedaranthi line which was completed in December 1916 could not be opened for traffic as the South Indian Railway could not find the rolling materials were not available. Seeing that the capital has been locked up, much could not be done in that direction but we may now move the Government. The Council is also aware that in 1917 the Hon'ble the Raja of Ramnad suggested a temporary suspension of the railway cess and he was quite right in suggesting that. When you could not carry out railway works especially those two railways, how could you satisfy the agriculturists in taking this money as railway cess? I am mentioning these facts only to impress upon the Government the desirability of taking special steps to promote the rapid development of district board railways.

"I do not think, after all, the word 'special' need deter Your Excellency's Government from accepting the resolution. If we are agreed that we have not been able to show as much advance in this matter as we all desire, if we are agreed that it is possible to take more definite steps by making a definite representation to the Government of India to help district boards to secure trust moneys and to raise debentures and if we are agreed that it is necessary, desirable and feasible to show some improvement in this direction, it is quite necessary that this resolution should be accepted. I do not think that in the use of the word 'special' there is anything which should terrify Your Excellency's Government in accepting this resolution. What the special steps are is a matter which may be settled with the assistance of the expert advisers of the Government and with the suggestions which we can make."

The Hon'ble Mr. A. SURYANARAYANA RAO:—"I have great pleasure in seconding this resolution. In doing so I have only one or two words to say with regard to my district, Vizagapatam. More than three years ago the Gunupur-Parvatipuram line was suggested, and a railway-cess was imposed when the Hon'ble Mr. Harris was the Collector of Vizagapatam. Afterwards that line was abandoned, but the cess is being collected. Now it is said that it will be utilized for the Bimlipatam-Vizagapatam line which is under contemplation. We are actually paying a railway-cess, but there is no line under contemplation. This state of things is undesirable. I have a special complaint to make in this matter. When the Hon'ble the Raja of Ramnad brought forward a resolution that the cess should be suspended when there was no scheme, I think he was quite right. I agree with him. Therefore when the word 'special' is used, I submit that Your Excellency's Government would be pleased to call upon the President of the District Board of Vizagapatam to submit whether it has any special scheme for laying railways and whether it has any definite plans and estimates and so on, and then special steps may be taken. I do not know much about other districts. I am speaking with regard to Vizagapatam and Ganjam. With regard to Ganjam the Raja of Parlakimedi will push the line from Parlakimedi to Gunupur which would be a profitable line. So far as the District Boards of Ganjam and Vizagapatam are concerned, there is no reason to levy a railway-cess because they are doing nothing, though we are paying the cess. I would request Your Excellency's Government to take special steps for the construction of railways by the Ganjam and Vizagapatam District Boards."

The Hon'ble Mr. L. DAVIDSON:—"Your Excellency, I had been hoping that the Hon'ble Mr. Krishna Rao would give me some light as to what class of 'special steps' he considered practicable. I have listened carefully to what he has said and, so far as I could gather, the only specific step which he suggested was an application to the Government of India for more funds or an arrangement by which the Provincial Government can make funds available to district boards either from their own Provincial loan account or by taking action to make trust funds available for the purpose. In both cases the special step contemplated is the provision of funds. Now it so happens that this very question of railway development which the Government have at heart at least as much as any district board or any non-official member of this Council—it so happens that this question has been the subject of a recent pronouncement in the Indian Legislative Council at Delhi. There was a special reference to it in the Hon'ble Sir James Meston's Financial Statement on the 1st of March. I will quote his own words; he said 'although hostilities have ceased, the position as regards branch line company projects

RESOLUTION RE DEVELOPMENT OF DISTRICT BOARD RAILWAYS. 1039

3RD APRIL 1919.]

(Mr. Davidson ; Mr. Rama Ayyangar.)

remains much the same as it was a year ago.' The conditions which these projects have reached are set out in the Public Works Department administration report which gives detailed information to which attention is drawn in the answer to question No. 50. Sir James Meston continued: 'Although hostilities have ceased, the position as regards branch line companies remains much the same as it was a year ago. The difficulties attendant on the raising of capital continue, and new construction under branch line terms is still in abeyance.' That is one pronouncement on the 1st March. On the same day there was a pronouncement by the President of the Railway Board. He was answering a question put to him by the Hon'ble Maharaja Sir Manindra Chandra Nandi. He mentioned a long list of the lines proposed to be constructed under branch line terms or by district boards, including a considerable number in this Presidency—ten. Then he went on to say 'Government are unable to say when it will be possible to commence all or any of the above railways, as it is probable that all railway materials which are likely to be available will, for some time to come, be required for renewals and increased traffic facilities on existing railways which have been held in abeyance during the war.' In the same answer referring specifically to the question of funds—the matter mentioned by Sir James Meston—Sir Arthur Anderson continued: 'Moreover, construction of lines be financed by Government must also depend on the provision of funds, and in view of the urgent requirements of open lines, the money available for new construction is likely to be limited for some little time to come.'

"It is only a few weeks since these two pronouncements were made, and obviously it would be useless for the Local Government to make an application for special contributions towards railway development, towards new construction. Much as I wish that some benefit could be derived from such representations, I feel that in the face of such pronouncements it would be idle to ask the Government of India to help. The fact, sir, is, it is not only a question of funds, but a question of materials, for even if abundant funds were available, the materials would not be procurable. It is these two hard facts, the money fact and the materials fact, which make it impossible in my judgment to take any special steps at present to promote the rapid development of district board railways.

"This Council is well aware of the importance that the Government of Madras have always attached to such development, and of the special interest taken therein by Sir Harold Stuart, one of whose last acts before laying down his office was to leave on record for his successor a note on the need of railway development, written in October 1916, in which he had the prescience to lay particular emphasis on the fact that even when the war was over much leeway would have to be made upon existing lines before money could be found for new lines. We have recently succeeded in placing ourselves in a better position as regards the sorting and advancement of railway projects. On our recommendation the Government of India have sanctioned the revival of the appointment of a special Secretary for Railways. I am glad to say that since January last the Government have enjoyed the advantage of the services of Mr. Dove-Wilson. They have thus now at their disposal an officer with experience of railway matters. I have consulted him about the possibility of finding materials and his strong opinion is that the demands for the renewal of the permanent-way on existing lines, for the remodelling of large station yards and for the provision of increased siding accommodation are likely for some considerable time to absorb all the rails available and that there is no present prospect of an early supply at a reasonable rate either in India or from abroad on a scale which would permit of pushing forward with new branch lines as distinguished from renewals on existing lines.

"All that we can do is to wait for that improvement in the financial and industrial conditions which we all hope will follow on the conclusion of peace. In the meantime the initiative in many cases, as the Honourable Seconder of the resolution suggests, may come from the district boards themselves. In the case which I referred to in answering resolution No. X, the reference has been outstanding for a considerable time with the Salem District Board. What we can do is to communicate this discussion to all district boards which have projects on their anvil and to ask them to take any action which in their judgment is immediately practicable and to get ready schemes so that they may be put in hand as soon as the financial and industrial conditions bring construction within the reach of practical politics. I should be the first to welcome any recommendations for special steps that you may bring forward for the development of district board railways. But I am unable myself to suggest any and regret that I have not been able in the course of the earlier stages of this debate to find any special suggestions."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, war conditions and the supply of materials are the two questions which make it impossible to speak with any confidence just at this stage as to what steps we can take to ensure rapid progress. However, I beg to point out that this is the time when this Government will have to press upon the Government of India the necessity to provide a certain allotment for grants to district boards for the construction of railway lines. The budget for railways now made by the Government of India clearly indicates that they have taken them as more important and more urgent than almost every other concern of theirs. It may be remembered that in the Imperial Legislative Council this large allotment for railway projects was tried to be reduced with a view to secure greater recognition for irrigation works, but the Government refused it and thought that it was more important just as they were taking up the question of industrial expansion in India. In these circumstances the great point is to see that rolling-stock is supplied and every emergent circumstance will have to be attended to, and when the Government of India have allotted such a large amount—I am not quite sure of the exact amount, I am told it is 17 millions—when they have made that allotment I dare say they may be thinking not only of communications

1040 RESOLUTION RE DEVELOPMENT OF DISTRICT BOARD RAILWAYS.

(Mr. Rama Ayyangar.)

[3RD APRIL 1919.]

in Mesopotamia which will form a big item in the budget but probably also of the necessity to attend to the details of rolling-stock which is deficient. There is no doubt that the present concerns of India require very large allotment to be given to these various items. I believe we started in 1904; very few district boards have been able to open railways. Kistna and Tanjore were fortunate enough but even Tanjore has not been quite fortunate, because it has not been able to open a line which was completed. Tinnevely which was very carefully adding to the railway cess and which was about to close the Tinnevely-Tiruchendur Railway had its rails disposed of by sale. In these circumstances it is only very proper that a very strong representation from this Government goes to the Government of India to see that a reasonable allotment is made for loans to district boards to complete their railways where they are partially completed and to put new work on hand as early as possible and also to ensure loans as far as possible. I do not think that in this large budget the Government of India will refuse us that. The discussion in the Imperial Legislative Council which I followed did not turn upon this. The members from Madras did not turn to this aspect of the matter, but the importance attached by the Government of India to railways will enable this Government on account of the sacrifice made by them during the war to claim from them special treatment for this province. Other provinces have to follow Madras in this matter. About 15 or 20 years of our work ought to be recognized by the Government of India, I dare say the Finance Member will only be prepared to yield to the strong representation of this Government. In reply to our representations the late Mr. Gillman announced it here that they were prepared to form a branch of the railway board and practically there will be a Railway Secretary for the Madras Government. It must be within the cognizance of the Government of India to make sufficient provision to see that this enterprise which has been started in Madras is pushed through with great success. That is one point I place.

"The second question is the question of raising loans. There again the Government of India's permission may be needed to raise loans within the province or to raise loans from trust funds which have been held on a particular date to be capable of being invested in district board debentures. Your Excellency, I drew attention to the previous discussion on the subject and the circular that was issued by this Government to the boards expressing their opinion and the opinion of the Government of India which had been communicated to them that it was possible to invest trust funds in district board debentures. The whole of the Madras Province has got, as it was calculated then, sufficient funds to enable district boards to raise these debentures from the trust funds. I know that the Government of India will find it very difficult just now to find all the funds which have been invested as balances or trust funds in Government securities and they may be prepared only to allow a portion. But that must be urged now. We could not be doing much work within the course of this year, because it would not be possible for district boards to start work when materials are not quite ample. So that if we just drive the thin end of the wedge and are able to get from the Government of India some money from this big allotment towards the district board railway extension or completion, I think we have very strong claim to make to the Government of India—if we start now, it will be a fair method of approaching the subject for our successfully utilizing the plan later on. We are in the beginning of the official year with after all about 1 lakh or 2 lakhs provision whereas the calculation made was that we wanted 300 lakhs for district board railways which were then intended to be constructed. I do not think we have added to the number of lines proposed to be constructed. Then the Bank of Madras was willing to find loans to the extent of 200 lakhs and we had an accumulated balance of 90 lakhs. All this will have to be re-examined now. We do not know what the Bank of Madras may say just now. I do not know whether we can find other money to finance these lines. Whatever that may be, the trust funds may be invested in debentures and the moneys relating to charitable and other trusts invested with the Government of India may be asked to be paid over to be invested in these debentures. The second point is the allotment of a certain amount out of the budget allotment of the Government of India for advancing loans to district boards where they can take up this question. The third question is the question of the pooling of the railway cesses. That was a question that was taken up by Mr. Priestly and his scheme was that the Railway Board should construct these lines with the moneys that were available as railway cess funds with all the district boards. That is a separate discussion we had and Sir Harold Stuart was expressing difficulty on the question of law whether this could be pooled together for constructing these lines. That is a question that should be taken up by the Government, because I see that the answer to an interpellation of the Hon'ble Mr. Krishna Rao says that there is 90 lakhs with these boards. There may be more money in Tanjore and some other district boards. If this money which is available can be utilized when needed for the purpose of constructing railway lines which have been already started or for which estimates and every other thing are ready, where the traffic the money may be utilized even if the Government of India express the opinion that later on they will be able to find funds. The whole money is invested under the orders of this Government and it should be available as a loan to district boards which want them. If the Government of India are prepared to say that after two or three years they will be prepared to find money, even then we can start with the money available and the lines about which all preliminary work is over may be constructed immediately. These are the suggestions that I would like to place before the Government. I propose to bring up this discussion in some other form as early as possible. I am not able now to place further materials before the Government. I think on these lines something may be done to secure a substantial amount to see that this progress is rapidly made."

RESOLUTION RE DEVELOPMENT OF DISTRICT BOARD RAILWAYS. 1041

(The President; Mr. Krishna Rao; Mr. Davidson.)

3RD APRIL 1919.]

His Excellency the PRESIDENT:—"I may assure Honourable Members that there is no difference of opinion between the Government and the Honourable Gentleman who has brought forward this resolution and the others who have spoken in support of it. The Government are most anxious to see the construction of district board railways pushed on. It is only the hard logic of facts owing to the necessities which have arisen from the war that creates any difficulty. I do not understand from the Hon'ble Mr. Krishna Rao that he attaches any special importance to the words 'special steps' nor do the Government. What is meant is that the Government should take the earliest possible steps, the best possible steps to secure this great need. I do not think it will be possible to do very much in the next year, because as my Honourable Friend Mr. Davidson has stated all new constructions are in abeyance. That is what the Hon'ble Sir James Meston said. The whole of the money will be needed to repair the existing lines. The Honourable Member may rely upon the Local Government to advance this matter. That is what I imagine is the assurance he would like to have. That is the position."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Will the President suggest a modification of the resolution which will make it acceptable to Government?"

His Excellency the PRESIDENT:—"Will the Honourable Member himself suggest it?"

The Hon'ble Mr. A. S. KRISHNA RAO:—"To take the earliest possible steps."

The Hon'ble Mr. L. DAVIDSON:—"I have no objection."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I wish to know for my information whether any representation was made to the Government of India before those pronouncements were made by Sir James Meston and the President of the Railway Board—whether there was any specific request for an allotment for district board railways from the Local Government and whether after considering that representation, they made that pronouncement. If a representation was made and after that they made that pronouncement, that is one thing; but if no representation was made, we can go up with this request."

The Hon'ble Mr. L. DAVIDSON:—"No representation was made."

His Excellency the PRESIDENT:—"The position simply was that Sir James Meston made a general remark applicable to the whole of India and not merely to Madras. He said, we have not got funds to finance branch lines. He did not refer to special provincial representations. He referred to the conditions with which he was faced as to the difficulty in the existing rolling-stock owing to the long-continued loss during the war."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Another point was raised by me regarding which I did not get a reply from the Hon'ble Mr. Davidson. I made a specific suggestion that some attempt might be made to have a reconsideration of the orders of the Secretary of State to advance money from the Provincial Loan account."

The Hon'ble Mr. L. DAVIDSON:—"I did not feel myself called upon to go into the question of railway finance."

His Excellency the PRESIDENT:—"The Provincial Loan account is drawn from the Government of India. The Local Government make certain proposals, but it all comes out of the Government of India. When they say they have not got money for their programme, they will have no money for the Provincial Loan account. I am afraid it is not practicable to have anything done in that direction. The Honourable Member may rely upon the Local Government pressing the matter upon the Government of India as soon as possible. I hope he will be satisfied with that assurance."

The Hon'ble Mr. A. S. KRISHNA RAO:—"The words 'the earliest possible' may be substituted for the word 'special'."

His Excellency the PRESIDENT:—"There is no objection, as the Government are as anxious about it as any Honourable Member. I do not know if any results would follow."

The resolution as modified was put to the Council and agreed to.

The Council then adjourned till 11 a.m. on Friday the 4th April 1919.

H. G. STOKES,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort St. George assembled for the purpose of making Laws and Regulations under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Friday, the 4th day of April 1919.

P R E S E N T :

His Excellency Sir ALEXANDER CARDEW, K.C.S.I., Governor of Madras—*Presiding*.
 The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.
 The Hon'ble Mr. L. DAVIDSON, C.S.I.
 The Hon'ble Mr. C. G. TODHUNTER.
 The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E., I.S.O., O.B.E.
 The Hon'ble Mr. L. E. BUCKLEY, C.S.I.
 The Hon'ble Mr. A. Y. G. CAMPBELL, C.I.E.
 The Hon'ble Mr. L. T. HARRIS.
 The Hon'ble Mr. W. J. J. HOWLEY.
 The Hon'ble Mr. W. HUTTON.
 The Hon'ble Mr. R. LITTLEHAILES.
 The Hon'ble Mr. N. E. MARJORIBANKS.
 The Hon'ble Mr. A. F. G. MOSCARDI.
 The Hon'ble Lieut.-Col. W. J. NIBLOCK, I.M.S.
 The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.
 The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).
 The Hon'ble Mr. H. G. STOKES, C.I.E.
 The Hon'ble Mr. R. B. WOOD.
 The Hon'ble Rao Bahadur T. RANGA ACHARIYAR Avargal.
 The Hon'ble Mr. C. P. RAMASWAMI AYYAR.
 The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.
 The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO PANTULU Garu.
 The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.
 The Hon'ble Mr. P. SIVA RAO.
 The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR Avargal.
 The Hon'ble M. B. V. NARASIMHA AYYAR.
 The Hon'ble Mr. K. SADASIVA BHAT.
 The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.
 The Hon'ble Mr. K. RAMA AYYANGAR.
 The Hon'ble Sri RAJA RAO VENKATA KUMARA MAHIPATI SURYA RAO Bahadur, Raja of Pithapuram.
 The Hon'ble B. RAJA RAJESWARA SETUPATI alias MUTTURAMALINGA SETUPATI Avargal, Raja of Ramnad.
 The Hon'ble Mr. B. VENKATAPATI RAJU.
 The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.
 The Hon'ble YAQUB HASAN SAHIB Bahadur.
 The Hon'ble Khan Bahadur A. T. G. M. AHMAD! TAMBI MARAKKAYAR SAHIB Bahadur.
 The Hon'ble Sir GORDON FRASER, Kt.
 The Hon'ble Mr. J. H. THONGER.
 The Hon'ble Sir FAIRLESS BARBER, Kt.
 The Hon'ble the Most Rev. JOHN AELEN, D.D.
 The Hon'ble Rao Bahadur S. K. M. ANNAMALAI CHETTIYAR Avargal.
 The Hon'ble Mr. T. RICHMOND.
 The Hon'ble Sir FRANCIS SPRING, K.C.I.E.
 The Hon'ble Diwan Bahadur K. B. SURYANARAYANAMURTI NAYUDU Garu.
 The Hon'ble Sri SOBHA CHANDRA SINGH DEO, Zamindar of Serugada.

1044 RESOLUTION RE CONTROL OF THE EXPORT TRADE IN OIL-SEEDS.

(Mr. Ranga Achariyar.)

[4TH APRIL 1919.]

The Council assembled at 11 a.m., when the discussion on resolutions was taken up.

RESOLUTION RE CONTROL OF THE EXPORT TRADE IN OIL-SEEDS.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—“ Your Excellency, the resolution that I have the honour to move runs thus :—

‘XIII. This Council recommends to His Excellency the Governor in Council that they may be pleased to recommend to the Government of India to take early steps to control the export of oil-seeds from this Presidency.’

“Your Excellency, this formed the subject of interpellation at the last meeting of the Council. It was question No. 120 in the March meeting and in answer to the question, Your Excellency's Government doubted whether in the interests of the ryot population, the prohibition of the export of oil-seeds is advisable. With that answer before me, I must make out a case for inducing the Government to take this step which I advocate in this resolution. I advocate this resolution both as a temporary measure to meet the urgent situation and also as a permanent measure in the industrial interests of the country. I will first of all deal with the urgent situation created by the shortage of foodstuffs in the country and the shortage of the supply of oil. It is admitted that there has been enormous shortage of food-grains both wet and dry in our presidency. As pointed out in the recent official report, the shortage has been so enormous. This is what it says :—‘The vagaries of the season have seriously affected yields. The break in the south-west monsoon seriously damaged the crops in most parts of Vizagapatam and in the upland parts of Godavari and Kistna, and so delayed transplantation in Tanjore and many other tracts that the ryots were compelled to plant out very old seedlings or to raise further seed-beds and plant out the crop from one to two months later than usual. For want of sufficient seed of short duration varieties, which could not be produced at short notice, ryots were compelled to sow the usual long duration varieties so late in the year that these cannot mature properly before the hot weather.’

“On the other hand the season favoured the broadest crops in the Carnatic and Central districts and the large second crop on the West Coast which is giving a good yield. Conditions in the extreme south are also favourable to good yields. On the whole, however, the yield will be the smallest that has been obtained for at least ten years, and is estimated at 77,514,000 cwt. as against last year's final estimate of 120,004,400 cwt. a decrease of 35 per cent and details by districts are also given. With reference to the rice crop, details are given. But with reference to the dry crops, although exact figures are not available, I understand from those who are well-informed on the subject that there has been a shortage in the dry crops also to the same extent. That being so, it is an anxious situation which has been caused to the Presidency and I have heard responsible people discuss the situation with anxiety as to how if there is a failure in the monsoon, the food supply in the country is to be kept up. If we are not getting free imports, the existing supply cannot last for more than three months' consumption. That is the anxious situation for us to consider as to how best to conserve the foodstuffs in the country. Oil-seeds are well-known to be also useful as foodstuffs. They have been used by the people of the country; especially punnag raised from the oil-seeds has been used as food among the people of the country, both mixed and unmixed, mixed with various other food commodities, and the oils extracted are also the necessary stuffs which are required for consumption in the country. These oil-seeds are required for human consumption. This reasoning will apply to the groundnut crop which is a very essential commodity produced in our Presidency as well as in the Deccan. Our Presidency is noted for its large produce of the groundnut crop which is largely used by the people of this country. Now there has been an enormous export of these oil-seeds from our Presidency for a very long time. In the latest report, reviewing the sea-borne trade of the Madras Presidency, I find at page 17 : ‘For many years past, seeds have formed one of the principal exports from this Presidency, and before the war were exported in a larger quantity than any other produce. During the last two years, there has been a considerable falling away amounting to 41 per cent in quantity in 1916-17 and a further 10 per cent in 1917-18. The decline in value was 25 per cent and 35 per cent respectively, but in both these years, exports of seeds accounted for eight and one-third per cent of the total value of foreign exports. Groundnuts represented 71 per cent of the total exports of seeds. The average shipments before the war were three times greater, both in quantity and value, than they are now.’ It is pointed out that ‘shipments to France declined by 89 per cent while those to the United Kingdom increased seven-fold.’ It is also pointed out ‘the opening of a factory at Singapore for extracting groundnut oil has increased the demand. The groundnut crop in China failed, and American buyers in Singapore purchased seeds sent from India. Considerable quantities of groundnuts were also reshipped from the Straits to Hongkong.’ So also with reference to copra, or coconut kernel, castor seed, etc. It is well known that for the last two or three years, the prices of gingelly oil, castor oil and groundnut oil have risen considerably beyond the bearing capacity of the people. These are all necessary commodities, and connected with this is also the shortage in the supply of kerosene oil due to various reasons—the world competition with reference to kerosene oil and perhaps also the diminished supply in the oil fields themselves. Whatever the reason may be, acute suffering has been caused in the last few months in the matter of the supply of kerosene oil.

RESOLUTION RE CONTROL OF THE EXPORT TRADE IN OIL-SEEDS. 1045

(Mr. Ranga Achariyar.)

4TH APRIL 1919.]

“Therefore, it will be seen that from both aspects, namely the preserving and the conserving of foodstuffs in the country and also the finding of substitutes for the oils which are diminishing in quantity, it is necessary in order to meet this crisis that we should preserve the oil-seeds in the country. That is looking at it from the point of view of a temporary measure to meet the urgent needs of the situation. But looking at it from the broader point of view, as a sound economic policy to be pursued by Government, I say it is an essential step to take at once in view to the industrial re-organization which is promised to us.

“This groundnut crop is essentially an industrial product which can be used in various ways for producing highly commercial products. Recently the Bombay Government have been investigating this question and their chemical expert, Mr. Mackenzie Wallis has made an elaborate report on the value of the groundnut crop both as a food crop and also as an industrial crop. He has written an elaborate report, pointing out how useful every part of the groundnut is, for making a commercial product out of it. There is the use of the kernel which he says can be used for making paper out of it; you can use the red skin for various purposes and he points out that olive oil can be extracted and crude oil can be preserved and oil cake can also be manufactured and a highly nutritious food can be extracted out of it; bread and biscuits can be made out of it; and he also points out that the refuse will be highly useful for manurial purposes. Therefore, this commodity of oil-seeds is useful for human beings and it will be useful for the consumption of beasts. Even the supply of fodder for cattle is becoming short and it is becoming a very difficult question for the people as to how to keep the cattle going; and what with straw selling at an enormous price, cattle-food is becoming very dear indeed. This Government have been pursuing a very wrong policy indeed all these years to allow this commodity to go out of the country which is so essentially needed for consumption and for oil for the country. You do not require any elaborate machinery or any costly installation for the purpose of making this a purely commercial product. Both by private enterprise and by public action, action on the part of the Government, I think that these groundnut crops and various other oil-seeds can be turned into highly useful purposes for the country.

“I do not see any valid objection which can be taken to taking this step. The only objection which is taken is that it is likely to reduce the prices so far as the producer is concerned; he is not likely to get as high price as he is now able to get, in cases free export is allowed. Assuming it is a valid argument, I think the good of the larger number, that is the public, and the interests of the public ought to outweigh this loss, if really loss is likely to be caused to the ryot. I doubt very much whether really in the end loss will be caused to the ryot. After all, who is it who profits by the high prices? It is more the middlemen and others who advance money when the produce is on the lands. Large sums of money are advanced by firms and by other money-lenders and middlemen on the seeds even when they are on the field and long before the ryot reaps them, and the ryot is obliged to sell them, so that the high prices do not really go the advantage of the ryot. I do not deny that he gets some portion of it, but a large portion of it goes more to the middleman and the merchants who make these advances beforehand. Therefore that is not a circumstance to be taken into consideration. The question is whether it is for the larger good of the public that this product should be preserved for the country. If so, what is the duty of a Government having the larger interests of the public at heart? Is it wise to allow foreign nations to make superior oils and make costly soaps and various other manufactured articles and make huge profits, while in the country itself it can be turned into useful purposes by a little money and labour and skill bestowed upon it? I ask what would Japan have done if she had a commodity like this at her disposal? Would she allow this to be taken away freely? On the other hand, she would put an embargo upon the free export of such useful products. Here this is a highly agricultural country where we want every sort of manure to keep the lands fertile. There is a complaint that land is losing in fertility and therefore all sorts of manure are required now to keep up the fertility of the soil. If we allow this raw commodity to go out in millions of tons or cwts, out of the country, you are depriving the country of the benefit which the country should have. For the greater good, Government have to interfere and stop profiteering, because a few individuals will have to yield for the larger good of the larger public. That is the only objection which has been raised so far.

“I may say, Your Excellency, that this matter was twice considered in a meeting of the Ryotwari Landholder's Association, one a public meeting and the other a meeting of the Committee. This matter was considered at the public meeting and Doctor Slater pointed out most forcibly that this is a matter in which the Government ought to take steps at once in order to prevent the export of these valuable oil-seeds from the country. Afterwards, the matter was considered in a meeting of the Committee and they came to the conclusion that they should recommend to the Government that the free exports of oil-seeds should be prohibited. The matter was considered in a meeting of the Emergency Committee at Madras of which the Collector of Madras was the President. The Government invited suggestions as to what steps should be taken in order to induce the people to take to other oils in order to meet the situation created by the shortage of kerosene oil, and the Emergency Committee suggested that restriction should be placed on the export of oil-seeds.

“Therefore this motion of mine has the support of the Ryotwari Land holders' Association and the Emergency Committee of Madras, and when you come to consider it from all points of view, I submit it ought to appeal to Your Excellency's Government to take some steps. I know that Your Excellency's Government will have to apply to the Government of India for permission

(Mr. Ranga Achariyar; Mr. Venkatapati Raju; Mr. Wood.) [4TH APRIL 1919.]

to take the necessary steps. Under the Government of India Act to place any restriction on the export of commodities from the country, powers are vested in the Government of India. What powers should be taken, I am bound to suggest. I will suggest that a large export duty should be placed on the export of oil-seeds. While I will be prepared to go to the extent of a total prohibition of all exports, as a practical man I would suggest that a large export duty on the export of oil-seeds will suffice. That will create a competitor from outside and keep up prices in the country itself so that the ryots' share in any increased value may not be diminished. That is the only legitimate objection that can be taken to this question. Therefore, in order to facilitate, to lighten the burden upon the ryot, I suggest that Your Excellency's Government may apply to the Government of India to put a large export duty on the export of oil-seeds. I do not think it is necessary for me to say anything further. The matter, I submit, is of vital importance; at present, it is of urgent importance and for the future it is of vital importance. I am sorry the Honourable Member in charge of the Industries Department is not here; looking at it from the larger point of view as regards the future policy to be pursued by the Government with reference to commercial products, I think a beginning should be made by the Government. If you are going to allow the free export, when is this country going to begin its policy of industrial regeneration? When are you going to make a beginning? It is this sort of action on the part of the Government which sometimes embitters our feelings against the Government. I may tell Your Excellency that action should be taken forthwith; the industrial policy requires it. We cannot remain agriculturally great, we must also become industrially great. When we see the Government allowing opportunities like this to go by, and allow foreign nations to take advantage of our raw products, and become industrially great at our expense, it provokes, thought among us and we feel that the Government are sacrificing our interests for the benefit of foreign countries. Such a feeling ought not to prevail in the country; and it is high time that Your Excellency's Government take strong action to put an end to such feelings. Therefore, both as a temporary measure and also as a sound commercial policy I ask Your Excellency's Government to take early steps to put a prohibition on the free export of oil-seeds from the province. I therefore commend this proposition to the acceptance of the Government."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, I have great pleasure in seconding the resolution moved by my Hon'ble Friend Mr. Ranga Achariyar so elaborately. I do not propose to introduce any spirit, any racial spirit, in the discussion of this simple resolution for the simple reason that there are difficulties in the way. The persons who actually raise oil-seeds want a decent price for the stuff. How to realize it? Either it must be exported or it must be wholly utilized in the country. If we cannot wholly utilize it, we must find some outlet for the crop. There is another difficulty on the part of the Government. I do not know what shape the recommendations of the war conference would take in the matter of the export of these articles in the Empire or out of the Empire. These are also the considerations that would weigh with the Government. But there is this point which cannot be avoided, that in all other countries, and mostly Germany, they prohibit or they raise a sufficiently high tariff to prevent oil reaching there. If you want to export oil, they would raise a high tariff, so that it is not possible to export oil. Whereas the Government there make it easy for us and provide additional facilities for the export of any amount of oil-seeds, and the reason is that they want to have the oil industry in their own country and they want to utilize the stuff for manure purposes. I do not see any reason why our Government should lag behind. We should do something to preserve this article for the purpose of agriculture. Though at the outset some people may complain that they are not realizing the profit which they ought to realize if freedom were allowed, as the Hon'ble Mr. Ranga Achariyar put it, the larger interests of the country require it; and also the ignorance and want of scientific knowledge of the agriculturists in India should make us consider whether it is not to their advantage in spite of the temporary loss to have this freedom. It would enrich their country; it would enrich their soil and people would raise a larger amount of crops. The Madras Presidency is a place where a large quantity of oil-seeds are raised and therefore it is very well that the Madras Presidency should take the lead and bring it to the notice of Government as earnestly as possible how best to preserve oil-seeds in the country. In this connexion, I may add that it is not merely enough to prevent people from exporting oil-seeds but it is also necessary to see that these people of the country utilize it to the best advantage, and for that the Agricultural Department should give the necessary facilities and help. Even the Industries Commission recommended it. Therefore I do not see any difficulty in the Government accepting it in this form in which the Hon'ble Mr. Ranga Achariyar has presented it. Some facilities may be given so that oil-seeds may be utilised in the country. I hope Government will accept the resolution of the Hon'ble Mr. Ranga Achariyar and therefore I heartily second the resolution."

The Hon'ble Mr. R. B. WOOD:—"Your Excellency, the Honourable Mover of the resolution has based his argument on two grounds, one temporary and the other permanent. I had better take these two grounds in order.

"With reference to the temporary ground, and the special urgency at the present time, the argument is that in the present scarcity of kerosene oil, vegetable oils might be used in lamps to supplement the supply of kerosene oil and further that in view of the shortage of food grains, kernels, copra and groundnut might be used as food. He quoted from the report on Sea-borne Traffic regarding exports of seed-grains from this Presidency. The question of control of commodities is one for the Government of India which is acting in concert with the Allies in

4TH APRIL 1919.] (Mr. Wood; Mr. Ranga Achariyar.)

Europe. There had been a certain amount of control over the export of food-grains and oil-seeds since 1917, and quite recently the Government of India removed all control and we may infer reasonably that this was done in concert with the allied Governments. Before we can ask the Government of India to put back the control, they will have to consult the European Governments about it and we would have to be quite certain that we had a very good case. From the temporary point of view as to special urgency at the present time, the question is: have we got a case? And I think the easiest way to deal with it is to look at the exports from this Presidency during the last five years. Starting from 1913-14 before the war began, the exports of seed-grains were 277,000 tons; since that time they have steadily decreased. I do not know whether the Honourable Mover's statement that the export of seed-grains was specially large during the war refers to India or to this Presidency. But as far as the general export from this Presidency goes, the figures are obtained from the Collector of Customs in Madras for the whole of the Presidency, and it shows that there has been a steady fall. In 1914 it had dropped from 277,000 to 220,000 tons and in 1915 to 217,000 tons, in 1916 to 140,000 tons; in 1917 it rose slightly up to 159,000 tons, in 1918-19 it was 53,000 tons, that is just one-fifth of what it was in 1913. Recently during the last four months, the drop is even faster. In the last four months in 1917-18 there was an export of 63,000 tons, but in the last four months up to date there has been an export of only 15,000 tons. The export is so small at this rate compared with the total production of oil-seeds in this Presidency that we have no case whatever to go to the Government of India to show that we are handicapped or prejudiced or that we are losing our resources to any extent in this Presidency. Thirteen thousand tons in that we are losing our resources to any extent in this Presidency. Thirteen thousand tons in four months is only 39,000 tons per annum, and when we have a production in the Presidency of food-grains of 9 million tons in ordinary times and this year probably 7 millions at the least, and possibly a little more, 39,000 or 40,000 tons of oil-seeds are not going to make very much difference. It would not make a very large difference either in respect of lamp-oil. For lamp oil, groundnut oil is not used very much so far as I know. You have castor-oil and the oil of copra. Under copra in the Presidency, including Travancore and Cochin, we have 800,000 acres under cultivation and the export of copra during the last year was 14,000 tons. Fourteen thousand tons is nothing compared with the total yield of 800,000 acres in the Presidency. The export of castor has slightly increased during the past year, but the demand for castor is regulated by the demand from Europe and if we prohibited the export of castor-oil, we would only succeed in reducing the area under castor oil and we would not be benefiting the Presidency. The groundnut seed next to copra is the most important seed of the Presidency. The export of that has dropped from 103,000 tons in 1917-18 to 22,000 tons in the current year. That is to say, it has dropped a great deal and we have only exported one-fifth of last year's export and the demand for it is so slack that we have four lakhs of bags rotting in South Arcot and Pondicherry. A request to prohibit the export, while we have these bags not demanded here, not demanded in France, would not carry any weight with the Government of India. From the kerosene oil point of view, the prospects of getting more imports of kerosene oil are improving. The result of stopping exports would not be felt by the users of vegetable oils in place of kerosene oil for several months, and by that time we all hope that the position of the kerosene oil will be settled. So from the kerosene oil point of view, we must consider that the motion will not be effective, and from the food point of view, its effect would be equally small. The export of copra is so little that we have no real case of grievance. The export of groundnut is so restricted by the lack of demand in Europe and the lack of transport facilities that we actually have four lakhs of bags for which we ought to find demand. Nor is there any demand for its supply as food in this Presidency.

"There is another interesting point, that is with reference to the area under oil-seeds. In 1913 the area was 62 lakhs of acres. In the current year 1918 it was 60 lakhs, that is to say, the area under oil-seeds has scarcely decreased, in spite of the great fall in exports. Thus, we again see that there is really no excess of export at the present moment whatever it may be under usual conditions, and that as a temporary measure, to relieve the urgent necessity there is no case made out for approaching the Government of India. As I said before, unless we have a really strong case it is no use asking the Government of India to upset the arrangement which has been come to in concert with the allied Governments.

"The second point of the Honourable Member from the permanent point of view is one that I had not anticipated until he mentioned it to me just before this Council meeting. During the past four years, there has been great restriction of exports owing to want of traffic and transport facilities. One would have expected, if there had been any demand for oil-seeds in this country for industrial purposes, that advantage would have been taken of it and factories started for their use, but we find on the contrary that has not been done. Mr. Tressler investigated the possibilities of putting up crushing installations for oil-seeds in the beginning of the war, and he found at that time that it would not be cheap, as the Hon'ble Mr. Ranga Achariyar said, but they would be very expensive and they would have to be obtained from England or America. He found that at that time they could not be got."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"What is the cost, may I know?"

The Hon'ble Mr. R. B. WOOD:—"That depends upon the outturn of the crushing installation. I do not know the unit, but the expense is considerable. In the first place, it is not enough to crush the seed. We must get the machinery for utilising the by-products besides the groundnut oil. The actual profit that could come in from the crushing

1048 RESOLUTION RE CONTROL OF THE EXPORT TRADE IN OIL-SEEDS.

(Mr. Wood ; Mr. Yaqub Hasan ; Mr. Ahmad Tambi Marakkayar.) [4TH APRIL 1919.]

oil machinery does not come from the oil itself, but from the by-products. A certain amount of seeds are pressed by hand-mills on the West Coast, but they cannot compete with European oil because the product is not so pure. It will mean a very large capital and a certain amount of risk to instal crushing factories in South India and it is a question whether we should put on export duties or restrict the export of raw materials until we are prepared to deal with them in this country. The value of these oil-seeds exported from the country to the ryot was 177 lakhs of rupees in 1917-18 and in the current year it is Rs. 103 lakhs. That is a very large amount of money to ask the ryot to forego.

"If you put on export duty, it is said that it would imply—I do not know if the Hon'ble Mr. Ranga Achariyar has said it—it would be paid by the importer, and it would not affect the country very much. The price of groundnut seed is not dependent upon the Indian harvest. The export of groundnut seed which is the chief seed for us comes very largely from China, Japan, Africa and many other countries on the face of the globe and the Indian portion is quite small. If we put on export duty, it will still mean that the importers in Europe will pay the same price for our seeds as they pay for the seeds from other countries, so that the whole of the export duty will be paid by the producer. That will mean that manufacturers in South India will get their seeds cheaper for their manufactories. That would be no doubt an advantage from the industrial point of view, but the interests of the industries and those of the ryots are usually not quite the same. In spite of what the Hon'ble Mr. Ranga Achariyar has said, I think the ryots will object. But even supposing that these interests can be reconciled and that the ryots would get their oil cakes cheaper and would get cattle food cheaper and their manure cheaper, we are still met with the problem that we have no factories and no oil presses and we cannot ask the Government to set up these. We may ask the Government to finance them, but at present that is a policy which has not yet been accepted although possibly it has not been rejected.

"From this permanent point of view, therefore, I think that it is essential to wait and see what resolution is come to with reference to the report of the Industries Commission. If that Commission recommended an export duty on raw materials in order to facilitate and help the development of industries in this country, then the placing of an export duty on oil-seeds in accord with that policy would naturally follow. But it is absolutely necessary to know what policy we are going to follow. If, on considering all the arguments on both sides, it is considered better and safer not to put export duties on raw materials in order to facilitate local industries, it seems to me that we cannot ask the Government of India to put an export duty on oil-seeds. The question is an extremely complicated one and its solution is by no means as simple as the Honourable Member thinks. It is not quite fair to say that the Government do not look to the interests of the country, because they do not take a step which theoretically seems sound; but when we come to translate these theoretical considerations into practical considerations and see how they are going to affect agriculture and industries, we have many mistakes. You cannot deal with a thing like that from the point of view of a single industry or a single raw material. In dealing with the report of the Industries Commission this question is bound to be gone into very thoroughly and I have no doubt that the arguments of the Honourable Member will then be taken into consideration by the Government. That is a point on which I am not qualified to speak."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Your Excellency, I am opposed to this resolution. I do not know what the Honourable Member means by controlling the export of oil-seeds. Perhaps he means that the export of oil-seeds should be discouraged as much as possible. His object perhaps is that if these oil-seeds are used or consumed here, that is to say if oil is extracted from them and the oil is sold to foreign countries, India will be a greater gainer than she is by exporting raw materials. No doubt that is a very good object and I wish that an arrangement will be made at an early date for starting this industry of extracting oil. There was a talk of Tata & Sons doing something in this line on a very large scale in Malabar. If some such thing is put into execution and then if we find that we are not able to compete with foreign countries in the matter of oil, then it would be high time to consider how to help this oil industry and then if it is found that by putting on some duty on the export of oil-seeds we will be encouraging this industry it should be considered then. If this resolution is passed now and the Government try to control the export of oil-seeds no good will be done, unless the oil industry itself comes into existence. Simply because you have controlled the oil-seeds, it will not bring the industry into existence. That is like placing the cart before the horse. Let us first think of the industries and then of other contrivances that will be necessary to encourage that industry. On that ground, I oppose this resolution.

"There is this also to be said that by exporting the oil-seeds we may get something in exchange for them. The adjustment of exports and imports makes up our wealth and if you try to limit your exports, imports will not be limited to the same extent. The result will be that you will find more money going out and less money coming in, and that will do greater harm to us than the little good that could possibly be had by adopting such a policy as this."

The Hon'ble Khan Bahadur A. T. G. M. Ahmad Tambi Marakkayar Sahib Bahadur:—"Your Excellency, I do not know what benefit it will do for this country to prohibit the export of oil-seeds. As the Hon'ble Mr. Wood stated, this country produces over and above the

RESOLUTION RE CONTROL OF THE EXPORT TRADE IN OIL-SEEDS. 1049

[4TH APRIL 1919.] (Mr. Ahmad Tambi Marakkayar ; Sir Gordon Fraser ; Mr. Rajagopala Achariyar ; Mr. Ranga Achariyar.)

required quantity for local consumption and that surplus quantity is so large that we must under no circumstances stop export to foreign countries. To do so, it will only benefit the merchants. Not only the ryots of this country benefit by export of oil-seeds to the foreign country but it gives greater benefit to the poorer classes of people in the transport from one place to another and export by steamers. By allowing this export to foreign countries, merchants are benefited and a large number of boatmen and coolie classes who are living on this business are benefited. If a total prohibition is made, it will tell seriously upon the poorer classes of people of this Presidency and also the merchants. I quite agree with the Honourable Mover of the resolution in thinking of prohibiting the export of oil-seeds, but we can do so only if this country will be in a position to manufacture any produce such as foreign countries are manufacturing. I mean to say, taking groundnuts, when we ship groundnuts to foreign countries, they are manufactured into soaps, candles and other products; we are not in a position to manufacture such articles as we are always dependent upon foreign countries in the question of machinery. Until such time—I do not know how long it will take—as we might become independent of foreign countries, and so long as we are not in a position to manufacture goods from our raw materials, I am afraid the total prohibition of the export of oil-seeds or any produce will seriously tell upon the interests of this country. With regard to the levy of duty, if this is introduced, merchants in foreign countries will also induce their own Government to impose penal duties on goods exported for India. I do not think it will do us any good at the present juncture in making either a total prohibition or a partial prohibition of export of oil-seeds to foreign countries or levying any heavy or penal duty on export. It is not time for us to take up this question and we should wait until such time as we can be independent without depending on foreign countries to get the machinery. I therefore oppose this resolution."

The Hon'ble Sir Gordon Fraser:—"Your Excellency, I also oppose the motion. The Honourable Member has dealt with it from two points of view—one the present urgent want of foodstuffs, and the other the broader lines of the improvement of industries in future. He also mentioned at the beginning of his speech a certain reply given by the Government to a question put at the last meeting, and he said that in view of that previous reply it was up to him to make out a case in favour of this resolution. I think myself that he has failed, badly failed, to make out that good case.

"As regards groundnut oil-cake as a foodstuff, it is quite new to me. I do not say that the Honourable Member is wrong, but it is quite new to me to hear that groundnut punnac is used as a foodstuff by human beings in this Presidency."

The Hon'ble Diwan Bahadur P. Rajagopala Achariyar:—"For cattle?"

The Hon'ble Rao Bahadur T. Ranga Achariyar:—"For human beings also."

The Hon'ble Sir Gordon Fraser:—"I never heard of that. When one considers the great difficulty that is experienced in persuading the poorer inhabitants of this Presidency to take to Burma rice, I think it would be much harder to try and induce them to eat punnac.

"The next point was the question of conserving the oil to compete with kerosene oil. Kerosene oil is in short supply, but the price is about one-sixth of the price that we have to pay for groundnut oil. In olden days, kerosene oil was in constant competition with the vegetable oils of the Presidency. In course of time, the ryots got more and more money for their oil-seeds, and for illuminating purposes the people turned to kerosene oil. We will have to bring down the price of groundnut oil to a very low figure before we can use it in competition with kerosene oil.

"Then as regards the broad point of view in regard to the future of industries, we have the initial difficulty that at the present moment there are no facilities for crushing oil-seeds, and if we were to control the export now, we would simply leave the groundnuts rotting in the country. At the present moment, there are three or four lakhs of bags stored in this Presidency to my own knowledge and they have been stored for over a month; they are losing very considerably and at the moment, there is no buyer in the country or abroad. The Honourable Member quoted Japan and pointed out that, had Japan the supply of oil-seeds, such as groundnut, Japan would not have allowed them to go out of the country. I am perfectly certain the Honourable Member is wrong. Could Japan raise a crop of groundnuts such as the Madras Presidency does, she would certainly export them at the high price at which foreign countries offer to buy and she certainly would not keep them in the country when she could import a more suitable oil at a very much lower price. It would be the height of folly not to get the high prices for oil-seeds that other countries are prepared to pay if we export them, especially when you can import a more suitable oil for illuminating at one-sixth of the price which other countries are prepared to pay you for the commodity you export.

"The Honourable Member suggested the imposition of export duty on oil-seeds. Very many people think that the imposition of an export duty on oil-seeds amongst one or two other articles of merchandise in India would be a very good thing. But on the whole I think I am correct in saying that expert economic opinion is opposed to it. If you do interfere with the export of groundnut and the export of groundnut oil, you are going to interfere with a considerable source of revenue to this country. Then again if the ryots are not allowed to export their groundnut, the ryots are not going to grow it. They will have to turn to something else and

1014 RESOLUTION RE TRANSLATION OF THE PROCEEDINGS OF THE
LEGISLATIVE COUNCIL.

(Mr. Narasimha Ayyar; Mr. Rama Ayyangar;
Mr. Todhunter.)

[3RD APRIL 1919.]

before the public. The public are taking increasing interest in legislative business. Whereas formerly the proceedings of Legislative Councils would not be watched by a large number, I am now agreeably surprised to notice that even in out of the way corners people discuss what is done here. Greater interest is evinced. A still larger number would take an interest if the proceedings are made available in the vernaculars.

"Here again the only objection to it would be the cost. I think the cost in this matter would not be deterrent. I am unable to see what objection there can be to translate these proceedings. More especially because we have negatived resolution No. 3 and at present there is no other language than English, we may at least give to the public knowing only the vernaculars a chance of knowing what is going on here. I hope this resolution would not be opposed."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I beg to second this resolution. We have had a discussion on this subject on a previous occasion. Since then, it must be admitted that the conditions of the country have considerably changed. As far as I am able to see, I am able to make a clear statement that many more people take an interest in these questions now. I should like also to refer to the Hon'ble Mr. Todhunter's statement during the discussion of the last resolution in the Council. If he thinks that it is only in Salem, as pointed out by the Hon'ble Mr. Narasimha Ayyar, that the people take an interest in reading the proceedings of this Council, I may say that I know at least of three other places, where associations get the third part of the gazette and regularly go through the proceedings. A number of warm students of politics have taken to this. The *Saradesamitran* paper which is practically giving the report of the English press in Tamil is being actually devoured like anything. It must be conceded, whatever may be the opinion of the Hon'ble Mr. Todhunter, that these reports are mostly not quite accurate and often do not grasp the points that are really urged. The interest that is being taken by a large portion of the public is growing day by day. Whether a fair opportunity is being allowed for Honourable Members to place their case before the Government and whether the Government accept their views—if the public are given a chance of knowing what is being done, there will be considerable satisfaction. It is often said that we, non-official members here, are not able to achieve anything in this Council and we waste our time and are probably obstructing the Government in their proceedings and after all are not able to effect anything. But I think a full report of this Council's proceedings in the vernaculars if read out in mundis or chavadis and the bazaars of mufassal stations or taluk centres—if these things are taken up by the people, there will be much better understanding of the work of the Government and the non-official members. I am more concerned with the work of the Government than of non-official members. I have no doubt that they will be able to see that, whatever the result may be, they will realize that the non-official members are given a fair opportunity to represent their case and understand the spirit in which the Government reply to the non-official Members. This will be of use both to the non-official members and the Government. It is too late in the day to put off this matter. The war has changed the conditions of the country and the people are taking interest in these things and the life of the non-official members is not very easy now as in previous years. The Government also are judged much more carefully than before. Every kind of expression that we give here is being considered by the public as almost absolute truth which is not fully met by the Government. If the Council's proceedings are published fully, they will see that the Government have cases which to the best of their lights they are placing. There should be no more delaying. In the interests of the Government it is necessary that this resolution should be accepted and should be given effect to without further delay."

The Hon'ble Mr. C. G. TODHUNTER:—"Your Excellency, this is a resolution which has *prima facie* much that is very attractive about it, especially from the point of view of the Government. The Hon'ble Mr. Rama Ayyangar has drawn a picture of the simple villagers sitting round in the village *mandai* listening to the reading by the karnam of the full reports of the proceedings of this Council, a matter which, as we all know, involved last year over a thousand pages of print. He has called attention to the advance of political education which would follow from such a measure and has suggested to the Government the advantages they would derive from having their side of the case brought home to the people through the reading of the speeches of their members. I can assure him that, if the Government thought that these results would follow from the simple process of translating and publishing broadcast the proceedings of this Council, they would be only too glad to fall in with the proposal. Unfortunately, their experience has been what is expressed by the homely proverb that you can take a horse to the water, but you cannot make it drink. You can publish the proceedings broadcast, but you cannot make the people read them. This is especially applicable in the case of the full record of the proceedings of this Council. I cannot imagine in my own country any assembly aloud. In fact, I venture to doubt if many members of this Council have read in full in Hansard the speeches that have been made on the most important question before the country at the present day, the Indian Reforms. The fact is that people who read about politics at all like their reading in a more digestible form and with a little more spice in it than would be afforded by the voluminous record of the proceedings conducted in this Chamber with what the Hon'ble Mr. Narasimha Ayyar has described as sepulchral awe."

RESOLUTION RE TRANSLATION OF THE PROCEEDINGS OF THE 1015
LEGISLATIVE COUNCIL.

3RD APRIL 1919.]

(Mr. Todhunter; Mr. Venkatapati Raju.)

"I might quote statistics, as was done on the last occasion when this question was raised in Council, to show what demand there is for the vernacular portion of the gazette. I think, however, that it is unnecessary to trouble the Council with that again. The fact is that the question is one of supply and demand. If there is a demand by people who would be prepared to pay even a small sum for translations of abstracts of speeches of Members of this Council, there is an agency ready and anxious to supply it. The vernacular press does not devote a large part of its columns to the reproduction of news. I believe I am right in saying that there is only one vernacular newspaper in this presidency which subscribes to Reuter. Its matter is mainly political, and if speeches in this Council were good political copy, the vernacular press, which is not overburdened with funds, would be glad to make use of the abundant supply of copy which would be available at their hands for the asking. The fact that they do not do so seems to imply that there is no demand for the matter in question."

"In this connexion, I should like to take another instance of the absence of demand. The Honourable Member published some few years ago a book entitled 'My work on the Legislative Council,' which was applauded in the press as a valuable piece of political education. I should like to ask the Honourable Member whether he published this book in all the vernaculars of the presidency. I can find no trace of his having done so, and if he did not, I think that must be taken as an indication that there was no demand for a vernacular work of the kind for the purpose of the political education of the presidency."

"I think perhaps that one reason which prevented him from doing so was that which he mentioned on another occasion, namely, that the national languages do not readily adapt themselves to the expression of abstract ideas. I have heard it said more than once in this Council that even the official translations of the Acts are not intelligible to the people and I have a vivid recollection of a debate on the question of vernacular textbooks in science to which Dr. Navare contributed a most interesting description of the jargon, half English and half Tamil, which would have to be used to express scientific ideas. I have an even more vivid recollection of being called upon once to speak at a vernacular school which had recently erected a fine new flagstaff and a flag, when as I was trying to throw together a few ideas on the significance of the flag in the vernacular. I asked a Deputy Collector who was camping with me how he would render in Tamil 'The flag on which the sun never sets.' His reply after much thought was that it could be done, but that it would take a quarter of an hour to express the idea."

"The only province which has made any experiment in this direction is the United Provinces in which Urdu, as we all know, is the lingua franca. The Hon'ble Mr. C. P. Ramaswami Ayyar has told us, however, that English is the lingua franca in Madras and I think he is quite right and that for the present English is the language through which political ideas can best be conveyed."

"This being the case, I do not press the question of expense, though that is one that would have to be considered if it were decided to proceed with the scheme. We have to see that such finances as we have are used in each case to the best possible purpose and it would have to be shown before we embarked on a broadcast distribution of vernacular translations of the voluminous proceedings of this Council that the demand for the expenditure was more urgent than the other demands which were waiting for money."

"I will mention only one more thing, that is, the period within which the translation should be published. The Honourable Member says that these translations should be published with the English record within a fortnight. I have just shown in answer to the previous resolution that it would be very difficult to get the English record out within a fortnight. If we were to wait for the translations, it would take much more time to publish the proceedings; it would be more like two months than two weeks."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, the last observation of the Hon'ble Mr. Todhunter is quite correct, because it is not possible for us to print the translations along with the English proceedings. Therefore that latter portion the Hon'ble Mr. Narasimha Ayyar may delete and substitute 'as early as possible.' The other question is there is a difference between persons reading the Hansard proceedings and the persons reading the proceedings of our Council here. Here the people want particularly to know how the members returned to the Council are discharging their duty and these members often complain to their constituents that they are unable to do anything. If they had an accurate translation before them, they will see what the Government are doing, and it will be better in the interests of the Government as well as in the interests of the Members. It is not a matter whether all would read. The question is whether we should not give facilities to those who are inclined to read translation of the proceedings to do so. The Hon'ble Mr. Todhunter inquired why the Hon'ble Mr. Narasimha Ayyar did not publish his book in the vernacular. Of course, if he had handy such an office as the Government have, he would certainly have published it in a hundred vernaculars. The question is whether the Government would be able to do it. Is it not their duty to make the people understand what is actually going on? We often complain that our words are not heeded. The people should know how the Government treat us. I therefore earnestly suggest to the Government in the interests both of the Government and of their critics that the proceedings should be published."

1050 RESOLUTION RE CONTROL OF THE EXPORT TRADE IN OIL-SEEDS.

(Sir Gordon Fraser; Mr. Ramanuja Achariyar; [4TH APRIL 1919.
Mr. Suryanarayanamurti Nayudu; Sir Francis Spring.)

we will have them on some crop which will not pay them so well. It would be very foolish indeed, to interfere and put restrictions so that the ryots would cut down their area under groundnuts. Groundnut has been always recommended as a very profitable crop and ryots have done very well over it. I think the Honourable Member also said that shipping firms have done very well over it. I think I am correct in saying that as regards the last he is not quite correct, because we firms who have shipped kernels for the last twenty years—I think the Honourable Member from Cocanada, the Hon'ble Mr. Suryanarayanamurti Nayudu, would bear me out—at the end of the year if we can show half per cent or one per cent clear profit, we are very pleased with the business. If you control the export, ryots would not grow this crop. As the Hon'ble Mr. Ahmad Tambi Marakkayar mentioned, more is grown in the country than is wanted. If you control the export, it will lower the price and enable the people to use punnac as food, if they care to do so, which I very much doubt, but it will have a serious effect on the economic conditions of the country.

"There is another point which has been overlooked. I think the Hon'ble Mr. Wood pointed out the fallacy that India as a whole has not the monopoly of the oil-seed supply of the world. If we are going to put excessive export duties on the shipment of oil-seeds or refuse to allow them to be shipped, we would do great harm to the trade of the country. It would not prevent other countries from importing their supplies from elsewhere. It is a fact that a number of continental countries before the war imposed heavy duties on the importation of oils while at the same time allowing oil-seeds to be imported free. If we can in any way retaliate, if we can make them take oil from India, I should back up any suggestion to carry that into effect; but I am afraid we cannot. If we say that we will not ship them our oil-seeds, they get them from China or Senegal. I do not think the Honourable Member who proposed the resolution has considered that point. We ought to sympathize with the desire to ship oil instead of oil-seeds. But I do not see how we can enforce it. Then the Honourable Member referred to the shipments from this Presidency to China, America and Singapore. I may mention for the Honourable Member's information that in normal times India does not ship to these places, and the only reason that for the last one or two years large shipments went to these places was because the China groundnut crop was a failure. China itself grows ample groundnuts and does not want supplies from India at all. I do not think the Honourable Member's attack on Government in connexion with the oil-pressing industry is at all justified. It is a matter—I know for a fact—which has been before the Government for some years and just before the outbreak of the war, Government had a scheme to introduce oil-crushing in this town; orders were placed for machinery and part of this machinery had already arrived when the war broke out, and it was found impossible to get the rest of the machinery from Home. Ultimately the machinery in Madras was sold after waiting for about a year to the north of India where it could be utilized with advantage. I therefore oppose this resolution."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"Your Excellency, I also oppose this resolution from the landholders' point of view. Most of them are able to pay the high assessment demanded of them by raising oil-seeds, and if you are going to interfere with the export of oil-seeds, you will put a large burden on the shoulders of the landholders. Until Government are in a position to develop the country industrially and enable the ryots to sell their oil at the same price as they sell the seed now, I would deprecate any attempt to prevent the export of oil-seeds."

The Hon'ble Diwan Bahadur K. SURYANARAYANAMURTI NAYUDU:—"Your Excellency, while agreeing fully with the Hon'ble Mr. Wood and the other members who opposed this resolution, I wish to say one or two words. This resolution says that 'steps should be taken to control the export of oil-seeds from this Presidency.' There are two sorts of oil-seeds in the north—the niger seed and the rape seed. The niger seed is not at all used for local consumption but only intended for export. Not an ounce of that is used for taking out oil in our districts. On account of having no tonnage in the last few years, nothing could be shipped from Ganjam and Vizagapatam districts, and even now in the Ganjam district in several places you find large stocks of niger seed unsold. So without having any factories to extract the oil simply, to stop exports or to levy any duty is suicidal in my opinion. So far even the crude way of extracting oil is done only with castor, gingelly, groundnuts and copra. Even for cotton seed which is produced in large quantities, there is not any factory worth the name in our part of the country for extracting oil. What is to become of all these cotton seeds? It is already a cheap article, and if any more duty is imposed over it, it will be impossible to compete with other countries, and even the little price that we are getting now, it will be impossible for us to get, there would be a loss. With these words I oppose the resolution."

The Hon'ble Sir FRANCIS SPRING:—"Your Excellency, I am sorry that I was not here when the resolution was moved and the result is I am ignorant as to why the Honourable Member moved it. With regard to oil-seeds I do not know if he wishes to keep the cake in the country for manuring purposes and prevent its export or whether he is thinking about the food supply derivable from the oil itself. It seems to me that the question is going to solve itself without any resolution of this sort if Messrs. Tata & Sons' scheme at Cochin is going to come to a head. I understand from Messrs. Tata's expert, Mr. Thompson, who is here and who has been several times here during the last four or five years, that in the Philippines this

RESOLUTION RE CONTROL OF THE EXPORT TRADE IN OIL-SEEDS. 1051

4TH APRIL 1919.]

(Sir Francis Spring; Sir Gordon Fraser;
Sir Fairless Barber; Mr. Subbarayalu Reddiyar;
Mr. M. Ramachandra Rao.)

vegetable oil export business is done on a gigantic scale of which we have no knowledge in this country for the reason that they are able to put it in bulk into tank-ships without having to use casks. That seems easy enough until one looks into the details. We must have bulk ships lying along the works while the seed is being crushed, because of none of these oils will stand transit through 30 or 40 miles of pipe like earth oil, like kerosene oil. It must be within 100 yards as Mr. Thompson told me. That gets rid of the cask difficulty. I think the Hon'ble Sir Gordon Fraser will confirm me that there are no casks and there is very little wood for making casks and I do not think there is any machinery at present for making them."

The Hon'ble Sir GORDON FRASER:—"Yes, it is quite right."

The Hon'ble Sir FRANCIS SPRING:—"If the cake is to be retained in this country, for cattle food and manuring purposes, we shall have to do something on a very much bigger scale than sending the oil home in casks as is done, and Messrs. Tata & Sons seem to me fairly well absorbed in that problem in Cochin, and we shall have to wait and see what they do. Then we come to the question about the food value of the oils. I am not an expert in anything of that kind. I understand that the largest portion of this ground-nut oil that is sent to Europe goes to Marseilles and there it is deodorised—I do not know by what process, but I am told it is by a process of superheated steam and then it becomes a substitute for olive oil which is the universal ghee or butter for cooking purposes for the whole of South Europe. We cannot make anything out of it as food. It seems to me that the Director of Industries should turn his attention to the whole subject and see whether he cannot retain valuable human food and cattle food, and in the meantime Messrs. Tata & Sons may solve it on their own account."

The Hon'ble Sir FAIRLESS BARBER:—"The point I wish to touch on has been already mentioned by the Hon'ble Sir Gordon Fraser and the Hon'ble Sir Francis Spring. I am really sorry that for some reasons I am unable to support the resolutions; the arguments against it are too patent. But I hope the consideration of the Government will be given to the depletion of punnac from the country. I know a great deal of punnac is used for the country. If this discussion to-day leads to any consideration of the matter of the export of punnac, I shall be very glad."

The Hon'ble Diwan Bahadur A. SUBBARAYALU REDDIYAR:—"Your Excellency, I have just one word to say. I am unable to agree with my Hon'ble Friend Mr. Ranga Achariyar. I would invite the attention of the Council to what the Hon'ble Mr. Wood has said. There are lots of ground-nut bags rotting in South Arcot and Pondicherry. Again the Hon'ble Sir Gordon Fraser has said that three or four lakhs of bags are still detained in the country. Why are they so detained? If really they can be otherwise utilized, would they not be utilized? It is certainly for want of plant and machinery to extract the oil from the ground-nut. Therefore I do not see any need for this resolution that demands the levy of an export duty if after all our ground-nuts are rotting in the country."

The Hon'ble Sir GORDON FRASER:—"May I say one word of explanation? The Hon'ble Sir Francis Spring referred to me for corroboration as to shipping the oil in casks. It may interest the Honourable Member and the other members to know that when oil is shipped from the Madras Presidency, in casks, the loss in weight on a voyage varies between 5 per cent and 10 per cent under present conditions, which makes the business almost impracticable."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Your Excellency, in connexion with the discussion of this resolution, I would like to invite the attention of Honourable Members to the report of the Industrial Commission as to the want of facilities for crushing oil in this country. That at present forms an insuperable obstacle in the way of utilizing the existing oil seeds in the country. Perhaps I might refer Honourable Members to page 35 of the report, where the Commission summarize the present state of the industry of oil-seeds and they mention the areas under each of the seeds—castor, copra, cotton, ground-nut, linseed, rape and mustard and other non-essential oil-seeds. They proceed to state that a very large proportion of the oil-seeds of this country are exported, and that: 'much of the balance is crushed either by small power plants or in country bullock mills, the latter of which are very inefficient in oil extraction.' They also state: 'The few mills of more modern type have found great difficulty in marketing their cake locally, and have also, in some cases, made serious mistakes in their technical management or business arrangements in the absence of proper advice. Little has been done hitherto by the overburdened Agricultural department to improve the local types of oil-producing plants or to investigate the conditions under which the oil is formed in the seeds. The methods of oil extraction have been equally neglected, and we recommend that this important matter should be examined by the experts who, we hope, will be available in the future. We recognize that the success of large scale mills producing oil for exports depends not only on the skill with which they are worked and on improvements yet to be effected in the means of transport (such as possibly the adoption of carriage in bulk), but on an even more important factor—the tariff policy which may be pursued in India and elsewhere.' Then they make various proposals for strengthening the staff and for financing this machinery for oil extraction. They proceed at page 62, also to dilate further on the present unsatisfactory state of things and the loss of the oil-cakes which are so useful for agricultural purposes in this country. Therefore I am entirely at one that if the question is to be considered now at once from the point of view of the producer, from the point of view of the ryot, there is absolutely no doubt that he will be a great sufferer in

1052 RESOLUTION RE CONTROL OF THE EXPORT TRADE IN OIL-SEEDS.

(Mr. M. Ramachandra Rao ; Mr. Ranga Achariyar.) [4TH APRIL 1919.

the absence of effective machinery for crushing the oil-seeds and for disposal of the by-products. If all the oil-seeds are retained in the country in the absence of this machinery, the state of things which my Hon'ble Friend Mr. Subbarayalu Reddiyar has depicted—a large number of bags being detained—must be the inevitable result. I am at one with the Hon'ble Mr. Wood that unless preliminary steps are taken to promote the development of industries and especially the oil-extracting machinery is installed, the mere effect of prohibiting the export of existing oil-seeds will not be of much good to the ryot. I am only talking from the point of view of the ryot. My Hon'ble Friend Mr. Ahmad Tambi Marakkayar was talking from the point of view of the exporting merchant shipper. I look at it from the point of view of the producer. I do not think the producer will be benefited to any extent under the existing circumstances."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"Your Excellency, I am extremely glad that this proposition has evoked a discussion on this all important question. I am quite aware that there are different points of view in dealing with such an important subject. There are difficulties in the question, it is a question of considerable difficulty; but at the same time how long are we to neglect this question is the point which I wanted to bring before the Government by opening a discussion to-day on the subject. The question has to be faced; the economic loss to the country, the economic loss to the ryot, is great, and it is that aspect of view that strikes us—the loss to the agriculturist. Eventually when millions of tons are exported out of the country, which should be put on the soil to fructify and fertilize the soil, it is a far greater evil than the temporary evil of a fall in prices. I am looking at it from that point of view. I am quite aware that the fall in price of the stuff will tell heavily on the ryot for some years, but you must look at it from the result which will happen when you have created this country and valuable commercial products can be produced, and when you are exporting valuable commercial oil outside the country keeping the other things for the benefit of the country. If you are going to wait for that day, it will be too long. This is one of the methods of forcing the hands of Government and of opening their eyes to the necessities of the situation. I am quite aware that unless we have got effective crushing oil-mills, it is not possible to use all the stuff that is produced in the country and make sufficient use of the oil-seeds which are to be used in the country. But some beginning ought to be made and I think it is the proper time now to take time by the forelock, because the very figures quoted by the Hon'ble Mr. Wood are sufficient evidence to convince him that this is the time for action on the part of the Government. For once again if you allow the export and the people wish to go back to the old days of free exports of millions of tons of oil-seeds, you will find it difficult to restrict it afterwards. When you have created a market, especially when you have to act in concert with the Allies, and when France has acquired its former hold on the groundnut produce of this country, it will be very difficult for us to intervene. Now is the time to take action. We have been able to prevent export for the last two or three years, and therefore it would be easier for us to continue to prevent the export now. If we allow the export freely, it will be difficult to restrict the export hereafter. I would therefore strongly urge upon the Government the necessity of continuing the present practice of restricting free export. I do not suggest the prohibition of export. The substantial gain in the end to the country will be very large and will far outweigh the momentary disadvantages of the temporary loss which the people might be put to. I am quite aware—the Hon'ble Mr. Wood misunderstood me—I am quite aware that there was a reduction in the quantity shipped during the war and that was because there was the difficulty of transport and also there was the order preventing the export of oil-seeds. That has been now withdrawn, the restriction has been withdrawn, and I am afraid that the old state of things will revive; that is to say, little will be left in the country. Foreign countries require this commodity very largely and although there may be a temporary lull in the market,—it is quite true that four lakhs of bags are lying idle without demand,—yet when shipping facilities are restored, I am sure that the old demand for oil-seeds will revive with greater vigour and after that, are you going to allow that state of things to come back? That is the question which I wish the Government to face, now that they can get the machinery. They had the scheme ready, they had part of the machinery out, but unfortunately they sold it out. Now that they have a scheme ready for fixing the machinery and for extracting the oil, I think it is time the Government establish that industry. I therefore think that this will be preparing the ground for the Government to embark on industrial enterprise. I do not think there can be any objection. Now that they have started the soap industry, I hope Government would encourage any efforts made on its behalf to start this valuable industry. It is too valuable to be lost to the country. If we allow the free export, we will not be able to plant the industry. It is quite true that private enterprise has not come forward in the last few years. That is due to the lack of education for which the Government are responsible, the lack of machinery for which all of us are responsible. There is no use throwing it as an argument now. If the Government were not able to establish the plant, how do you expect private individuals to establish the plant, the necessary plant for extracting the oil? Therefore that is not an argument which could apply to this case that during the last four years, no private individual has come up to establish the plant. I have listened to the arguments of the other side, but my own view is that we are blinded rather by the present interests of present-day individuals, merchants, landholders. Both of them look at it from the point of view of their own individual interest for the present; they are not looking at it from the larger interests of the country, and that is why they oppose this resolution. But if we look at it from the point of view of the larger interests

RESOLUTIONS RE CONTROL OF THE EXPORT TRADE IN OIL-SEEDS 1053 AND FORMATION OF A GRAIN-STORING DEPARTMENT.

4TH APRIL 1919.]

(Mr. Ranga Achariyar ; Mr. Buckley.)

of the country, I am sure the Government will not hesitate one moment longer to take the necessary steps, both by way of preventing the export and establishing the necessary machinery to make this industry a thriving industry by which the agriculturists will be saved and the country will become industrially great. I therefore press this resolution."

The resolution was put to the Council and lost by a large majority.

RESOLUTION RE FORMATION OF A GRAIN-STORING DEPARTMENT.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"Your Excellency, I have the honour to move—

'XIV. This Council recommends to His Excellency the Governor in Council that they may be pleased to organize grain-storing departments out of the existing Revenue and Settlement Parties or otherwise for the purpose of storing food-grains in all district and taluk centres for sale in retail in times of need.'

"I do not think many words are needed to commend this proposition for your acceptance. The situation as regards food-grains is admittedly serious, and what the people are going to do months hence for their food-supply is a problem that is faced with anxiety by Government and their advisers. I know they are considering this question from all points of view. If you allow private parties to supply the demand, it is sure to raise prices. Already the prices prevailing in the market are beyond the reach of the people and when the month of Adi comes, Your Excellency, it is well known that these prices will go up much higher unless there is some department which is in charge of food-grains controlling the prices either directly or indirectly. It is difficult for the Government to control prices directly. It is a very difficult problem. The Government had to consider this question in conference and they found it difficult to come to a conclusion so as to be able to control the retail prices in the various markets. There is an indirect way in which they can control prices, and that is by Government themselves taking up the storing of grains, so that they may be available in times of need. If the Government have such stores at taluk centres and in headquarters of the firkas, then I think when the actual time of need comes, they will be able to supply at well regulated prices to the people who are in need of it. That is one indirect method of controlling retail prices in the bazaar and in the market. It is not a new thing at all in this country. The old Indian governments used to have granaries; they collected their revenue in kind, half of which they immediately disposed of and half they retained in stores in various granaries for the purpose of selling it to the people in times of scarcity. That is referred to in a passage in 'Arthashastra.' A particular officer was in charge of it, who was called the superintendent of the store-house, and 'of the store thus collected, half shall be kept in reserve to ward off calamities of the people and only other half shall be used and the old collection shall be replaced by a new supply.' So that it will be only reverting to the habits of the people and the customs of the country if we start a grain-storing department.

"It need not involve much additional cost; and that is why I suggest that this may be entrusted to the existing revenue and settlement parties who are working in the various districts. I do not think much staff is needed. Even the ordinary Revenue Department may be entrusted with this duty, and, after all, that would be a store to which the people would go in times of need. It is only when prices go up and merchants and traders profiteer that this method would be resorted to, to put an end to it. The little that has been done by private persons and firms like Messrs. Best & Co., by supplying rice at cheaper prices has had its own effect on the retail prices in the market, but it is not correct to expect private people to come to the rescue on such occasions. This is an occasion when the people have a claim upon the Government to come forward, because prices are abnormally high, higher than even the prices during the worst famine; and the time of need is bound to come within two or three months; if unfortunately the next monsoon proves a failure, then the situation will be intolerable. That being so, not only should we prevent the export of all sorts of food-grains from the province, but at the same time we should take steps to see that profiteering does not take place, and this I think will be an effective method of preventing profiteering. After all, the Government will not lose. They will have merely to buy at the various centres and store in the various taluk centres. I do not think they will lose anything by it. Therefore it will only be a case of investment of some cash in grain, but it will be doing very useful work indeed, which is highly necessary for the people and in accordance with the ancient traditions of the country and the people will gratefully appreciate the efforts of Government. Government will become very popular with the people and this is a movement which will be in the right direction. The people will think 'here is a fatherly Government which is taking care of us in times of need.' To create that political asset itself, this money will be well spent. I therefore commend this resolution to the acceptance of the Government."

The Hon'ble Mr. K. Chidambaranatha Mudaliyar seconded the resolution.

The Hon'ble Mr. L. E. BUCKLEY :—"Your Excellency, I did not know, when the Honourable Gentleman put this proposal on paper, whether he meant it to be a permanent policy or whether he meant it to meet the needs of the present day. I also expected when he put the

1054 RESOLUTION RE FORMATION OF A GRAIN-STORING DEPARTMENT.

(Mr. Buckley.)

[4TH APRIL 1919.]

proposal before the Council that he would possibly refer to the previous experience in these matters. A good deal has been said on the subject of grain-storing in the past. I may refer to the report of the Indian Famine Commission of 1880, which has dealt with it at some length. I do not wish to make any long quotation. The most important objection is the question of cost. It says: 'It is obvious that any system of State storage, to be effective must, be continuous and that the quantity stored must be the maximum supply that can be required on any occasion.' It implies not merely an intention to dispense with the assistance of trade in the food-supply of the large masses of the people when prices are very high, but the adoption of a policy which may place such assistance wholly out of reach. The Famine Commission contemplates that if the Government step in this way it will oust private trade. I expected also that the Honourable Member would have relied for support upon the minute of dissent recorded by two of the members of that Commission on this point. They recommended this grain-store business, but they did so with a very important qualification that it should only be in localities with no lines of railway communication, or where railway communication was difficult. They referred to that point more than once. In the proposal of the Honourable Gentleman, he does not speak of those places which are far away from railway communication, but he selects places which are best served, namely taluk headquarters and district headquarters. Since the report of 1880 I may say the railways in India have increased from 6,000 to 7,000 miles to something over 35,000 miles and in the Madras Presidency the mileage has increased from about 1,300 miles to something over 4,000 miles. There is no doubt that conditions which existed at the time the report of 1880 was written no longer exist. There has been also a considerable expansion of communication by road. There is the question of cost, and before I go to that, I would like to refer to one thing and that is that this policy which was enunciated in 1880 by the Famine Commission was fully endorsed by the subsequent Famine Commission of 1898, and it has been accepted by the Government of India and it now forms a part of our instructions in the Famine Code. The Famine Code makes no provision for the State providing grain, but it does say that it shall be the duty of the Collector, when the work is opened, to provide the contractor with ample store of grain which should be available to the workers; and if in any part of the district, the supply of grain is short, the Collector has power to make advances to the contractor in order to ensure that the grain shall come in. All this is done with the object of keeping the State out of the grain-storing business and to do as far as possible all that is possible to foster private trade. I had no details from the Honourable Gentleman but in the quotation I made, it is said that the supply should be ample, should be full enough for a long period. It is contemplated that the Government should not drive the private trader out and that Government should supply the people. Suppose we supply for one million people for the year, the amount that we shall have to invest will be something over 2½ crores. If what we have to supply was dry grains, the amount will be something over 1½ crores. That is a considerable amount.

"At present it is quite true as the Honourable Gentleman says that we are suffering from a great shortage of stocks. We are getting from Burma considerable supplies of rice and these will be in the hands of private merchants. At our recent conference, we recommended that steps should be taken to see that middlemen make no profit and that importers sell to retailers or to the dealers up-country. There is also a further amount of 136,000 tons which is available from the deltas and which is dealt with in the same way. Except these two, what sources have the Government got? The Honourable Gentleman wants us to put forward other sources of supply. With regard to paddy, some of it may perhaps be in the hands of millers or merchants but a great deal of it is held in the hands of the ryots. With regard to dry grains which are perhaps more important for the poorer members of the community, there is not the slightest doubt that stocks are held entirely in the villages by the ryots themselves. To get those stocks, two methods are open; one of them is to coax them by offering fair prices. It will be necessary to offer very large and increased prices even over the existing prices if the Government are going to get these stocks. If Government are going to buy, the price of these commodities will be immediately raised and Government will have to pay an enormous price; and that they will have to get back from the people who buy from them.

"Another way to get stocks is by commandeering. I do not know if the Honourable Gentleman recommends a wholesale system of commandeering. I am myself against it. It may be done possibly on a small scale to meet a sudden emergency in certain localities, but as a general widespread policy I think it will be impossible; especially with regard to the dry grains we do not know what there is in villages and where it is kept. A Collector of a district wrote to me the other day and said that the total store in the village had been returned by the people as 15 tons. Three months afterwards, they had a fire which consumed the hamlet and the people said that in that hamlet there were 30 tons which were kept which were destroyed. We have no idea of how much stock there is. It may be in some parts we might be successful, if we try to commandeer, in getting a certain amount of grain without much trouble; but I should be sorry for anybody who was ordered by the Collector of Kurnool to go and commandeer stocks in some part of the district. He will certainly have his head broken and those who go with him may not come back at all. I deal with it to show how extremely difficult it is for Government to attempt at the present moment to secure any large stocks for sale to the people beyond that which is now expected to come into the country from Burma, Bengal and the deltas.

"I have referred to the question of cost to show how very large it must be. In one case that I quoted, I made provision only for 29 per cent of the population. There is also the fact that this question of grain-storing has been considered by the Government of India in the past not only on one occasion, but on two occasions and the policy against grain-storage has been

RESOLUTION RE FORMATION OF A GRAIN-STORING DEPARTMENT. 1055

4TH APRIL 1919.]

(Mr. Buckley; Mr. Ramanuja Achariyar;
Mr. Venkatapati Raju; Mr. Rama Ayyangar.)

adopted in the Famine Code. Under these circumstances, I am to say that the Local Government are not ready to address the Government of India to be permitted to spend money in buying grains or in storing grains or to depart from the policy which is laid down in the Famine Code. It is obvious that the Local Government cannot take these steps on their own account. The amount of money that is at stake is too great for the Local Government to undertake that responsibility without the sanction of the Government of India and they will be acting directly contrary to their policy."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR:—"Your Excellency, I am unable to agree with my Honourable Friend Mr. Ranga Achariyar that a grain-storing department should be created. The settlement parties in all the districts and the officers of the Revenue Department have full work. If the grain store should be taken up, the work will be left in the hands of the subordinates. This resolution assumes that it will be for the benefit of the people. On other occasions, we are not tired of saying that they are corrupt. Are they going to improve? The money that will go to the profit of the merchants will go into the pockets of the clerks and other subordinates of the Revenue Department. I therefore deprecate the acceptance of this resolution. I do not want to have any more department of Government than we have now."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, the Hon'ble Mr. Ramanuja Achariyar who has of late become a non-official mentor is opposed to this resolution. He says that there would be bribery if any departments are opened. I do not know whether my Honourable Friend is sure that he has seen all other departments pure. Therefore, we need not go into that question. The question is whether it is necessary. The Hon'ble Mr. Buckley's answer only amounts to the usual affirmation of Government that they want to leave things alone. That is not a satisfactory position to be taken up by Government. There may be defects in the actual resolution or in the wording in which the purpose in view is intended to be served. In these matters, we expect not that defects should be pointed out but some constructive methods of meeting the situation should be suggested. Nobody would be satisfied if errors are pointed out. Officials who have so much experience behind them and so much of official file and papers for their guidance should be in a position to tell us how best to meet the situation. Is it the view of the Government that there is nothing to be done at all? If they think that everything is quite satisfactory, and nothing need be done, the answer of the Hon'ble Mr. Buckley is quite intelligible. Otherwise I naturally expected that he would suggest some other method. He has been kind enough to suggest that in cases of emergency he has no objection to open grain stores at some convenient centres; he has no objection on his own behalf or on behalf of the Government."

The Hon'ble Mr. L. E. BUCKLEY:—"At the conference held the other day, it was recommended that Collectors should have discretion to open depots to meet the situations of emergency."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I do not know whether a resolution passed or anything agreed to at the Foodstuffs Conference would be quoted as an authority like the Famine Code, as another Veda for us. I do not know whether the Government accepted or rejected it. There is the admission there that Collectors should be given power to store grains. In this age when we have to go on scientific lines, we do not know up to now what the exact situation is. We do not know what food supply is available and there are complaints from every nook and corner from several districts that there are no food-stuffs available; and the Hon'ble Mr. Ranga Achariyar thought that this was one mode of meeting the situation. If that is not the way; what is the other way? We are generally referred to, and we are told that we cannot go beyond, the Famine Code. But I appeal to the Government earnestly and ask them, are we following the Famine Code? According to the Famine Code, if warning rates prevail, some steps should be taken and if scarcity rates are prevalent, some other steps should be taken. Now not only warning rates but scarcity rates prevail, and even scarcity rates were double or treble of the prevailing rates. And what steps are taken by the Government? The Famine Code is used as a shield against doing anything, but it is not used to save the people when they are suffering. I do not think any more dire calamity would happen than now. The famine of 1877 or 1887 pales into insignificance when we compare the prices of the present day. The people are suffering awfully. I am not sure that the coming year would be better. Under these circumstances, are we not to do something whether as a permanent measure or as a temporary measure to relieve the situation? In either case, it must receive more sympathetic consideration than has been shown by the answer given by Government, and therefore I appeal to the Government that they should do something. Even so far as suggested by the Foodstuffs Conference, Collectors of districts should be given discretion to store grain in places where famine rates are prevalent so that it may be available for persons to purchase it within the means allowed to them."

The Hon'ble Mr. K. RAMA AYYANGAR:—"Your Excellency, I suggested during the last meeting that some steps would have to be taken and I suggested that the Government must be able to have control over the stocks available to be disposed of, to be sent to the parts where extraordinary contingency might arise. That is what I said in the course of my speech. The Hon'ble Mr. Buckley to-day has referred to the recommendations of the Famine Commission who have thought of that question as absolutely ousting the merchants from the market. I do

1056 RESOLUTION RE FORMATION OF A GRAIN-STORING DEPARTMENT.

(Mr. Rama Ayyangar ; Mr. Krishna Rao.)

[4TH APRIL 1919.]

not think that question arises now at all. The second point that he raised is that Government if they go in at all, must go in only if they can supply all the population for a particular period. That does not arise, even. In fact, it is high time now that the Government must be possessed of information as to the quantity of stocks of food-grains available in the Presidency. It may be that exact figures could not be given. It may be that some amount that has already been harvested has been exported from this Presidency and other questions of imports from other provinces will have to be taken into consideration. But these are not impossible of determination. It cannot be said the Director of Food Supplies, who has been already more than six months there, has not been able to gather the necessary information. The question arises whether in the whole Presidency there may not be positions causing extraordinary anxiety coming up in a few months more. We are, according to the Tamil months, very nearly in the beginning of Chitrai, and about the months of Ani, Adi, Avani and Purattasi which will correspond to the latter half of August, September and October and November, we will find that food-grains sell at the highest rate. At present we find in all the districts it sells at four measures to six measures of paddy per rupee which means about 2 to 2½ measures of rice. There is no doubt that Rangoon rice possibly sells at 3½ or 4 measures, if it is got in the way in which it is being done. I do not know if Rangoon rice is going to be available as much as we desire and at the rates at which it is selling during the coming months that I referred to. Even Rangoon produces paddy only once or twice in the year and it is not possible to sell it at this rate unless we take steps to collect a large quantity of paddy or rice which may be necessary to be distributed in times of absolute necessity. The question of grain-storing in the district centres as raised by the Hon'ble Mr. Ranga Achariyar may be objectionable. In fact, I do not think that Government should be asked when paddy is being sold at 4 to 6 measures to purchase paddy at that rate in the several districts for utilisation later on. That may be a difficult position. It may be equally difficult to say that even in the deltaic tracts, it will be proper to store paddy which will enable the Government to sell at a rate which would be quite convenient to the people without incurring considerable loss. But whatever that may be, it is clear that paddy is available in other places at rates much better than it is available in this Presidency. Similarly also, other grains are available elsewhere and the Government of India must have information on that. The Director of Civil Supplies must also have similar information. It is time enable them to supply to the Collectors when necessary or when it is needed when famine conditions prevail. The question has been asked whether the Government should invest any money or whether it should be left to private purchasers. I know that Messrs. Best & Co. do get rice from Rangoon. I do not know if they propose to store the grain which will be sufficient for this Presidency for about two or three months. I do not think it is possible for them to store like that and if they are trying to store like that, they will not be able to relieve the present conditions. Therefore the only course that will be possible will be to have some store under the control of Government enabling them to distribute during the conditions which must arise in a year of this kind. It is not possible to expect any crop in the next four months and months and all that is necessary to relieve this kind of distress will have to be taken note of. I have no doubt that in such years as this, every ryot keeps paddy for his upkeep and the upkeep of his family. It is quite possible that they are careful enough, but there are more than 40 per cent of the population who have to purchase it then and there. They have no homesteads to store nor lands to yield them the foodstuffs. Unless Government are satisfied that the whole quantity of foodstuffs available in the country will be sufficient for the people, it is time that some steps are taken to have control over the foodstuffs in parts where they sell cheaper so that they might utilize them in the coming three months. If the next harvest fails, that is another matter. The question does not arise that the Government should have enough supply to supply the whole demand. They must have a supply only to regulate the prices. In connexion with the Forest Committee's report, the question was considered as to what amount the forest department should send to the fuel depots to regulate the price. I do not think that the full quantity necessary to supply all the people that are going to the bazaars for purchasing food-grains will be necessary, but it is only necessary to regulate prices. That can be ascertained and that amount will have to be under the control of Government, and for any expenditure on that score some lakhs will be available easily for it especially when we have not had to provide for famine relief for some years. I do not think that the Government of India or this Government will find it difficult to have fifty lakhs or one crore for making this provision which is necessary and which must be arranged to enable the Government to relieve the serious situation arising in small localities. Such a provision must be made."

The Hon'ble Mr. A. S. KRISHNA RAO :—" Your Excellency, those who have been watching the work of this Council during the last five years and those who have been associated with the work of this Council during that period would have noticed that we have been gradually developing a spirit of destructive criticism. It was, I thought, more prominent in the case of the official Members; but we have latterly seen its development in a marked manner even amongst our-selves, the non-official members of this Council. I am led to make this remark by the observations that the Hon'ble Mr. Ramanuja Achariyar made in discussing the resolution of the Hon'ble Mover. This proposal consists of three parts. It states that in times of need, the provision should be made for sale in retail of food-grains in the district and taluk centres. This is the main question which has been raised in this resolution and that is how I understand it.

RESOLUTION RE FORMATION OF A GRAIN-STORING DEPARTMENT. 1057

4TH APRIL 1919.]

(Mr. Krishna Rao; Mr. Narasimha Ayyar.)

Shall we or shall we not, in times of need, make provision for retail sale of food-grains? That is the essence of this resolution. As one method of carrying out this object, he suggests that a grain-storing department be organized out of the existing revenue and settlement parties. Honourable Members of this Council are aware that while we are trying to deal with this important subject affecting the whole of this Presidency, and while we notice an abnormal increase of prices which has not been noticed in any of the previous famines, the question whether the best method is to have restrictions on traffic or to prohibit exports either from district to district or outside the province or to have the maximum prices fixed was considered by a conference; and I have no doubt that a solution will soon be arrived at. As another solution of that problem, the Hon'ble Mr. Ranga Achariyar suggests that provision be made for sale of these food-grains in district and taluk centres. Is it or is it not a proposition which we can subscribe to? It will be hard indeed if any one cannot advance that position; if you do not find it possible to make provision all at once throughout the Presidency, why not start the experiment even in a limited scale in certain specified tracts. There are very serious difficulties if we are called upon to purchase and store food-grains for the 42 millions of people in this Presidency all at once; but it is possible to carry on experiments in a milder manner and to a limited extent in a few selected areas. The specific suggestion made in this resolution is that the existing revenue and settlement parties might be utilized for this purpose and that a grain-storing department might be formed. I know that to call upon Your Excellency's Government to utilize this existing department for particular purposes cannot be effective unless the Government also are of the same view and approach the question in the same spirit. The experience which we now have is this. Taking advantage of the offer made by Messrs. Best & Co. and other companies attempts have been recently made in several mufassal centres, to store grain and to make it available for each individual consumer though to a limited extent. There are some municipalities which have taken steps in that direction; and I must say, though with a considerable feeling of humiliation and degradation, that at a place like Nellore which has been supplying very good rice throughout the Presidency—the rice of which place is known for its purity and quality—I found it necessary to send on behalf of the municipality first for one consignment of 250 bags of Burma rice and then for a second consignment of 1,000 bags. I say that with humiliation. We have exhausted the existing stocks and it has now become necessary to afford some relief to the poor by taking advantage of the terms offered by Messrs. Best & Co. and selling rice in limited quantities. The whole quantity required cannot be supplied; and we have been supplying about half a rupee worth or one rupee worth per day. In a few days, the demand was so much that we had to send for the police to keep back the crowd. And once it was started in one place, will the Council believe me when I say that persons in other parts of the district began to ask me: 'are you confining it to the municipality, can you not afford relief to other parts of the district?' It is not possible for one to cope with the situation unless the Government also enter into the spirit of the problem and try to afford relief to the people. Your Excellency, I do not at this stage wish to make a special plea for the special proposal put forward; but it will suffice for the present if I convince Your Excellency's Government that it is possible to have grain storing depots in various centres. Whether it is to be done by encouraging private agencies or by affording them financial assistance or by other means is a matter for further detailed consideration in various places. I would venture to make a suggestion that in various places it is possible to utilize the existing Revenue departments. I have not the slightest doubt that tahsildars and revenue inspectors would only be too glad to do what they can in this direction. The reason is obvious. Wherever they go, whenever they visit each individual pattadar or landholder or ryot, they are affronted with this question; and the ryots complain to them invariably—how are we to get along with these increased prices, how are we to live? They will only be too glad if means can be found to enable them to store grain in important centres to afford some relief to at least the poorer classes of the people. I only wish that this experiment is tried in some places. I only trust that we do not on this occasion, while we accept the principle, scan and criticise the wording of this resolution as to the establishment of grain depots by the Revenue Department. Let us not look at it from that point of view. That is my request and my appeal to both non-official members and official members. If we are agreed that the times are so bad that it is necessary and imperative for us to afford relief by storing grain, let us devise some means to meet that evil. That is the only object with which this resolution is moved and this recommendation is made to the Government. After all, what is the effect of this resolution if it is accepted? It is a mere recommendation, leaving it to the Governor in Council to solve it in the best manner possible; so we need not be so chary as to the wording of the resolution. If once you accept the principle, I would appeal to Your Excellency's Government to find some means to have some grain depots in various parts of the country, preferably with the assistance of the Revenue department. The revenue inspector's fika is very limited; and the revenue inspector is in touch with the people and knows where the shoe pinches; and if only we give the necessary funds and assistance, he will be only too glad to afford relief. Even if we cannot afford relief to all parts of the Presidency, we might try it in some parts which are worst affected and that to a limited extent. I strongly support the resolution."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" Your Excellency, I wish to make very few observations and I am tempted to do so by what the Hon'ble Mr. Ramanuja Achariyar has stated. He has raised an objection to the adoption or to the acceptance of this resolution and

1058 RESOLUTION RE FORMATION OF A GRAIN-STORING DEPARTMENT.

(Mr. Narasimha Ayyar ; Mr. Thonger.)

[4TH APRIL 1919.]

stated that its acceptance would necessarily increase corruption and that it would divert the profits of traders to the pockets of revenue clerks. I am under the impression that the Hon'ble Mr. Ramanuja Achariyar is obviously not aware of the conditions which now obtain as to the transport or sale of grain in parts like Gobichettipalayam in Erode taluk. I can give him a bit of what I can vouch for as accurate information and he will be then able to say whether his remarks will hold good. I agree with him that in all undertakings by the Government, in the subordinate ranks there will be a general tendency to corruption and the more we put them in charge, the more facilities they will have for corruption. But to a certain extent this remark is true of other walks of life and undertakings by other persons and institutions than Government. The question is whether a Government department should be given the chance of undertaking the work which will give more scope for the subordinate wheels being oiled. I wish to mention one fact which will form the answer to that objection. At present the transport and sale of grain in certain places, that I am well acquainted with, are attended with considerable difficulty. Landholders of Gobichettipalayam have a piteous tale to tell as to how grain is dealt with. The landholder has to sell the grain for getting his wherewithal and getting his necessities. Numbers of people who paid hundreds of rupees told me that they could not otherwise carry their grain from their own place to another place. There are emergency committees with a number of officials and non-officials and they object to the request to transport and if by any chance they are taken to the next shandy, the carts cannot return because some official order is issued or some instruction is issued by some official saying that carts should be taken to some central place. On other occasions, they say you must sell it at half the price. I am myself a landholder and I know this. If in order to avoid this, they keep the grain in their own houses, they cannot sell it and how are they to get the wherewithal to get along when they are told definitely to sell at half rates? Some of these people try to take their bags along when the officials are not watching and then either robbers get hold of them or the more open robbers, the village officers, extort three per cent regularly of it as taxation, improper taxation. I am told that six pies in the rupee is levied by the village officer. Just two days back, one of the very rich mirasidars of the place was here and he was telling me a piteous tale and he asked me 'why don't you come to help us and how do you expect us to get along?' I am afraid that some of these things go unheard. It is hard to get out of them. We have certain very high objects in view when we institute emergency committees and put in an officer of food control and make other regulations. A certain amount of oppression by subordinates will prevail; but we must minimise corruption. There is no use talking of this objection seriously unless it is put forward that food control should be made a regular feature of Government's work at all times. That is unthinkable. It is bad economy; it is an unnecessary amount of trouble inflicted upon the people and that is why this resolution says that in times of need this should be done. We recognize that the arrangement is full of difficulties. The Hon'ble Mr. Buckley has not overstated the difficulties when he stated that there are plenty of difficulties, but we are dealing with times of need. Are you not giving a lot of trouble and difficulty to various persons in the steps taken to meet the present situation? This will give less trouble than some other steps that we have taken, and I think therefore the objection put forward by the Hon'ble Mr. Ramanuja Achariyar cannot have much weight. I do not think it is necessary to go into the other objections. The position is too patent. All State management is attended with difficulty, but this proposition refers to extraordinary conditions and to my knowledge we have not come across conditions of this sort prevailing at any time before. For special conditions special remedies are suggested. I hope Government will view the question in a large and liberal spirit and see whether the adoption of this course will not be possible and necessary."

The Hon'ble Mr. J. H. THONGER:—"Your Excellency, the efforts of the legal mind to grapple with economic and industrial problems are a source of continual enjoyment to me. Within the last day or two, we have had several instances where we have had the cart put before the horse. Yesterday it was a case of vernacular translations of the proceedings of the Council and we were recommended to invest considerable sums of money in the translation of these proceedings — and then wait for the demand. This morning we were told that we must stop the export of oil-seeds for the benefit of an industry which does not exist. Now we are told that we must build granaries for grain which is not there. The essence of this resolution is that in times of need we should do these things. I may refer this Council back thousands of years to a great authority on this subject, the mythical Joseph. He did not take steps in times of need but he took steps in times of plenty. He had seven years in which to prepare for the coming times of need. That was the time when he took steps to introduce granaries. He did not wait for famine years. That is the position we have now arrived at. Very unfortunately we were not in the position of Joseph. We were not aware of the times coming upon us; otherwise preparations might have been made. Now these times having come upon us, the Government is doing all they possibly can to meet the needs of the situation and I cannot recommend in times of need the expenditure of public money on the construction of granaries which must remain empty. This is not the time to store. The only possible thing that we can do at the present moment is to eke out the available supply. I take it that if this is done carefully, we may see our way through the next three or four months without serious consequences except to the financial side. If we do what is recommended, I should be sorry for the Government. The pill has been nicely sugared. The mover of the resolution says that if the Government does this thing it will become a most popular Government. I can hardly believe it. If the rumour goes about in the bazars that the Madras Government are

RESOLUTION RE FORMATION OF A GRAIN-STORING DEPARTMENT. 1059

4TH APRIL 1919.]

(Mr. Thonger ; Mr. Narasimha Ayyar ;
Mr. Yaqub Hasan ; Mr. Ranga Achariyar.)

going to commandeer foodstuffs and store them up when the people are on the verge of starvation, I think the very opposite effect would be produced in the minds of the people. There is only one possible course to follow at the present moment and that is to eke out supplies. It is very interesting to see the facility with which the views and arguments of non-official members change. There have been incontrovertible arguments brought forward that a certain previous resolution was impracticable, and the onus is then immediately thrown upon Government to say what is practicable. The fact that Government is already doing all that it possibly can is not allowed to carry any weight. The fact that there is a shortage of grain is held to be the direct responsibility of Government, and Government must in some way or other produce sufficient from somewhere or other to make up for the deficiency despite the world shortage of foodstuffs which is known to exist. The argument is unfair—it is a burden that must rest upon the shoulders of all—each and every one doing what he can to surmount a difficult position. I would suggest a compact between the Government and the non-official members somewhat to this effect, that the Government will guarantee a sufficiency of foodstuffs at the coming harvest if the non-official members will guarantee the monsoon."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I would just like to make a word of personal explanation. A personal reference was made to my motion about the translation into vernaculars of the speeches in this Council. I could not quite catch how exactly my legal mind had anything to do with the difficulty of entering into economic matters, and how that had any connexion with such a purely literary matter. Probably the economic gentleman is out of his element in entering into the literary world."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Your Excellency, the suggestion of the proposer resembles what Joseph had made in the time of the Pharaoh of Egypt thousands of years ago. It may be remembered that the King of Egypt had a dream and he saw so many fat sheep and so many lean sheep. That dream was interpreted by prophet Joseph to mean a prosperous years followed by years of famine and prophet Joseph advised the king to lay by a store of grain when there was plenty to be had so that in the years of famine there could be some supply for the poor people. I am afraid that what was possible in those primitive days is impossible nowadays with international commerce and our present circumstances. I am afraid this advice does not seem to me at all practicable."

"I cannot understand how Government can come into the market to compete with the merchants and purchase grain and keep it aside. It should be remembered that it is not scarcity of stock so much that brings on this famine condition as the inability to pay the prices demanded for the supply. In these days of transport, stocks can be taken wherever there is a scarcity of stocks, but the only thing is that it is sold at a price at which people are not able to purchase. Also when there is failure of grain, the cultivators have no occupation and their earning is gone; their means of the livelihood is gone and they have not got money to pay for their foodstuffs. That is the real trouble and not the scarcity of food. If the Government purchase in anticipation of the future scarcity of grain, prices will go up and then when afterwards it is to be sold, Government will not be able to sell it at cheaper prices than other merchants because they would have paid higher prices than other merchants would pay in importing from places where it can be had at market price. I do not think it necessary to elaborate the point. It is enough to show that this scheme is altogether impracticable."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I have listened with interest and amusement to the criticism of my proposition by three of my non-official friends and the official spokesman. I expected the Hon'ble Mr. Ramanuja Achariyar with his vast experience as revenue officer to speak on the merits of the proposition as to the advisability of Government embarking to any extent in storing food-grains to meet times of need. He carefully omitted that portion of the resolution, but he had a fling on the Revenue department and the Settlement department of which, I know, he is not over-fond. He took occasion to cast reflections on the Revenue and Settlement departments which may or may not be true. My resolution is wide enough, my object in suggesting the Revenue and Settlement departments was that they would be better employed in these calamitous times in doing this useful work of having some grain in readiness to meet times of need than going and vexing the ryots with resettlement operations. That is one of the objects I had in view in suggesting that the Revenue and Settlement departments might be utilized for this purpose. But that is only an optional matter. It is quite true that there are five or six parties working, but they can be distributed throughout the Presidency if they are relieved of their ordinary duties on this extraordinary occasion. But if that is not feasible, other steps can be taken by the Government. The question is whether it is wise for the Government to embark upon this policy or not. It is quite true that the legal mind does not arrogate to itself all wisdom, but it is also quite true that the business mind thinks that all wisdom is centred in the business man and that other people have not got any business to interfere in business matters. But we know that the legal mind controls the world and all business men have to bow their heads and bend their knees before the legal mind at the present day. But leaving that question apart, the question now is whether the times are not so serious that something should be done on the part of the Government. Is it wise to trust to the private trader to supply the needs of the people? It is the well-known experience of all of us, those of us who have only to depend for food-grains upon other people, that we must go and buy in the market and act prudently; we must go at the time of harvest and buy the store needed for this

1060 RESOLUTION RE FORMATION OF A GRAIN-STORING DEPARTMENT.

(Mr. Ranga Achariyar.)

[4TH APRIL 1919.]

year. I think it is the experience of all business people to buy at the time of harvest when the price of the commodity is not so great as it is some months later. As I stated in my opening remarks, the price of food-grains is bound to rise in the month of Adi and afterwards. That is common experience every year, whether a year of plenty or a year of scarcity. Therefore, as it is, the situation is abnormal, and if you are going to trust to the private trader to supply the needs of the province, what I anticipate will happen is that the trader will put up his prices in those months. How are you going to prevent it? Are you going to depend upon Burma rice in order to control the price of local food-grains? Experience surely must have taught us that Burma rice has not got such a charming effect on the price of local foodstuffs and therefore something must be done. As it is, the merchants are buying and storing things. Why do they store up? It is to make a profit which will come in the later months. They are sure to make their profit. How are you going to prevent their making large profits? Would it be wise to allow prices to go up beyond what they are now? Would it be wise? Would you not be running serious risk? Has it not gone beyond the bearing point? How are you going to meet the situation two months hence or three months hence? I want you to compete with the merchants now in buying and storing and keeping it ready so that in some measure you may control the prices. You are now depending upon private persons doing it. I think it is a foolish policy to depend upon merchants to control prices. They are bent upon making profits however much they say they are not. Who would not like to make profits? Therefore we should not trust the merchants in this matter. Government would be acting unwisely to trust the merchants to bring down the prices. You cannot trust the whole body of merchants to do this. It is to their interest not to do this; there may be individual exceptions here and there. There are merchants who are storing food-grains to meet the needs that will arise a few months hence and at that time they are sure to put up prices. Something must be done to prevent the price going up. Something must be done so that the Government might be in possession of grain, so that they might go into the market and control prices.

"What is unwise about it? Here is an abnormal occasion which requires abnormal remedy. What is it that the Hon'ble Mr. Buckley has said? There are two Famine Commissions, there is a Famine Code and there is the Government of India. I never go by precedents in such matters and you did not have the situation in those days which you now have. You did not have an all world war when all the countries in the world were dragged into a controversy and everywhere there was scarcity of foodstuffs. Each Government must take care of its own people within its borders. Here is an abnormal situation created by an all world condition and what is the good of quoting the Famine Code? I do not want to go upon any opinion in a matter like this. I want the matter to be discussed and considered independently with reference to present day events. I do not think that we should swear by precedents in a matter like this. The question that we have to consider is whether it is wise to do it or not. The Honourable Member for Government says that we have not got accurate information and what information we have is not accurate. It is a sorry confession that a Government which is able to ascertain sources of private income of individuals for imposing income-tax with accuracy should confess its impotence as regards finding out the quantity of foodstuffs available—that is impossible to conceive and it passes my comprehension. It is impossible to be accurate to the pie, but at the same time we must have some materials to go by. You have enough reliable statistics to say that the economic condition of the people is all right to introduce resettlement. Then you are guided by statistics and you have statistics which are supposed to be reliable, but now when we ask you to help the people, you say these statistics may be accurate or may not be accurate. There may be degrees of inaccuracy but at the same time err on the safe side. If the report is that there are 200,000 tons in a place, assume that there are only 150,000 tons and proceed on that assumption. There is such a thing as overstating and exaggerating difficulties, when you do not want to do a thing. I dare say if the Hon'ble Mr. Buckley thinks that this should be done, all these difficulties which he mentioned now about the Famine Commission, the Famine Code, about commandeering, about driving out the private trader, will all disappear. The only thing is that the mind is not there. If he puts his will into it, all these difficulties will disappear. There are difficulties in carrying on a Government. How can a Government be carried on without facing difficulties? The question is, how are you going to help the people at such a time? It is not an unknown method, it is not a novel method; it is a method peculiarly popular with the people of this country. The old Government has done it and what is it that is said against it? It is said that there might be loss. What did they do for supplying the military department? Did they not go into the market and buy chillies, coriander, gingelly? Who objected to the army commandeering products? I know a District Superintendent of Police who as a wise man in charge of the district helped his subordinates to buy grain for a whole year. Going out to the mirasidars and speaking to them, he was able to help them to buy at a time when rice and paddy were cheap. I know the revenue officers are all powerful, and will be able to control and get the necessary supply.

"And after all, what do I say? I say that you must have food-grains in centres for sale in retail in times of need. Supposing that a particular place requires 100 tons and you have 10 per cent of it available, that will regulate prices. It is not a case where you are going to lose anything. You are sure to have the price which you paid for it. But even if you lose anything, I do not think it is a matter worthy of consideration. It is only an investment; it is not a dead loss. What does it matter whether it costs 1½ crores or 2 crores or 3 crores? Is it money thrown

RESOLUTION RE FORMATION OF A GRAIN-STORING DEPARTMENT. 1061

4TH APRIL 1919.]

(Mr. Ranga Achariyar; the President.)

away? It is only selling, it is money which you get back and therefore the cost is not a matter that should be taken into consideration. It is only the initial cost. I do not see any force really in the various objections taken. As to what quantity will be required in particular centres, that is a matter for the Government with its wide knowledge and diffused agency to get information about. As to whether it should be got in Burma or in the deltaic districts, all these are matters in which the Controller will be able to give complete information: and these are matters in which difficulties can be got over.

"The whole question resolves itself into this: should the Government embark upon it? It is admitted, the official Member has admitted that in small quantities he is not opposed to doing it where the situation needs it. He approves of the principle; the only question is one of degree. It is a matter for Government to decide whether the situation is urgent and what quantity should be sold. When once the principle is granted, that it is right for a Government to do this thing in places where the situation is acute, there is no need for opposing this resolution. My Hon'ble Friend Mr. Yaqub Hasan has said that this is impracticable. He speaks like a merchant, he wants free trade, free import and free export. As a merchant, I quite understand his position, as he has been brought up and trained in free trade. But even a free trader has had to submit, during the last three or four years, to control. With reference to the price of Burma rice, we have to submit to control; and with reference to various other commodities. The whole question is whether the situation is so grave as to call for an extraordinary step. Is the situation extraordinary to call for it? I do not think on that point there is any difference of opinion."

His Excellency the PRESIDENT:—"The Honourable Member has exhausted his time."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I am coming to the end. I therefore submit, Your Excellency, that there is nothing exceptional or objectionable in this proposition."

His Excellency the PRESIDENT:—"Does the Honourable Member wish this proposition to be put to the Council?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Yes."

The resolution was put and lost.

The Hon'ble Rao Bahadur T. Ranga Achariyar claimed a poll which was taken with the following result:—

For	Against
The Hon'ble Diwan Bahadur M. Ramachandra Rao.	The Hon'ble Mr. L. Davidson.
" Mr. P. Siva Rao.	" Mr. C. G. Todhunter.
" Mr. K. Rama Ayyangar.	" Mr. N. E. Morjoribanks.
" Mr. B. Venkatapati Raju.	" Mr. A. Y. G. Campbell.
" Mr. C. P. Ramaswami Ayyar.	" Diwan Bahadur R. Ramachandra Rao.
" the Raja of Ramnad.	" the Surgeon-General.
" Rao Bahadur T. Ranga Achariyar.	" Mr. A. F. G. Moscardi.
" Mr. K. Chidambaranatha Mudaliyar.	" Mr. L. E. Buckley.
" Mr. A. Suryanarayana Rao.	" Mr. L. T. Harris.
" Mr. A. S. Krishna Rao.	" Khan Bahadur Muhammad Aziz-ud-din Husain Sahib Bahadur.
" Mr. B. V. Narasimha Ayyar.	" Mr. T. Richmond.
	" Diwan Bahadur K. R. Suryanarayana-murti Nayudu.
	" the Zamindar of Serugada.
	" Yaqub Hasan Sahib Bahadur.
	" Mr. A. T. G. M. Ahmad Tambi Marakkayar.
	" Sir Francis Spring.
	" Mr. R. Littlehales.
	" Sir Fairless Barber.
	" Sir Gordon Fraser.
	" Mr. J. H. Thonger.
	" the Most. Rev. J. Aelen.
	" Mr. W. Hutton.
	" Mr. W. J. J. Howley.
	" the Advocate-General.
	" Diwan Bahadur P. Rajagopala Achariyar.
	" Mr. R. B. Wood.
	" Mr. H. G. Stokes.

The resolution was declared lost, 11 voting for and 27 voting against.

His Excellency the PRESIDENT:—"Will the Honourable Gentleman take some time to move Resolution XV?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I will take only ten minutes."

1062 RESOLUTION RE SUSPENSION AND REMISSION OF ASSESSMENTS.

(Mr. Ranga Achariyar.)

[4TH APRIL 1919.]

RESOLUTION RE SUSPENSION AND REMISSION OF ASSESSMENTS.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" I have the honour to move —

'XV. This Council recommends to His Excellency the Governor in Council that they may be pleased to issue instructions to the Collectors of all the districts to report, after a careful survey made with the assistance of two local non-officials, as to the necessity for the suspension and the remission of the assessments in the areas adversely affected by the season, and to order suspension and remission of revenue accordingly.'

"Your Excellency, I may state at once that I refuse to be guided on an occasion like this by rules contained in the Famine Code or any other regulations which may be in force. It is open to the Government to make arrangements to meet the existing situation. If they are going to swear by the existing Famine Code with reference to this matter, or by the existing rules relating to suspension and remission of assessments, I had better not move this resolution at all. I know that the Government realize the grave situation which has arisen in the land due to various causes and therefore it requires a statesmanlike handling: and the Government, I am sure, will rise to the occasion and come to the rescue of the people. It has become very difficult for the people to make both ends meet to meet their ordinary wants. What with the price of necessary commodities and with the price of wearing apparel and the difficulties in various other matters, life has become truly intolerable. Therefore on an occasion like this, while I do not recommend absolute remission on a large scale, I recommend very largely the postponement of collection and the spread of the collection of revenue due for this fasli in future years so as to make it easy for the people to pay the assessment due to the Government. I do not think much harm will be done by adopting such a procedure. It is recognized that the situation in the Presidency is something abnormal, something which has not obtained in the Presidency, at least for ten years before this, and that is what the third or final report of the Director of Agriculture says. The total area under rice in the Madras Presidency in 1918-19 is estimated at 9,711,000 acres and it is less by 942,000 acres than the area finally reported for the previous year. The area is the lowest. The reasons he reports are obvious: that is, the failure of the south-west monsoon in July and August and the delay in the north-east monsoon in November. The season has been entirely abnormal, and it is only in the tracts protected by major irrigation that anything like the normal area has been kept up. They are the places which received the full benefit of the north-east monsoon and there the normal area is kept up. Conditions are better in the south, Ramnad and Tinnevely. There is a very large fall in the area cultivated. Not only is there a large fall in the area cultivated, but, as I pointed out in the previous resolution, in the yield also there is a fall. The yield is 35 per cent less than that of the previous year. That being so, it is a situation which has not occurred during the last ten years and I do not know whether such a situation ever occurred. Having regard to the situation in regard to other matters and the prevailing high prices, I do not think it will be wise to stick to the letter of the rules relating to suspension or remission of assessment. If we take the figures given here, namely, that there has been a decrease in the yield to the extent of 35 per cent and also a decrease in cultivation to nearly one-ninth of the whole area, I do not think that the provision made in the budget for granting remissions and suspensions will be adequate at all. In the revised budget, I believe the provision made is 24 lakhs. It was originally put at 2 or 3 lakhs and now under the revised estimate, provision is made for 24 lakhs, but I do not think that is a sufficient provision at all. The ordinary procedure adopted is going and inspecting the fields to see whether any case is made out for remission or suspension of revenue, to see whether the field bore any crops or whether it was a four-anna crop or a six-anna crop or an eight anna crop or a twelve-anna crop; if it bore any crop, then the ryot is made to pay the assessment. I do not think such a state of things should be allowed on this extraordinary occasion. While perhaps a case may not be made out for entire remission, the case for a postponement of the collection is certainly made out. I think in such circumstances to spread out the assessment over various years will be only an act of bare justice to the ryots who have to bear the burden and I therefore strongly recommend this resolution to Your Excellency.

"This proposition also contains a request that in making the inspection, the Collector or the Divisional officer should be assisted by two local non-officials. Very often these inspections are made; and I dare say that the experience which my Hon'ble Friend Mr. Chidambaranatha Mudaliyar possesses, and the other Honourable Members of this Council possess, is that very often inspections are made after the field has been reaped. It is very difficult to ascertain the stocks on the field which are not there; there is no sure indication as to what the yield has been. If they select two respectable non-officials, they will be able to get information as to what the yield has been in the area where the request for postponement of assessment is made. It will not do merely to rely upon the reports of the karnam or the revenue inspector in such matters in order to get reliable information sympathetically collected. That is the more important thing nowadays—the information should be collected by sympathetic inquiries of the ryots themselves and I think the Collector or the Divisional officer will be valuably assisted by two local non-officials on the spot. It is a matter where careful inquiry has to be made; it will repay the Government a thousand-fold to make an inquiry. The feeling among the people is really very strong indeed, and if the Government will really make such an inquiry, whatever

RESOLUTION RE SUSPENSION AND REMISSION OF ASSESSMENTS. 1063

4TH APRIL 1919.]

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

the result may be, if the Government show their anxiety about the condition and about the yield, and show that they are ready to grant suspension and remission of assessment where justice demands it, I think the people would be satisfied. And on the other hand, I do not think any harm will be done. The Government will be earning the gratitude of the people and their love. I therefore commend this proposition to the acceptance of the Government."

The Hon'ble Mr. B. V. Narasimha Ayyar seconded the resolution.

His Excellency the PRESIDENT :—" I will just announce the result of the poll on resolution No. XIV. For the resolution, 11, against, 27."

The Council then adjourned for a short interval.

The Council re-assembled at 3 p.m. when the discussion on the Hon'ble Mr. Ranga Achariyar's resolution was resumed.

The Hon'ble Mr. L. E. BUCKLEY :—" Your Excellency, with regard to this resolution, there was a similar resolution moved in this Council, I think, by the Hon'ble Mr. Narasimha Ayyar in November 1918. I then gave him an undertaking that I would invite the attention of all Collectors and ascertain what should be done in the matter of remission and suspension of assessment, especially drawing their attention to the necessity of extra staff for the purpose of inspection. I received replies from all the Collectors, the majority of whom said that no suspensions of revenue were necessary. Estimates had been received from time to time on the amounts of the actual remissions which would be considered necessary and the latest figure amounts to Rs. 26,12,000. In response to the reference that was made to Collectors in the matter of suspension, there are only five districts which have applied for suspension of collection amounting to Rs. 184,000. It has been already sanctioned by Government. This work of inspection as to what is to be remitted and what is to be suspended has, I know, been brought deliberately to the attention of Collectors during the year and they have made efforts to meet the necessities of the case. The ordinary rules as regards remissions are applied without any difficulty at all; with regard to suspensions of revenue on dry land, the sanction of the Government is necessary, if the collection is to be postponed till the end of the fasli. This work has been done already and nothing is to be gained by any further inquiry. I am instructed to say that the Government are unable to accept the resolution in the terms proposed."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" Does the Honourable Member say that there will be no suspension at all?"

The Hon'ble Mr. L. E. BUCKLEY :—" Five districts have applied for suspension of assessment on dry lands and the amount is Rs. 1,84,000."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" As regards wet land, there is no question of suspension?"

The Hon'ble Mr. L. E. BUCKLEY :—" There is no question of suspension. Where any concession is given, it is outright remission and it amounts to Rs. 26 lakhs."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" It is on that aspect of the question that I wish to press the resolution, whether suspension should not be granted in the case of wet lands. What the Honourable Member says is that Collectors have not applied for suspension in the case of wet lands, but only remission has been applied for. In the case of wet lands, also Collectors may be asked to report whether suspension is called for, because it is a matter in which even in the case of wet lands, pattadars are in a difficult position. They may not have had yield sufficient to carry on their daily existence and to meet the cost of the necessities of life. Therefore I think it will be a great boon to the people if the Collectors are called upon to report whether suspension should not be granted. I do not know if their attention has been called to this question. If their attention has not been called to that, if the Government are prepared to draw their attention to it, I think it will be of great use to the people. I want to throw out that suggestion."

His Excellency the PRESIDENT :—" I may inform the Honourable Member that special reports are called for from all Collectors on this question of suspension and remission; they are invited to make careful inquiries and report how far it is essential in each district either to suspend the revenue or to remit it and whatever has been recommended as regards suspension has been accepted. With regard to remission, I am not able to give the same answer, because in the case of South Kanara, the Collector recommended a certain case of remission which Government have not accepted. With that exception, all recommendations are accepted. The Honourable Member may be sure that if further recommendations are made on further inspection of the fields, Government will be prepared to sanction the further remission that Collectors may recommend."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" Is the inquiry still going on?"

His Excellency the PRESIDENT :—" The season is not over. Jambandi is still going on. I do not know if the Honourable Member wishes to press the resolution."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" No. I only wish to bring it to the notice of Government, so that they may call the attention of Collectors to it."

With the permission of His Excellency the President, the resolution was then withdrawn.

(Mr. Ranga Achariyar ; the Raja of Pithapuram.)

[4TH APRIL 1919.]

RESOLUTION RE ASYLUMS FOR BEGGARS.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"I beg to move :—

'XVI. This Council recommends to His Excellency the Governor in Council that they may be pleased to start asylums in suitable areas for housing and feeding beggars crippled or disabled through old age, loathsome diseases or otherwise.'

"Your Excellency, this problem of dealing with this class of people is becoming day by day a very grave one indeed. I think the time has come for the State to intervene in this matter. I do not know what the experience of Honourable Members is with reference to this question. Wherever you go, fairs or festivals in temples or other places, whether you travel by tram-cars or trains, at various places these people suffering from diseases of a loathsome kind are either exposed by the people who trade upon them or they themselves come forward to beg of the people, and there are also people who are unable to take care of themselves being crippled either through old age or on account of various other bodily infirmities; such people are unable to take care of themselves. There are several thousands of people like that in this Presidency and I do not think it is wise to leave them in that condition. Nowadays private asylums or private houses for lodging them or feeding them are not as they used to be and the joint family system is breaking down and each man for himself is the motto nowadays. Therefore, the care for the poor on the part of the public is not so very great as it used to be. In almost every town you find this class of people and I do not think it is wise to allow them to roam about. They carry infection with them; that is a great danger to the community apart from other questions concerning them. They live a very miserable existence and they have to beg for their livelihood. They sleep under trees, have no houses of their own and their clothing is scanty. All these things should not be allowed to take place under a Government such as ours. I think it is the duty of the Government to take care of these people. So far as the British Government is concerned, from the year 1601, in England the care of the poor has been considered the primary duty of Government and from that date in England there have been elaborate laws by which old age people, poor and crippled people are cared for by the guardians of the poor and various other authorities who have been constituted from time to time. I want to start a humble beginning in our country. I think this subject has been neglected, probably because the Government found no necessity in the early days to provide asylums. But having regard to the modern day habits of the people, I think it is an essential function on the part of the Government to start asylums in suitable areas. I leave it purposely vague, because it depends upon the number of persons to be provided for, what distance they may be taken to, what facilities there should be for looking after these people. I leave all that to Government. But what should be done is they should be housed, clothed, and fed—persons who are unable to take care of themselves, either through old age or through disease. Even with regard to disease, I confine it to loathsome diseases, because we will be doing a public good by isolating this class of people who are suffering from loathsome diseases. It is limited in its operation, it will not involve the Government any considerable cost, and on the other hand, the money will be well-spent; especially when new movements are started for taking care of public health, I think this is an effective method of taking care of public health by providing public asylums for such people. When the Government start asylums, they may also get private benefactions to supplement the resources which the Government may place at the disposal of the authorities in charge of such asylums. I do not commit the Government that it should be a department of Government, but it is a matter for consideration as to whether anything should be done, and if so, what steps should be taken to afford a much-needed relief to this class of people. I dare say local bodies may come forward to assist the Government in the discharge of this duty, but these are all matters of detail and I dare say the Government will consider these matters and consult local authorities before taking steps to start asylums. I think the question is of great importance and urgent necessity and I therefore urge upon the Government the necessity of accepting this resolution."

The Hon'ble the RAJA OF PITHAPURAM :—"Your Excellency, I most heartily support this resolution. It is a subject which is very dear to my heart and it has been engaging my attention for several years. When I saw this resolution standing in the name of my Hon'ble Friend Mr. Ranga Achariyar, I was surprised and I was very glad that he came forward to move it. Your Excellency, I may be permitted to say that poor people, people who are really helpless and incapable of earning their livelihood whether they are suffering from loathsome diseases or not,—these people have a great claim on the Government. The weakest and the most helpless have certainly a greater claim on the Government than anybody else. I consider it the duty of Government to come to their rescue and it is a matter in which Government cannot very well put forward the plea that for want of funds it cannot be undertaken. I request the Government if necessary to cut out certain other items of expenditure and invite the co-operation of the public. I think that these poor and helpless people have got every right on the purse of the rich. They are the children of God as well as we are and it is but proper that the rich should come to the aid of the poor. If the Government take interest in it—I am sure they will—and invite the co-operation of the public and exercise their wholesome influence, I am sure the public will be only too glad to come to the aid of the Government. With these remarks, I beg to second the motion."

RESOLUTION RE ASYLUMS FOR BEGGARS.

4TH APRIL 1919.]

(Mr. Ramaswami Ayyar ; the Rev. Aelen ; Mr. Davidson.)

The Hon'ble Mr. C. P. RAMASWAMI AYYAR :—"Your Excellency, in associating myself with this proposition, I desire to offer just one or two remarks. It used to be said and asserted with some amount of pride that there was no necessity for a Poor Law in this country. It was undoubtedly so when the joint family system was in full vigour and when the village communal life exerted that unifying influence which it has ceased to exert to the same extent and in the same manner. There is no gain-saying that the number of people, who are either exploited for the purpose of getting an income for others, or who are absolutely destitute and are driven to very difficult means of sustenance, is increasing. Perhaps the evil is not so crying in the rural areas as it is in the cities; but as the Honourable mover has remarked, one has only to see any crowded resort in the urban areas of this Presidency to be confronted with the evil in its extreme form. In England the question has been receiving considerable attention for a number of centuries and it was always considered that the claim of the poor and the destitute on the parish was paramount. It seems to me by parity of reasoning it may be argued that local bodies have the care of these persons primarily thrown upon themselves, but it seems to me that with their strained resources, it will not do for the Government to throw this duty primarily or solely on the local bodies. Government ought also to come to the rescue and I take it that the object of this proposition is to invite the attention of the Government to the crying evil and invite the co-operation of the Government in battling with this problem which is bound to become an increasingly complex one."

The Hon'ble the Most Rev. J. AELEN :—"This is a resolution which appeals to every one and I sincerely hope that Government will see their way to take it over."

The Hon'ble Mr. L. DAVIDSON :—"Your Excellency, when this resolution was tabled, I did not expect that it would take so wide a scope as it has done. I thought that it was more largely directed to the repression of beggary than to the institution of a system of poor relief. This is not the first time that the question of the establishment of asylums for beggars has been pressed upon the attention of the Government. Not much more than a year ago the Hon'ble Mr. Annamalai Chettiyar asked a question on the subject which had special reference to the city of Madras. He inquired whether in view of the prevalence of beggars in the city of Madras, especially those suffering from loathsome diseases, Government would provide an establishment for housing, feeding and clothing them. The answer which Government gave was that there was no such intention, and the view upon which that answer was based was that such institutions were primarily a matter for private charity and private organization. Since May 1917 there has been no further examination of the general proposition and I am not prepared at present to depart from the position then taken up. The Hon'ble Mr. Ramaswami Ayyar has referred to the justifiable pride hitherto taken in the fact that there was no necessity for a Poor Law in India owing to the admirable spirit of charity towards the poor. He suggested, however, that that pride was no longer maintainable, owing to the breaking-up of the joint family system, and the decrease of the communal spirit in village life. I venture to think that he takes too gloomy a view of the situation and that we may still adhere to the position that it is premature to introduce State relief in this matter."

"I do not know if Honourable Members realize what an enormous proposition State relief of the poor is. In England there was a special Poor Law Commission about ten years ago which produced a report extending over 1,300 to 1,400 pages; it has been an administrative difficulty of a most complex character for many years; the duty of supporting the vagrant poor is primarily cast on the local rates and one might on that analogy impose the same duty on local boards and municipalities in this country. In England the poor rates go up to 7 or 8 shillings in the pound, which judging from the attitude of this Council towards the enhancement of the property tax in Madras would here be regarded as somewhat startling as it represents 40 per cent of the annual rental value of the buildings. I simply mention that to show what enormous financial issues are involved."

"The financial issue is not the only one; there is also the question whether legislation should not precede the establishment of asylums for beggars. There was a very interesting discussion a year or two ago on a similar issue in the Legislative Council of Bombay and the view taken throughout that debate was that legislation was a necessary preliminary, because even when you have asylums established, you cannot compel people to go to them or remain in them. There were concrete facts brought out in the course of that debate which are of special interest. I should like to refer particularly to the experience in the David Sassoon Infirm Asylum in Poona. This is a well-endowed institution and has accommodation for sixty inmates. It is intended to meet the class of destitute paupers. The Hon'ble Mr. Godbole complained, however, that, owing to the indiscriminate charity prevailing in Indian cities, they were unable fully to utilize either their accommodation or their funds. They could not utilize more than half their funds. They were maintaining only some twenty infirm paupers and the rest of their annual income was added to their capital fund. What was the reason? This is what Mr. Godbole said :—

'Charity is practised indiscriminately in Indian cities, and the consequence is that the blind, the halt, the infirm and the old and decrepit people get far better treatment from the general public outside than they get in the asylum itself. We admit the infirms, we feed them, we lodge them and we keep a doctor to look after them in our asylums. But I find from inquiries that I have been making that, in addition to getting their food and raiment, the infirms get a lot of money by begging in the streets and in the temple yards.'

(Mr. Davidson ; Mr. Krishna Rao.)

[4TH APRIL 1919.]

"In the light of this statement of the outcome of indiscriminate charity it is a fair inference that legislation would be necessary for the compulsory detention of beggars suffering from loathsome diseases in any work-houses or asylums that you may set up. And any such step will bring you face to face with another difficulty peculiar to India,—the case of the religious mendicant who may or may not be suffering from a painful or loathsome disease. That point played a very large part in the debate in the Bombay Legislative Council. References were made to the extreme difficulty of distinguishing between the true and the false *sadhu* and to the fact that public opinion indicated that it was necessary to go very cautiously and warily before dealing in a drastic manner with religious mendicants. Yet another point taken in the Bombay debate was the fact that the problem of poor law relief is not a local problem, but an Imperial question, partly because of the religious difficulty arising and still more on account of the enormous financial cost involved. The conclusion ultimately arrived at in Bombay was that while there was some case for a purely unofficial inquiry into the need and possibility of measures for the repression of beggary, it was inadvisable that Government should intervene in the matter at all.

"I think, sir, roughly, that is the position that we must take up here. The provision of asylums by themselves, even if the financial difficulty were not a grave one, would be ineffective unless there were legislation. We cannot legislate too far in advance of public opinion and it is necessary first, I should say, to educate public opinion against the indiscriminate charity which is really the root cause of the prevalence of beggary, particularly those beggars who seek to prey and work upon the charitable feelings of other persons by the exhibition of sores and deformities. If it were not for the trait, admirable in itself, which induces the inhabitants of this country to give charity freely to the poor and the decrepit, there would be far less solicitation of alms.

"It must not be supposed, however, that the Government leave relief of this description entirely alone. You will find an account in the Presidency Administration Report, paragraph 287, of a variety of charitable institutions including a number for relief of paupers; some of these are actually supported by Government, more are receiving aid from Government and far more are supported by private agencies. I find that for the relief of paupers 416 institutions are maintained, of which 226 are restricted to Hindus, 11 to Muhammadans, 3 to Europeans and Eurasians and 176 are open to all classes and creeds I may refer particularly to the Monegar Choultry, the Triplicane Lungerkhana and various lungerkhanas up-country. They are all under efficient management and they are also receiving a measure of support from Government. There is yet another direction in which Government have taken a much more prominent part and that is in regard to the maintenance of leper asylums. There has been a considerable departure in that direction during the last two or three years and I am sure Government will only be too ready to give liberal assistance to that class of loathsome beggars.

"To sum up, sir, Government are not prepared at present to embark offhand upon the policy of establishing asylums. That would be stepping into the fringe of the general and wide question of State relief for the poor, even if limited to the case of disabled and crippled beggars. Legislation is an essential preliminary and we cannot legislate too far in advance of public opinion."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I am afraid that the attitude taken by the Government in dealing with this resolution is exceedingly disappointing. If I had been able to follow the arguments of the Hon'ble Mr. Davidson, he has told us that the matter requires further consideration, that steps would be taken to repress beggary, that public opinion should be educated and that legislation should precede any steps for embarking on this new policy. It was in 1917 that the Hon'ble Mr. Annamalai Chettiyar drew the attention of Government to the necessity of having an asylum of this description in the city of Madras and the Government then stated that they had no intention to embark on that experiment. There has been ample opportunity and sufficient time for examination of that question; and I do not myself think that the difficulties in the way of carrying out this reform are insuperable. We have been informed that the Government cannot offhand embark—I use the word 'off-hand' advisedly, because that was the word used by the Hon'ble Mr. Davidson—on the policy tried to be initiated by means of this resolution. It leads us to an inference that the Government are prepared to initiate further measures after making the necessary inquiries or after causing the necessary inquiries to be made."

The Hon'ble Mr. L. DAVIDSON:—"I may say at once that I did not intend to suggest that."

The Hon'ble Mr. A. S. KRISHNA RAO:—"I understand from the Hon'ble Mr. Davidson that he did not intend to suggest that. If the Government are not at once prepared to start this experiment, may I not ask if there are not sufficient materials to induce them to cause an inquiry to be made without further delay and take steps in that direction. The Honourable the Raja of Pithapuram has in seconding the resolution told us that we might cut out some other items in the budget and provide funds for the purpose of starting asylums for the relief of the poor. He told us that it was an object which must commend itself to every one; and that, if need be, we might find funds without any difficulty. We have been informed that from the attitude taken in dealing with the question of property tax, poor rates would be objected to and there might not be the chance of finding funds. May I point out that the attitude of this or of any other Council will not be unreasonable if definite proposals are made to meet a problem like the one suggested in the resolution? Even at present the people of the country have been doing the little or much they have been able to do to relieve the poor in

(Mr. Krishna Rao ; Mr. Narasimha Ayyar.)

4TH APRIL 1919.]

various ways; and they have not been neglecting their duty. But it has been done in an indiscriminate manner as suggested by the Hon'ble Mr. Davidson and as pointed out in the debate in the Bombay Legislative Council. It is very desirable that the whole system should be organized on a satisfactory footing and that those people who really deserve sympathy and help should not merely depend upon the chance of some person giving relief, but should be in a position to expect relief in a regular manner. People who have been hitherto contributing in their own way will not grudge any further assistance that may be required. Government may, therefore, without any difficulty or hesitation make such inquiries as are necessary and start this experiment.

"The objections urged by the Hon'ble Mr. Davidson only indicate that the Government are not prepared to start asylums at once. May I point out that the Government may make inquiries and take suitable steps. They may undertake such inquiries as are necessary and such legislation as may be feasible for housing and feeding the poor. It may necessitate a slight amendment of the resolution before the Council. I would only request, that as the object of this resolution cannot be questioned, this resolution may be accepted. If any modification is required, we may carry it out. We must take a step forward in dealing with this problem. It is a problem which has been before the public for several years. Are we on the ground that we have no statistics as to the number of beggars, or that we have not got the machinery whereby we can take them to the asylums—to say that we shall not proceed forward with this resolution. Therefore I venture to suggest that the resolution may be modified on these lines even if it is not acceptable in its present form—in place of the words 'to start asylums', we may have the words 'to take such steps as are feasible'. I am aware that some further inquiries are necessary, and further steps have to be taken; but may I not ask whether the Government cannot accept this reasonable amendment."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency the debate on this resolution is likely to be watched with considerable interest in many places which would not be expected ordinarily to watch it. The matter is one of very great importance and I think therefore I shall be justified in taking up a few minutes of the valuable time of this Council. I am afraid the Hon'ble Mr. Davidson started the discussion under a misapprehension, and his conclusion has been slightly rendered wrong by reason of his starting on a wrong basis. He seems to have fancied that the whole question will be about putting down beggary. Putting down beggary is a very large order as the discussion shows; it is a premature thing for us in this country to adopt measures such as those successfully adopted in England and other countries similarly situated. I am afraid the point of difference between putting down beggary and the resolution now before us has not been distinctly brought to the mind of the Hon'ble Mr. Davidson and he has rejected this resolution on grounds on which the Bombay resolution was rejected. If it is proposed that beggary should be put down, legislation is absolutely essential, and yet that argument which applies to the Bombay position is brought forward as though it were necessary to the present resolution. What does this resolution say? It says that: 'This Council recommends to His Excellency the Governor in Council that they may be pleased to start asylums in suitable areas for housing and feeding beggars crippled or disabled through old age, loathsome diseases or otherwise.' Is it suggested that if the Government should start asylums in suitable areas for housing and feeding beggars crippled or disabled through old age, loathsome diseases or otherwise, nobody would go into them unless there was legislation compelling them to go into them? It is an argument which it is hard for us to understand, and yet at the same time, the Hon'ble Mr. Davidson has put forward another argument which cuts the ground from underneath the first argument. In the same breath he says that thousands will crowd into it and if you calculate the cost, it will be immense. He says 'do you know what amount of special rate the municipality would have to levy? If the Madras Corporation were to undertake this task, it will have to increase by 40 per cent the property tax.' That implies that a large number of persons would take advantage of these asylums. Then what becomes of his first position? I think that shows that the Hon'ble Mr. Davidson has not paid sufficient attention to his arguments. They do not fit in with each other. It is not correct to say that legislation is necessary for starting asylums. Legislation would be necessary if the object of the resolution were that all beggars crippled and disabled through old age shall be sent to the asylum. But the Honourable Mover does not contemplate any such compulsion and no Honourable Member of this House contemplates such compulsion. So legislation is not at all necessary. Perhaps the Hon'ble Mr. Davidson may think: if you set about this matter, it would be better to push the matter as thoroughly as possible and for that purpose, legislation is necessary. We, in this Council, are satisfied with humble beginnings. What is recommended in this resolution is a humble beginning, that Government should start asylums. The number is not stated, the local extent of the relief is not indicated, as much as possible under the circumstances is all that is needed. Now, therefore, to think about the absence of legislation as a difficulty in our way would argue want of sympathy with the subject matter of this resolution. As there is no one in this House whom we can accuse of want of sympathy, I think Government would do better to think a little more on this resolution before they have done with it and see their way to accept the conclusion which may be forced upon them logically by their sympathy with this resolution. The main point is this: "As there is no legislative difficulty in our way, what other difficulty is there in our way? The Hon'ble Mr. Davidson stated that there were considerable difficulties in the sentiments and the ignorance prevailing among the people; if *sadhus* are touched by this resolution and if

(Mr. Narasimha Ayyar ; Mr. Rajagopala Achariyar ;
Mr. Davidson.)

[4TH APRIL 1919.]

people are asked to refrain from indiscriminate charity, the sentimentality of the people will be wounded. That imports the idea of compulsion. It cannot be denied on the one hand that there is some kind of private relief afforded to those suffering from loathsome diseases. Nor can it be said on the other hand that private relief is afforded to all persons suffering from them. If it is the position of the Hon'ble Mr. Davidson that practically all persons suffering from loathsome diseases have been provided for, that is a different answer. That cannot for one moment be contended, because any one who goes into the streets will find a large number of persons with loathsome diseases suffering, neglected and infecting the localities which they are found in. I therefore think that the idea that education is necessary and that religious scruples have to be carefully considered, will not hold water. In regard to the Bombay resolution, they wanted to put down beggary and there were difficulties in that, because, no *sadhu* would have agreed to go to an asylum. We are not now referring to *sadhus*, nor have I seen any *sadhu* with any loathsome diseases. I think about education also, it is a misconception of the whole subject. The resolution does not aim at forcing the hands of the people.

"There will be a certain amount of indiscriminate charity in this country and I for one shall not be sorry for the existence of indiscriminate charity in addition to regular charity. It is far better to have some indiscriminate charity than to have no charity. The rude Corinthian boor who against the houseless stranger shuts his door will not be found on the Indian soil. Indiscriminate charity is a thing which I look upon with indulgence. However, does it stand in the way of the resolution? It is true that there are a certain number of lepers who would be looked after by charitable people. But is it contended that there is an abundance of charity? The Hon'ble Mr. Davidson said that the Hon'ble Mr. Ramaswami Ayyar took a gloomy view of the situation. I may profess to have some knowledge of the people because everyday I come into contact with the people in the towns and villages and I can give a perfect assurance to any Honourable gentleman here who has not had opportunity of knowing the people that charity is definitely on the decrease. In the days when I was a young boy there were very few houses which would refuse alms to any poor man. Now in many houses I know, not only do they refuse but they say that only on particular days in the week, they will give it. I know that charity as a regular institution is very much on the decline. I am very sorry to state that. One of the causes may be the joint family system, another is the increasing poverty, i.e., decrease in the supply of articles of wealth to the average householder; another is the increase of population; and there may be other circumstances. I am not now concerned with the causes of this decline. The decline however is a fact and the result is seen by the very large number of poor, crippled and diseased beggars in various places. That is an unfortunate position. In these circumstances, the Honourable Member is simply requesting the Government to take the matter into consideration and do what they can. Therefore I believe the objections put forward about educating the people, about the religious scruples, about legislation are all objections which have absolutely no grounds to support them.

"Coming last to the suggestion thrown out by the Hon'ble Mr. Davidson, he said that on analogy with similar institutions in England, it must be the local rates that must bear the charge. There is a great deal to be said in favour of that view. I know in point of fact that the Salem municipality has been maintaining a house in which the poor, crippled beggars with loathsome diseases are fed and given cloths and housed."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"By the municipality?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Yes. We maintained it. We wanted to transfer it to the district hospital which is partly financed by the municipality, partly by the district board and partly by the Government. We could not attend to all those suffering from loathsome diseases. We wanted a medical man to be in charge of them. Some correspondence went on and a year or two ago when I gave up the chairmanship something was put on record, but I do not know what is the ultimate condition of affairs. I know for a long series of years the municipal council maintained such an institution. There is a provision in the District Municipalities Act under which such an expenditure can be borne. I refer to section 113 of the District Municipalities Act which refers to the purposes for which the funds raised under that Act shall be applied. In sub-clause 5 it says: 'Other measures of public utility calculated to promote the safety, health, comfort, or convenience of the people.'

"That is wide enough and Your Excellency has got power to prescribe rules and restrictions under which that clause is to be worked."

The Hon'ble Mr. L. DAVIDSON:—"If the Honourable Member will refer to clause (ii), he will find 'poor houses' specifically mentioned."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Yes. But as we are referring to people suffering from loathsome diseases, I thought this clause 5 applied better. The other clause refers to poor houses. When I point out the existence of this provision and similar provisions in other corresponding Acts, I do not assume that the municipality should be called upon to establish a large number of such institutions. If the Government think that that is a proper step, I would ask the Government to examine the financial position of these bodies and see whether they are capable of maintaining additional establishment for that purpose. If they come to the conclusion that the finances of local bodies are in a very happy condition, then they might set about prescribing rules under that particular section, calling attention to the debates in this Council. But I fear that the condition of the finances of many a local body would not be

(Mr. Narasimha Ayyar ; Mr. M. Ramachandra Rao.)
4TH APRIL 1919.]

such as to favour the proposal. I think even in that case, Government aid would be absolutely necessary before local bodies can be called upon to start such work; and therefore, while the Government will kindly take the trouble of prescribing rules about starting and maintaining houses for the lame, the blind and the crippled people, they might consider how aid could be given to local bodies for this purpose. It is with a view to bring all this under review that this resolution was started. It is quite possible that the Government may have to take such a part in it that they may not have to trouble the municipalities and they might start it on their own account. If it is on a large scale, and if the Government have to pay a large portion of the expenditure, adopting the principle which the Decentralization Commission insisted upon frequently, that he who pays the piper must call the tune, the Honourable Member has put forward this resolution. If the Government think both local bodies and Government may have a hand in the matter, they could agree to work through local bodies. If the Government would be pleased to chalk out a line, we will be happy to support the Government in any proposal which they may make taking into consideration all that has been put forward here.

"I think therefore, under these circumstances, none of the objections put forward by the Hon'ble Mr. Davidson for opposing this resolution holds good. The only reasonable and proper position for the Government to take is not merely one of expression of sympathy, but to accept the resolution and set about finding ways and means and finding what relief could be afforded to local bodies and what further could be done to help the funds in the hands of local bodies, what further funds could be utilized, what further amount of money the Government could afford and what further help they could give. I hope that what I have mentioned would be considered by the Government and that real help would be given and not merely oral sympathy."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Your Excellency, the Hon'ble Mr. Davidson has made the issue raised by this resolution much wider than is necessary. The Honourable Member who proposed this resolution suggests that in suitable areas asylums should be started for housing and feeding beggars crippled or disabled through old age or loathsome diseases or otherwise. These qualifying words, 'crippled or disabled through old age or loathsome diseases or otherwise', seem to have been forgotten in the discussion of this resolution and we are now faced with the whole problem of the solution of beggary in India. This question as to how it may be tackled was discussed not only in the Bombay Legislative Council but by various public bodies interested in putting down beggary, more especially with reference to the evils arising from the institution of *sadhus* who are able-bodied men—young men and old men are drawn into this organization—able-bodied beggars who tramp the country from Benares down to Ramnagar. That large issue as to how these men may be reclaimed is not at all raised in this resolution. I also venture to think, Your Excellency, that the reference to the conditions under which poor laws are administered in the United Kingdom is not at all necessary for the purpose of this resolution. There the obligatory character of the law requires that local bodies should look after the poor within their respective jurisdictions. Here we have no such obligation so far as local bodies are concerned and I take it that the provisions referred to by the Hon'ble Mr. Narasimha Ayyar are purely discretionary. There is no mandatory duty on the local bodies in this country as there is in the United Kingdom to look after the poor, and therefore there is no question, so far as the present consideration is concerned, as to the circumstances under which poor relief can be granted. Your Excellency, this resolution in its limited application has my entire sympathy. I have found on several occasions crippled beggars lying by the side of streets without absolutely anybody to look after them, absolutely helpless, blind beggars, beggars unable to work, without absolutely any provision in towns for their maintenance for the rest of their lives. I have myself in my rounds as Municipal Chairman directed them to be removed to the existing hospitals for being looked after as in-patients from the funds of the hospital; I know it is not quite right, but that is the only thing that we can do temporarily to give some kind of relief to those who are found begging in the streets in that unfortunate condition.

"The Hon'ble Mr. Davidson referred to the help which was being given to charitable institutions from Provincial funds. I find at page 256 a number of charitable institutions is mentioned on which public funds are now spent; for example, the Civil Orphan Asylum, Madras, receiving Rs. 1,200; the Civil Orphan Asylum, Ganjam, Gordon Refuge, San Thomé; Holy Angels' Convent, Kumbakonam; the allowance to Roman Catholic chapels in Mysore; the Friend-in-need Society, Ootacamund, receiving Rs. 65,000; the Lawrence Memorial School, Ootacamund, receiving Rs. 1,500; the Friend-in-need Society, Bellary, receiving Rs. 300; the Native Poor Asylum or Monegar Choultry, Rs. 7,000; Native Infirmary said to be Nawab's donation Rs. 1,050; and under the head of Langarkhanas we find five places each receiving a share from Provincial funds. Your Excellency, I would submit for the consideration of Government whether it would not be feasible to allow municipalities and local boards to start institutions for the class of persons mentioned in this resolution and to supplement the funds by some system of grant-in-aid. If we do that, we certainly steer clear of the wider issues raised by the Hon'ble Mr. Davidson as regards the financial position and as regards the general policy of putting down beggary. These and other vexed questions cannot certainly be solved without a certain amount of legislation, but this suggestion will obviate that difficulty for the present. I would suggest that if any municipality comes forward strictly for the maintenance of the establishment of an asylum for the maintenance of this class of persons referred to in this resolution, on which I expect

1016 RESOLUTION RE TRANSLATION OF THE PROCEEDINGS OF THE
LEGISLATIVE COUNCIL.

(Mr. Ramaswami Ayyar ; Mr. Narasimha Ayyar ;
Mr. Todhunter ; Mr. M. Ramachandra Rao ; Mr. Siva Rao.) [3RD APRIL 1919.

The Hon'ble Mr. C. P. RAMASWAMI AYYAR :—"I would formally move an amendment to the resolution, that the words 'as early as possible' be substituted for the words 'at as early a date as the original proceedings.' In moving that amendment, I do not desire to say more than this. I realize the practical difficulties that would arise if it were made obligatory that the vernacular translations should be published at the same time as the English originals. The Hon'ble Mr. Todhunter referred to what I said about English being the lingua franca. I adhere to my view. But nevertheless it is the duty of the Government and this Council, especially in the days to come, to see that their labours are understood by the people from whom they derive their power. It seems to me for the purpose of political education, because the vernacular newspapers cannot with their present staff and resources and equipment adequately discharge their duty, the function devolves, and rightly devolves, upon the Government and I therefore move that amendment."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"I would accept the amendment. I do not know whether the Hon'ble Mr. Todhunter would accept it."

The Hon'ble Mr. C. G. TODHUNTER :—"I object to the proposition either as originally proposed or as amended."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"Your Excellency, this subject of vernacular translations of the proceedings of this Council was debated some years ago. On that occasion it was pointed out that there were nearly 17,000 subscribers to the District Gazettes. I remember Your Excellency's speech on that occasion, especially that portion relating to the Punch's sayings about Parliamentary proceedings. Our point is that it would promote better understanding of the Government if some rendering of the proceedings of this Council were distributed along with the District Gazettes. I do not think it necessary that it should form part of the *Fort St. George Gazette*. The objection that was then pointed out was that the demand for the vernacular portion of the *Fort St. George Gazette* was negligible and the suggestion that was made was that the proceedings of this Council should form part of the District Gazettes and be distributed in the districts. I am afraid I share the feeling of the Hon'ble Mr. Todhunter to some extent whether it would be necessary to give a complete rendering of the whole proceedings of this Council. It is voluminous in quantity and I would suggest for the consideration of the Government whether it would be possible to make a summary of the proceedings of the Council and have it distributed along with the District Gazette. It is extremely important that the masses should clearly understand what is being urged in this Council and what is the attitude of the Government with reference to many of these resolutions that are brought forward, and what we say in the interests of the masses whom we represent. On the whole, it seems to me that it would be a very wise step to adopt the essence of this resolution in some form or other, whether it should be exactly in the form in which the Honourable Member has put it, it is not necessary to consider just now."

"The Hon'ble Mr. Todhunter said that there are very few people who read the proceedings of this Council. It is true. Our proceedings are issued about 45 days after the Council meets, and the public interest has been sufficiently satisfied by some account appearing whether good, bad or indifferent in the newspapers and I do not think it is an argument against this resolution that the English proceedings are not read by the majority. The same remark may be made with regard to the District Gazettes. The proceedings of the municipal councils and district boards are never read, but it is a statutory duty in the interests of wider publicity that the proceedings of these bodies should be published. In order to satisfy the statutory requirements it is done. I once had occasion to examine how many persons took in the district gazette in Ellore. I found 13 people there out of a total of 900 subscribers; and even those 13 copies were never opened by the subscribers, and it was sheer waste of money. But nevertheless, I am not now discussing what alterations should be made in the distribution of the proceedings of municipal councils to secure publicity in the locality. Your Excellency, on wider grounds of policy and the best grounds of making the intentions of the Government, and the standpoint of the Government being known to the masses, it seems to me that the essence of this resolution ought to be accepted by the Government. It is a question, as I said, as to what portion of the proceedings will be useful. That is a question which has to be considered independently of this resolution. I give my entire support to the principle of this resolution. I think it would be of advantage to publish it in the district gazette."

The Hon'ble Mr. P. SIVA RAO :—"Your Excellency, I heartily support this proposition. One difficulty which the Hon'ble Mr. Todhunter raised was, is there a demand for it? He felt sceptical about the utility of spending money on it. He asks, will the villagers read the proceedings—the vernacular reports of the proceedings of Legislative Council? I am afraid the Hon'ble Mr. Todhunter has not taken sufficient note of the present political advancement of the country. I may assure him that the villager is very keen nowadays and he wants to ascertain in the first instance what has been done in the Legislative Council from day to day, what the Government have been doing, and what their own representative in the Council had been doing. I may assure him that they have been taking very keen interest."

"Then the question is asked, is it worth the money? I am strongly of opinion that no expenditure need be grudged in a matter like this. The people, the villagers and the masses who contribute towards the resources of the country, are entitled to know what goes on in the Legislative Council from day to day. Are they not interested in knowing how their representatives have been acquitting themselves, well or ill."

RESOLUTION RE TRANSLATION OF THE PROCEEDINGS OF THE 1017
LEGISLATIVE COUNCIL.

[3RD APRIL 1919.]

(Mr. Siva Rao ; Mr. Krishna Rao.)

"There is one other aspect which requires serious consideration. That is, as an instrument of political education, it ought to be encouraged. The Hon'ble Mr. Todhunter referred to the difficulty of expressing some of these sentiments in the vernaculars. I am quite alive to the difficulties. The difficulty is all the more enhanced, because the Government have not been doing much towards the encouragement of the vernaculars. Take Bengali, Mahratti, or Telugu as it is now handled in the Northern Circars. I can assure the Honourable Member that they can convey in Marathi, Telugu or Hindi or Urdu the latest political thought or any other thought that comes before the country. It is because the vernaculars have not been sufficiently developed we feel difficulty at the outset. We have to coin some phraseology. There was a reference to some language being the lingua franca and that English may be the lingua franca. The Hon'ble Mr. Ramaswami Ayyar referred to English as the lingua franca. It may be the lingua franca inside the Council, but outside it cannot be the lingua franca for the dissemination of political thought. English can never become the universal language of the masses. There is this other aspect also to be seriously considered in a matter like this. It will dispel enormous ignorance in the masses. As a political asset, it will have a rare value; it will try to improve the millions, and it will also harmonise the relations between the rulers and the ruled. There is a proposal to enlarge the electorate and these people have a right to know what goes on in the Legislative Council."

"As regards the summary which the Hon'ble Mr. Ramachandra Rao suggests, he always chooses the golden mean, which is to publish a summary. If his proposal is adopted, the summary will be a mutilated version. Who is to judge which is important and which is not important? I would rather have a full verbatim account of our proceedings and it is well worth the money spent on it considering the advantages to be derived."

The Hon'ble Mr. A. S. KRISHNA RAO :—"Your Excellency, I do not know if it is too late in the day to induce Your Excellency's Government to change the position which has been already taken up on this resolution. In the discussion on a previous resolution, it was pointed out that the Government were as anxious as any one else to give wide publicity to the proceedings of this Council and to give necessary encouragement for that purpose. It cannot be denied for a moment that there has been a change for the better in the attitude of the people of this country, to acquaint themselves with what is going on inside and outside the Council and with the attitude of the Government regarding various questions. I would go a step further and urge that even for a correct appreciation and understanding of the various acts of the administration, it will be much better if the proceedings are translated into the chief vernaculars and if opportunity is given to the people to acquaint themselves with what is taking place. The only objection urged by the Hon'ble Mr. Todhunter is that persons are not likely to take advantage of this opportunity and that very few would probably read these proceedings in the vernaculars. May I point out that in all probability there is a greater chance of people acquainted with the vernaculars reading these proceedings than persons acquainted with English reading the proceedings published in the gazette? The reason is obvious: as has been pointed out, persons who have been following the proceedings of the Council in the English language and who have been taking keener interest in political affairs would try to get themselves acquainted with the information at their disposal as early as possible by going through the newspapers, and would not be anxious to know the full proceedings. On the other hand, persons who have considerable leisure at their command and have a desire to know exactly what is taking place in this Council would be in a position to know much better about these proceedings in the vernaculars. I agree with the Hon'ble Mr. Siva Rao in thinking that a summary would not serve a useful purpose. It is somewhat irksome to introduce the experiment of having a summary prepared by some officer in the Secretariat who may not correctly express the views of Honourable Members. It is better that we go further ahead and have a translation of the full proceedings into the vernaculars. Your Excellency will also notice that even at present the proceedings of various local bodies in the Presidency are published not merely in English but in the vernaculars. If the test which is now suggested by the Hon'ble Mr. Todhunter is adopted, namely, that it is only when one is satisfied that these proceedings in English or the vernaculars would be read, they should be published, I do not know where we will go to. Even if it serves the purpose of educating a few people, I think the experiment should be tried. We must not try to have calculations made on any other basis. We cannot expect that all the persons are likely to avail themselves of this opportunity. If Your Excellency is satisfied that considerable number are likely to take advantage of the opportunity, the experiment should be given a trial as the expenditure will be quite legitimate. For these reasons, I strongly support the resolution. I know that according to the procedure adopted, if the Government come to a certain decision previously, it is very difficult to make them change their minds. But this is a matter in which it is always open to the Government to review their position. There cannot be the slightest doubt that there is an increasing interest taken in the proceedings. If that is so, why should there be hesitation in giving effect to this resolution?"

"Then it was pointed out that there will be difficulty in translating the speeches. May I point out that it is much easier to translate the proceedings into the vernaculars than to translate the various Bills that are introduced into this Council. I know as a matter of fact several persons who were acquainted with the vernaculars and read the translations in the Gazette, did not understand them and came and asked me what the Bill meant. They could not make anything out of the translation. They had to go and obtain the help of others to understand

(Mr. M. Ramachandra Rao ; Mr. Ranga Achariyar ;
Mr. Davidson ; Mr. Suryanarayana Rao.) [4TH APRIL 1919.

there would be agreement in this Council—if such an institution is maintained by the municipality and the local boards—I do not see why public funds should not be devoted for the maintenance of such institution under a system of grant-in-aid. I do not know under what circumstances and under what conditions these grants are made to the institutions referred to in page 226, whether it is a portion of their outlay or anything; but I take it that, so far as the Lawrence Memorial School is concerned, there is a certain amount of endowment about it so that we need not consider the question of the Lawrence Memorial School at all."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" It is an educational institution."

The Hon'ble Mr. L. DAVIDSON :—" It is also an orphanage."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—" I believe there is an endowment from which this fund of Rs. 65,000 is derived. As regards other institutions, I do not know under what system these grants-in-aid are given. Is it the total net cost or a portion of the cost? Whatever that may be, my definite suggestion for the consideration of Your Excellency's Government is that, if any charitable institutions for the maintenance of crippled and disabled beggars are to be maintained by a local body, that local body should be permitted to do so and that some system of grant-in-aid should be devised to keep up those institutions. Subject to these limitations, I trust that we will not be frightened by the large financial issues raised by the Hon'ble Mr. Davidson or by the absence of legislation. These may abide their time for a solution, but this problem is one which anybody who lives in cities is quite alive to. I do not think therefore that I should join issue with my Honourable Friends who raised the question of the break-up of the joint family system and how far that is responsible for the state of beggary in our towns. Just now, I venture to think that we may regard it as wide of the mark under this resolution. I trust, Your Excellency, that something would be done to tackle the practical problem of dealing with these crippled and disabled men who are to be found in fairly large numbers in our towns."

The Hon'ble Mr. A. SURYANARAYANA RAO :—" Your Excellency, I have only just a few remarks to make on this resolution. I entirely sympathize with the spirit in which this resolution is brought forward; but there are certain difficulties and I do not know how the thing can be made workable at once. With regard to these beggars, they are a legion and we do not know how many exist. Some of them are very poor, some of them are very young and they do not come under the definition given in this resolution—'crippled by age.' Then there are the professional beggars who besiege our houses every day and they make it a profession as the Satānis. They do not leave us whether we give them or not, they say that it is their profession and they would not go for coolie work though they are very robust and can earn 4 annas a day; and their wives also make it a profession to beg. Then there are our Brahmins who never leave us. When the Hon'ble Mr. Narasimha Ayyar said that charity is becoming more reduced, I say that the real reason is that people are opening their eyes and they find that there is no use of feeding these loafers and giving charity to undeserved persons. We feel that charity should be devoted in the right direction and that is why I think charity to some extent is considered to be decreasing in the eyes of the Hon'ble Mr. Narasimha Ayyar. However I leave that question apart. With regard to the beggars, the question is: how are we to tackle this problem and how are we to render them any help? I would just speak about my own district. In Vizagapatam I know that there is a poor-house; the Maharani of Wadhwan has established a poor-house which has been in existence for over fifteen years from the time of Raja Gajapati Rao and the Maharaja of Bobbili has opened another poor-house and that is working very well, and the Maharaja of Vizianagram has opened another poor-house which is also working very well. With regard to lepers, there is one leper asylum in Viziana, ram, to which the municipalities of Vizagapatam, Bimlipatam and the District Board of Vizagapatam are contributing to some extent. There is another leper asylum at the foot of the agency near Sālūru, but the difficulty with regard to these asylums is that under the Lepers Act, unless these lepers are compelled to go there, they do not go. I know that several lepers make it a profession to beg. They expose themselves in the streets and they want to earn much by simply exposing themselves to public gaze. I therefore think that legislation is absolutely necessary to segregate these lepers and to compel them to go to these asylums. Otherwise, any help rendered to them is practically useless because they do not go there. On the other hand, they only make money by saying that they are lepers and that they deserve public sympathy and help."

"With regard to beggars other than lepers, the difficulty is that legislation must say who is a beggar and who is not. Every one will say that he is a beggar for the purpose of getting a few pice to-day and to-morrow he would go and work as a coolie for 4 annas. When once we know who is a beggar, then the local bodies should be called upon to help the beggars. Government should come to the help of local bodies and these local bodies should be asked to open poor-houses to supplement the houses which are already in existence or to open them where there are no such houses to help these deserving people. Again these beggars must be compelled to go in and they should not be permitted to go and beg in the streets. Otherwise, there is no use of creating any poor-house. I think there should be such restriction and again the Legislature must step in. Otherwise these poor-houses will become useless because, instead of getting help from one quarter, they will get help from more than one quarter. Probably the

4TH APRIL 1919.] (Mr. Suryanarayana Rao ; the President ; Mr. Krishna Rao ; Mr. Ranga Achariyar.)

help of legislation is necessary to keep these beggars within proper restrictions and when once they are kept within proper restrictions, I think some help should be given to them. I do not know whether the Government can directly help or whether it is not more within the province of district boards and municipalities to open such poor-houses and whether the Government should not render them help to see that they are successfully maintained. With these words, I support the resolution."

His Excellency the PRESIDENT :—" The Hon'ble Mr. Ranga Achariyar—"

The Hon'ble Mr. A. S. KRISHNA RAO :—" Before the Hon'ble Mr. Ranga Achariyar is asked to reply, may I point out that I formally handed over my amendment and I want to know what has become of it—that in place of the words 'start asylums in suitable areas' be substituted the words 'to take suitable steps,' which is sufficiently comprehensive? Government may make inquiries and start such asylums. I make it sufficiently comprehensive. We cannot at present throw this burden upon local bodies. There is no question of their being in a position to take it up, unless they have got the power to do so. They have not got the funds. To avoid all these difficulties, I suggest that the amendment may be adopted."

The Hon'ble Mr. B. V. Narasimha Ayyar seconded the amendment.

His Excellency the PRESIDENT :—" I do not know whether that amendment would help at all. The resolution is very wide in its terms. It covers, as far as I can see, the whole question of State relief of the poor. Anybody who is crippled or disabled through old age comes under it, and it invites this Council to ask the Government to provide for all the aged poor. That would involve the starting of a regular poor law organization. It also refers to loathsome diseases which is a very vague term. A disease may be loathsome but it may not make a man disabled or crippled. As far as I can see, this duty does exist and is at present laid by the legislature upon local bodies. It is distinctly mentioned in the District Municipalities Act; just as hospitals and dispensaries are mentioned, so poor-houses are mentioned as part of their function. In the new Corporation Bill provision for rest-houses and work-houses and feeding-houses has been made. I think the legislature deliberately intended that local bodies should perform this function, and if any local body should wish to perform that function, Government would not only have no objection to it, but would support it by help in any direction. But this resolution puts the Government in a difficult position, because it asks the Government to start these asylums or, as the amendment puts it, to take suitable steps to house and feed beggars. The mere altering of the words would not affect the resolution. It still puts the obligation upon the Governor in Council, but according to the existing Acts the responsibility should vest in local bodies, and if Honourable Gentlemen interested in this matter wish to advance this cause, I suggest that the right way to do it is to see that these provisions are made more specific in the hands of local bodies. In the Corporation, for instance, the Hon'ble Mr. Ranga Achariyar has only got to propose to the Corporation that it should perform these functions. Government are in full sympathy with the idea underlying this resolution. I may assure the Council that myself and my Honourable Colleagues have the fullest sympathy with the idea underlying it. While I am anxious not to oppose it, at the same time I do not think Government can accept the resolution. The way it should be put if the Honourable Member wishes to press this resolution is: 'This Council recommends to His Excellency the Governor in Council that provision for the accommodation of crippled and disabled beggars should be considered.' To move it in this form is to put upon the Government a duty which cannot be accepted by the Government of India. In Great Britain the whole thing is done by local bodies which cost about 18 millions. In this country, with a very large population it will cost a very large sum indeed. I do not think this resolution would help at all."

The Hon'ble Mr. A. S. KRISHNA RAO :—" Though the Government are not in a position to support the resolution, my amendment will give them sufficient latitude to inquire into the matter. The first suitable step would be to inquire."

His Excellency the PRESIDENT :—" Does the Honourable Mover of the resolution accept the amendment—'take suitable steps for housing and feeding beggars crippled or disabled through old age, loathsome diseases or otherwise.'"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" So long as it is not confined to that specific question of calling upon local bodies, I accept it."

His Excellency the PRESIDENT :—" It does not affect it. Will you make your reply on the basis of the amendment?"

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" I want the question to be fairly and squarely considered. I quite appreciate the idea that local bodies, wherever they are competent and wherever it is possible for them to do so, should come to the aid of these poor people; but at the same time I must say that it is not correct to suppose that the duty is cast upon local bodies. I refuse to accept the proposition that the exclusive duty of providing for the housing and feeding of this class of people is cast only on the local bodies. No doubt, it will be a function which they can perform and which they may perform and perhaps, I would also say, which they should perform morally, but are not legally bound to do so. I consider, Your Excellency, that it is primarily the duty of the State to perform this function. How it performs it, through its own agency or through the agency of local bodies or through the private organizations, is a matter of detail. In all countries and in this country also, the State has

(Mr. Ranga Achariyar ; Mr. Davidson.)

[4TH APRIL 1919.]

accepted this as a primary duty cast upon it. I may mention, Your Excellency, those of you who are in the Indian Civil Service are familiar with the old system that prevailed, and at the time when the grain-sharing system was in vogue, one of the common expenses that used to be deducted before the Government and the ryot shared the produce was that a certain proportion was taken for what is known as 'oorpichai'. Those of you who have read the Tanjore District Manual may perhaps know that large sums of money collected under that item amounting to several lakhs were accumulated in Tanjore and the Government appropriated them when the ryotwari system was introduced. Therefore, it was considered the primary duty of the Government. It was a common burden of the people. Just as they provided for village services, so also they provided for this matter by this arrangement which was in force for centuries; it was a common burden which both the Government and the people bore. It was one of the first claims upon land to provide for beggars. Therefore I say it is the primary duty of Government and how the Government discharge their duty does not matter to me. It does not matter what steps Government propose to take. If the Government force local bodies to do it, I shall only be too glad if the local bodies accept it and carry it out. I am prepared to accept the amendment proposed by my Honourable Friend in the sense which I have indicated.

"I wish to deal with the objections taken by the Hon'ble Mr. Davidson but it is somewhat difficult as I am in some difficulty to follow him. I have deliberately confined my resolution and worded it so clearly that we should not embark upon this larger question, and I do not know why the Hon'ble Mr. Davidson was surprised that the discussion took the turn that it did. There is nothing in the language of my resolution to cause any such surprise. I confined it to beggars crippled or disabled through old age, loathsome diseases or otherwise; I did not extend it to all beggars, not to professional beggars, not to Brahman beggars whom my Honourable Friend Mr. Suryanarayana Rao was either fond of or afraid of, not to those sadhus, not to those who sit dharna and sit at your door and demand payment. I do not know why the Hon'ble Mr. Suryanarayana Rao was drawn into that vivid description which he gave; either he did not read my resolution or he wanted to have his say. So also with regard to the remark of the Hon'ble Mr. Davidson about the larger question, about the beggary problem in this country; we are not concerned with the larger problem. The Honourable Member referred to Bombay. Bombay is a place of millionaires. It is a place where charity is perhaps still continuing to take practical shape. But we are now concerned with the peculiar conditions of our province and our experience is—I am glad I am borne out in this matter by my Honourable Friends including the Raja of Pithapuram whose sympathy for the poor is well known—that the conditions of this province are such that some relief is needed. These crippled and disabled people are found in all places, in temples, in fairs and festivals and they are found taking shelter under trees or under the canopy of heaven. Is it right for any Government to leave that state of things to be taken care of by indiscriminate charity? By using the words 'indiscriminate charity' you condemn that charity, but you want to trust to that very indiscriminate charity, the mere off chance of some people getting the benefit and others not. That may help those people who are able to push themselves forward and obtain that charity, but what about those who cannot push themselves forward and who cannot get even one meal a day? It is not right to allow that state of things to continue. As regards the question of financial burden, I should think that it is better to start an experiment in suitable areas—I do not say that we should start it all at once all over the country—to make an experiment and try if it succeeds and see what it costs, and see if legislation is necessary.

"What is the good of anticipating difficulties? I never wanted compulsion. I never suggested compulsion. Let us start asylums in one or two suitable places and see if we really give relief to the people who need it and if they voluntarily come forward, you will make indiscriminate charity into discriminate charity because people will come forward to assist the Government in endowing such institutions and at the same time there would be the certainty that all people who want such relief are given that relief. We need not be afraid of the professional beggars taking advantage of it, because my resolution is confined to persons who are crippled or disabled. The resolution is very modest; it does not commit the Government to any definite course of action. It only suggests that this question deserves Your Excellency's careful consideration and asks Your Excellency to take suitable steps to house and feed them. You must do something to afford them relief. I need not take up any more of the time of the Council, but I hope that Your Excellency's Government will accept this resolution and try and do something to relieve them."

The Hon'ble Mr. L. Davidson:—"Your Excellency, I have been attacked by the Hon'ble Mr. Narasimha Ayyar for a certain inconsistency in my remarks. I do not plead guilty to the charge, but I admit that there is some appearance of inconsistency, for at one moment I said that beggars would not go to and remain in asylums and at another moment I said that the cost would be enormous. The explanation is this: I was dealing in the first instance with the provision of poor-houses for beggars and in the second case I was referring to the developments and results arising from the acceptance of State relief of the poor in general—not beggars of a particular class. The latter implies enormous measures of State relief similar to those adopted by Western countries. I should like particularly to draw attention to the huge liability in the shape of local rates.

"The Hon'ble Mr. Ramachandra Rao, the Hon'ble Mr. Narasimha Ayyar and the Hon'ble Mr. Suryanarayana Rao have all drawn attention to the possibility of local boards and municipalities taking up this measure. That is well within their powers and I see no reason why they

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

[4TH APRIL 1919.]

should not open up and maintain poor-houses for the maintenance of deserving beggars. It is possible that well-considered schemes of that description would receive a measure of help from Government. I say it is possible. A local body might, if it had a well-considered scheme, receive assistance. But I cannot now commit the Government in such a matter. The general view of the Government is that charities of this description are not a legitimate charge on State funds. The State may be ready to encourage private charity perhaps to assist local bodies to establish well-managed and efficient poor-houses, but it cannot itself accept the direct charge. In this country, as Your Excellency explained, that would be an entirely new departure and would probably involve the sanction of the Government of India and would open out the enormous field of State relief for the poor.

"The Hon'ble Mr. Ramachandra Rao inquired on what system certain donations given by Government for charitable purposes are calculated. I am afraid I cannot lay my hands immediately on all the items; but it so happens that I have amongst my papers particulars regarding one item, and that is the donation of Rs. 15,000 to the Friend-in-Need Society in Madras. That is a society which has the double object of the relief of distress among the deserving poor and the suppression of mendicacy. The system on which they receive assistance from Government was revised in 1910 and it now takes the form of applying the principle of self-help, Government giving the society an annual grant of two-thirds of its receipts from public contributions subject to a maximum of Rs. 15,000. That is an illustration of the principle on which aid may be given by the State to well-considered schemes of management. Among the organizations maintained by the Friend-in-Need Society there is a poor-house. I may add that my Hon'ble Colleague Mr. Todhunter is a former President of the Society.

"It has been said that it is the duty of the Government to intervene in this matter because private charity is now declining. Is it not possible to suggest that if Government intervene, private charity would decline at a still more rapid rate? Those who now recognize that charity is their duty might say as this is recognized by the Government as their duty, why should we give anything to beggars?

I do not think I need detain the Council by further argument in support of the proposition that legislation is a necessary element in measures of this kind. The Hon'ble Mr. Suryanarayana Rao has taken the same line as I did in this matter, and I think this may be taken as sufficient to show that there is some justification for my proposition.

The Hon'ble Mr. Ranga Achariyar's concluding appeal was that Government should start the experiment. The answer is that it is not an inquiry which is proposed, but actual measures for the housing and feeding of a particular class of beggars, and that would be giving away the whole principle. On behalf of Government I am bound to say that we cannot concede the principle of State-aid for the poor. Such relief must be primarily a matter for local bodies or for private charity. I therefore oppose this resolution."

The Hon'ble Rao Bahadur T. Ranga Achariyar:—"May I make a request that on this resolution every member may be allowed to vote as he likes?"

His Excellency the President:—"The ordinary rule will apply."

The resolution was put and lost.

The Hon'ble Rao Bahadur T. Ranga Achariyar demanded a poll which was taken with the following result:—

For		Against	
The Hon'ble Diwan Bahadur M. Ramachandra Rao.		The Hon'ble Mr. L. Davidson.	
" Mr. P. Siva Rao.		" Mr. C. G. Todhunter.	
" Mr. K. Rama Ayyangar.		" Mr. N. E. Marjoribanks.	
" Mr. B. Venkatapati Raju.		" Mr. A. Y. G. Campbell.	
" Mr. C. P. Ramaswami Ayyar.		" Diwan Bahadur R. Ramachandra Rao.	
" Mr. K. Sadasiva Iyengar.		" the Surgeon-General.	
" Diwan Bahadur K. Suryanarayana-murti Nayudu.		" Mr. L. E. Buckley.	
" Rao Bahadur S. R. M. Annamalai Chettiyar.		" Mr. L. T. Harris.	
" the Raja of Pithapuram.		" Mr. R. B. Wood.	
" the Zamindar of Seruguda.		" Khan Bahadur Muhammad Aziz-ud-din Husain Sahib Bahadur.	
" the Raja of Ramnad.		" Mr. T. Richmond.	
" Diwan Bahadur A. Subbarayalu Reddiyar.		" Mr. R. Littlehales.	
" Rao Bahadur T. Ranga Achariyar.		" Sir Fairless Barber.	
" Mr. K. Chidambaranatha Mudaliyar.		" Sir Gordon Fraser.	
" Mr. A. S. Krishna Rao.		" Mr. J. H. Thonger.	
" Mr. B. V. Narasimha Ayyar.		" Mr. W. Hutton.	
" the Most Rev. J. Aelen.		" Mr. W. J. J. Howley.	
		" the Advocate-General.	
		" Diwan Bahadur P. Rajagopala Achariyar.	
		" Mr. H. G. Stokes.	
		" Mr. A. F. G. Moscardi.	

The resolution was lost 17 voting for and 21 voting against.

1074 RESOLUTION RE APPOINTMENT OF A CIVIL JUDICIAL OFFICER
IN THE HOME (JUDICIAL) DEPARTMENT.

(Mr. Ranga Achariyar.)

[4TH APRIL 1919.]

RESOLUTION RE APPOINTMENT OF A CIVIL JUDICIAL OFFICER
IN THE HOME (JUDICIAL) DEPARTMENT.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"Your Excellency, the resolution I have the honour to move runs thus—

'XVII. This Council recommends to His Excellency the Governor in Council that the Secretariat Home Department may be so reorganized as to provide for the appointment of an experienced officer of the Judicial Branch, Provincial Service, therein.'

"Your Excellency, unfortunately for the judicial service, the Government in this Presidency unlike in Bombay are entirely composed of persons who have not had training, at any rate considerable training in the judicial service of the country. In Bombay they have a system by which one of the members of council is always one who has had large experience in the judicial branch of the service, but that is not the practice in this province. The Secretariat too is entirely manned by persons whose lives or the major portion of whose lives have been spent in the executive service. The judicial work which comes before the Government occupies a very large proportion of their work. Not only that, but there are certain statutory duties which are cast upon the Government of accepting the rules framed by the High Court in various matters regarding procedure and other questions, the rules which are framed by the High Court have to find acceptance by the Government before they can become enforceable. There are also various other departmental questions which come up, in which the interests of the judicial department do not receive, I am sorry to say, that amount of attention from the hands of the Government as they ought to. I will mention only one instance, and I do not know whether it is due to this defect in the composition of the Government or the Secretariat. I want to make a modest beginning just now. This question of the pay and prospects of munsifs and sub-judges is a matter which has been hanging fire. It has been acknowledged times without number that there has been a regrettable delay in the disposal of that question. The Government members speaking on behalf of Government in this Council have regretted that that delay should have taken place. There are various matters also in connexion with the transfers of sub-judges and district judges and various other departmental questions which come up, which also require experience in the judicial work in the Secretariat has led to various defects of this character. It is only natural that persons who are brought up in one department should bestow more attention to the wants of that department because they are more familiar with the routine and with the details of working of that department. Those who have not had experience of the Judicial department have to deal with very large questions affecting the interests of the people and affecting the interests of one important section of the service. I think an under secretary or an assistant secretary chosen from the judicial branch will be a valuable acquisition to Your Excellency's Secretariat. I am sure you will find considerable aid from such an officer in the disposal of the vast volume of work which the member in charge of the judicial portfolio has to dispose of. The answer may be that we are guided in this matter by the High Court, but they only make their views known by correspondence. But personal discussion and bringing also personal experience to bear in the Secretariat itself, are of great value; the member in charge may discuss the question with the secretary or the assistant secretary concerned. If such a practice prevails, it will be of great assistance to the member in charge in disposing of his work. There is a considerable amount of feeling in this branch of the service that they should be represented in the Secretariat. I have had a talk with several members of the service in connexion with this resolution. I gave notice of it three or four months ago, and since then, I have had discussion with various members of the service; and I may tell Your Excellency's Government that they welcome such a measure and in fact they were surprised that I did not move on the last occasion this resolution which was in a different form. Therefore the members of that service would welcome it and Your Excellency's Government, though not materially, at any rate will be benefited to some extent in disposing of important questions; it cannot be denied that it will be of some benefit. Their practical experience will be of very great aid and therefore I commend this resolution to Your Excellency's acceptance. There is no hard-and-fast rule which I want to impose upon the Government. I only leave it to the Government to make such suitable arrangements as they think fit to provide for the appointment of an officer of the judicial branch. The selection of that officer will be with them. I know that the work in the Secretariat is increasing. What with the question of enlarged councils, the work in the Secretariat is increasing. Just as Your Excellency's Government have been forced to add to the number of secretaries, assistant secretaries and under secretaries in the various departments, it will be necessary to appoint in this branch an additional officer in that department. That being so, instead of disturbing existing arrangements, arrangement may be made by adding an assistant secretary. I would not object to it on the ground of expenditure because it would be expenditure well-incurred for which, there will be a good return. I therefore commend this proposition to the council."

RESOLUTION RE APPOINTMENT OF A CIVIL JUDICIAL OFFICER 1075
IN THE HOME (JUDICIAL) DEPARTMENT.

4TH APRIL 1919.]

(Mr. Ramaswami Ayyar ; Mr. Davidson.)

The Hon'ble Mr. C. P. RAMASWAMI AYYAR :—"Your Excellency, I second the motion and I have only two words to add. Whilst I am cognizant of the fact that the High Court is in charge of a large portion of the judicial work, yet we know as a matter of fact that the Government exercise control over the subordinate judiciary in various ways as referred to by the Honourable Mover, and the rule-making power of the High Court is subject to the superintendence of the Government. Under these circumstances and for many reasons not the last amongst which is the utility and the predominating importance of office-notes and the importance of those notes being drafted by persons who have some knowledge of what they are speaking about, I commend the proposition to the attention of the House and the notice of the Government."

The Hon'ble Mr. L. DAVIDSON :—"Your Excellency, the Honourable Member who just sat down commends the resolution on the ground of the advantage to be expected from the fact that the person who prepares the office-note has some knowledge of what he is writing about. I accept that general proposition, but I think neither the Hon'ble Mr. Ramaswami Ayyar nor the Honourable Mover has realized how small a part of the work of the Home Secretary civil judicial business forms. When this resolution was tabled for the last meeting of the Council, my original idea was to oppose it on three grounds. One was that if the intention was to provide Government with a better knowledge of civil law, we prefer to rely on the Hon'ble the Advocate-General, the Government Pleader and the Government Solicitor. I find that that ground has not been taken by the Hon'ble Mr. Ranga Achariyar.

"The second of my objections does fall in line with what he has said to-day. My idea was that if his argument should be that it was desirable to supply inside knowledge of the actual working of subordinate civil courts, the proper quarter from which to obtain information of that character is the High Court, which includes at the present moment on its Bench a gentleman who has served as District Munsif and as Subordinate Judge for over twenty-years; or if in any particular case more up-to-date knowledge or local knowledge of particular districts was required, it is always open to the Government to consult the District Judges. That would have been my answer to the ground that it is better to have inside knowledge supplied in the Secretariat.

"My third ground of objection is also applicable to-day notwithstanding that the Honourable Member has changed his proposal to add an Assistant Secretary to the Home Secretariat into the altered version 'so to reorganize the Home Secretariat as to provide room for an officer of the Judicial branch, Provincial Civil Service.' I thought he intended the substitution of a Provincial service officer for one of the existing hands; but I see from the conclusion of his speech that he would be quite willing to advocate the addition of a Secretary and to face the extra expenditure involved. This brings in the answer I originally intended to give to the proposal to appoint an Assistant Secretary, namely, that no addition is needed. It was only in 1914 that the post of Home Secretary was created and since then there have been a number of additions to the staff. It was further reorganized in 1916, when the staff was taken away from the Chief Secretariat and was constituted into a separate entity. The Home Secretary has now an Under Secretary, a Registrar, and six Superintendents. During the last four or five years I have had varied experience of the different branches of the Secretariat, and I can confidently tell the Honourable Mover that for the present at least the Home Department of the Secretariat is adequately staffed and does not want any addition.

"When examining the original resolution, I endeavoured from my own recollection to recall cases in which a Subordinate Judge or a District Munsif would have been really helpful, and I found that I could not personally think of more than one instance during the last four or five months in which an officer with civil judicial experience would have been of any real help; that was a case connected with the Central nazarat system. As I did not want to trust to my memory, I asked the Secretariat to make a special examination of the actual disposals during the last two months—January and February. I was anxious to find if a detailed scrutiny of the disposals indicated that there was any very large proportion of civil judicial business in respect of which the advice of a Subordinate Judge or a District Munsif might have been helpful. The Home Secretariat includes the Judicial branch, the Educational branch and the Miscellaneous branch. In January and February in these three or four branches there were altogether 1,347 orders. The Secretariat marked down 49 orders out of that total of 1,347 in which they thought that a civil judicial officer might have been possibly of use. I examined the disposal abstract of each one of these 49 cases, and I have no hesitation in endorsing the Under Secretary's conclusion that the 49 might be cut down to 15. In many cases the issues were merely matters relating to magisterial, criminal and other cases not of a civil nature. In other cases the disposals were obvious. The Under Secretary had struck out 34 items. I was not satisfied with the reduced total of 15 and in order to make quite certain, instead of relying merely on the abstract of the disposal, I sent for the original papers in each of these 15 cases; and on examination eliminated all but one. In other words out of 1,347 orders there was only one in which according to my judgment the assistance of a Subordinate Judge or a District Munsif would have been really useful and even that was doubtful. I do not wish to labour the point, but I do want to impress on the Honourable Member that the proportion of cases in which experience of the inside working of the civil courts would be really helpful is very very small indeed.

"That is the only standpoint that has been pressed home except perhaps the natural desire of members of the Judicial service to be represented in the Secretariat. The need for knowledge of the inside working of a department is an argument which could be pressed with far greater

1076 RESOLUTION RE APPOINTMENT OF A CIVIL JUDICIAL OFFICER
IN THE HOME (JUDICIAL) DEPARTMENT.

(Mr. Davidson ; Mr. Krishna Rao.) [4TH APRIL 1919.]

force in the case of the Police department, the Magisterial department and the Educational department. If it were really necessary to employ subordinate experts in the Home Secretariat, Civil Judicial is the last branch in which I should seek to import such an addition. But I am not at all certain that it is sound to import into the Secretariat men with inside knowledge. In their own department they will have held subordinate positions and will not there be a tendency to unduly criticise the proposals which emanate from the heads of their departments. That is a grave risk. I do not think, for instance, that the High Court would welcome a district munsif or even an experienced subordinate judge criticising from the standpoint of law and practical experience the rules which the High Court itself puts forward. If we want further scrutiny of such rules, there is the well-established practice of reference to the Hon'ble the Advocate-General for his advice unless he has advised us already on a similar point. I venture to think, sir, that I have succeeded in showing that the case for an additional appointment to the Home Secretariat, recruited from the Provincial branch of the Judicial service, has not been substantiated."

The Hon'ble Mr. A. S. KRISHNA RAO :—" Your Excellency, I am afraid that in dealing with this resolution the Hon'ble Mr. Davidson has treated the Judicial department and other departments included in the Home Department as close compartments. Assuming an officer of the Judicial department, an experienced Subordinate Judge is appointed to the Secretariat, it is not to be supposed that he will not, with some training, be competent to deal with other branches of the Home Department. It is not to be supposed for a moment that simply on the ground that the proportionate number of references and disposals relating to this particular branch of the work is small, no case has been made out for the appointment of an officer of the Judicial department. The resolution suggests not necessarily that an additional officer should be appointed. I believe that, for very proper reasons, the resolution of which notice was given on the former occasion has been modified. This resolution simply suggests that 'the Secretariat Home Department may be so reorganized as to provide for the appointment of an experienced officer of the Judicial branch, Provincial Service, therein.' The Honourable Mover explained in his opening remarks that he wanted to give sufficient latitude to Your Excellency's Government for making such arrangements as are suitable to ensure the introduction of the Judicial branch into the Home Secretariat. May I point out to this Council that within the last five or six years various questions affecting the work of the Judicial Department and the judiciary have been questions separately? We need not, therefore, be guided by the number of disposals placed before us to-day; but we may on the other hand consider whether in the solution of these various problems the presence of an officer with personal experience of the working of that department would not be useful. Let me point out to this Council that it took several years—I believe the question was first taken up in 1909 and disposed of only last year—to settle the question of the increase of pay of the process-service establishment. It is a question which has been brought to the notice of the Government on several occasions in this Council and orders were passed after considerable delay. No doubt there is considerable discretion vested in the High Court; and there might have been a number of references by the High Court to the subordinate judiciary and correspondence backwards and forwards in view of altered conditions before final orders were passed. I have not the slightest doubt that the presence of an officer with judicial experience would have been of considerable help in facilitating the solution of that problem. Again in the question of the establishment of Subordinate Judges' courts and Munsifs' courts and in the consideration of what is popularly known as the 'Phillips' scheme, there has been any amount of delay. Honourable Members of Council will remember that on so many occasions questions were put as to when the scheme would be published, what the proposals were, when orders could be expected and when they would be brought into effect; and though the Government must have been tired of those questions, the delay is phenomenal. Even now it has not been possible and formal orders have not been passed on that question. We only find it stated in the Budget that some temporary courts would be retained, though some courts would become permanent. Again the vexed question of the increase of pay of the judiciary, to which the Honourable Member has drawn the attention of Government, has been before this Council for a number of years. It was said that the correspondence with the Government of India was almost ready; but nothing has come out of it. I tried to elicit some information in my questions Nos. 53 and 54. The questions and answers are—

53 Q.—Will the Government be pleased to state whether the High Court made—
(a) any, and
(b) if so, what proposals for the increase of the pay of subordinate judges and district munsifs?

53 A.—The Honourable Member is referred to the reply to question No. 54.

54 Q.—Will the Government be pleased to state whether they submitted—
(a) any, and
(b) if so, what proposals to the Government of India for the increase of the pay of subordinate judges and district munsifs?

54 A.—The Government are not at present in a position to make any statement.

"I was induced to put that question because of the discussion which took place on the last occasion in this Council. A feeling of despondency was created as to the pay of these officers

RESOLUTION RE APPOINTMENT OF A CIVIL JUDICIAL OFFICER 1077
IN THE HOME (JUDICIAL) DEPARTMENT.

4TH APRIL 1919.]

(Mr. Krishna Rao ; Mr. M. Ramachandra Rao ;
Mr. Ranga Achariyar.)

being increased. We were told that there would be regrading of the subordinate judges, and district munsifs; but so far as the question of increase of pay was concerned, we were not given hopes.

"I mention these as typical instances of the enormous delay in dealing with judicial questions. I do not wish to examine the various reasons which have been or which are likely to be urged by the Government for the delay; but it cannot be denied for a moment that the delay has been unnecessarily long. I believe the Hon'ble Mr. Gillman admitted it on a former occasion and could not give a satisfactory explanation for the delay. It would have been of immense advantage if the help of an officer, who could bring to bear his personal knowledge on this question and who would have thereby helped in its speedy disposal, had been available. I do not suggest that an officer of the standing of a district munsif can be appointed; but I think an experienced subordinate judge who has the ambition of becoming a District Judge would be far more useful. As a matter of fact, members of the Indian Civil Service who have been either Collectors or District Judges have no difficulty in getting in as Secretaries. If that is so, why not recruit Secretaries and Under Secretaries from experienced sub-judges? Government would be well advised in importing into the Secretariat at the earliest opportunity an officer having direct knowledge of the Judicial branch. He will be of help in disposing not only the 34 or the 15 cases but also other kindred matters. We should not merely consider the number of disposals in the Judicial branch and its proportion to the total number of disposals. The resolution only suggests that Government should reorganize the department and should take a suitable opportunity for giving effect to this reform. My Honourable Friend is only anxious to press on the attention of Government the desirability of making a departure instead of adopting the old wooden method of selecting men from the Revenue Department. Why not try this experiment? With these remarks, I strongly support the resolution."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—" Your Excellency, I should like to add a word in support of this resolution. The Hon'ble Mr. Davidson's speech appears to me to be a kind of special plea for the continuance of this existing system. He has stated that an officer with judicial experience will not be of much use, because the references are very few. Practically they were 49, which came to 15 when examined and when further examined to one or two, out of 1,247 references. Then he went on to say that an officer of the Police department or an officer of the Educational service might be much more useful, if it went merely on the question of previous training. If my Honourable Friend Mr. Ranga Achariyar brought forward a proposition that a police officer of the Provincial Civil Service should be appointed, I am sure it would have been said that he lacked educational experience, because education is one of the subjects dealt with in the Home Department. I am perfectly certain that the Hon'ble Mr. Davidson will show that any member of the Madras Provincial Civil Service would be unfit to be the Under Secretary, Home Department. That seems to be the general trend of the reply that has been vouchsafed in this matter. The Hon'ble Mr. Davidson further stated that perhaps a member of the Judicial service would be somewhat embarrassed in criticising the proposals coming from the High Court. I suppose it is open to any junior Under Secretary to criticise the action of District Magistrates, experienced Collectors, Members of the Board of Revenue, the Inspector-General of Registration, the Director of Public Instruction and every officer under Government. The heads of departments may be criticised by a junior member of the Indian Civil Service, but once a member of the Provincial Civil Service is asked to do the same duty, difficulties will come up, embarrassment will be felt, service prestige will be affected and all difficulties of this character will come up. Your Excellency, I wish to take this opportunity of voicing the great discontent that now prevails in the members of the Provincial Civil Service in this Presidency on account of lack of promotion, lack of opportunities for the various special appointments that have been created during the last five or six years. I have myself tried to bring forward resolutions to widen their chances, but unfortunately every one of those resolutions was vetoed on the ground that the matter was under correspondence with the Government of India or under the consideration of the Public Services Commission or on some other grounds. I feel very strongly that this grave discontent which prevails—I am not particular about the exact proposal—should be redressed and their opportunities should be widened. I hope Your Excellency's Government would look at it from the larger aspect of giving better opportunities for promotion to these members of the Provincial Civil Service and wider employment in the public services of this Presidency. I may be speaking a little wide apart from the exact resolution, but I felt inclined to do so because I myself intended to say a great deal, but every opportunity was denied to me by the disallowance of resolutions on the ground that the matter was under the consideration of the Government."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" Your Excellency, I have very few words to add to what has been stated. The Hon'ble Mr. Davidson referred to the fact that a civil judicial officer may not be much needed. But a Subordinate Judge need not entirely be a civil judicial officer; he might have had experience in the profession, or experience as Assistant Sessions Judge. He will also have had experience as a criminal judge. Therefore it will not be entirely on the civil side. As for the objection taken that it will require a police magistrate of the department to be there, I am afraid the complaint is that there is too much of police methods, because the Government members have mostly had experience as district magistrates and

1078 RESOLUTION RE APPOINTMENT OF A CIVIL JUDICIAL OFFICER
IN THE HOME (JUDICIAL) DEPARTMENT.

(Mr. Ranga Achariyar; Mr. Davidson.)

[4TH APRIL 1919.]

heads of police and Secretaries to Government have considerable experience both as magistrates and also have had intimate touch with the police. I do not think Government need any experience in police or magisterial matters. On the other hand, a little admixture of judicial methods in the disposal of matters which come up before Government would be most welcome. The Hon'ble Mr. Davidson mentioned to us that he felt no need. I will remind him of one small instance where if he had a Secretary or an Under Secretary who has had experience of the Judicial department, he would not have answered my interpellation in the way he did. I called for information as to the existing state of work in the High Court on the 1st of March. He thought it would take some trouble to call for the information, but if he had called for the monthly return list, which any judicial officer knows, he would not have found it so difficult as to have said that 'Government are not in possession of that information and do not propose to call for that information.' Government could have given that information. I called for it for a specific purpose, to show that there is not enough work in the High Court for all the Judges whom we are blessed with.

"Then there are other matters which I wish to mention. The judicial officer will often act as a check. Whether he criticises or not will be immaterial because his criticism will be for private perusal of the Member in charge. If he criticised rightly, I do not suppose that the High Court is likely to know that an Under Secretary has criticised its proposal. I think the Hon'ble Mr. Ramachandra Rao has already given an answer as regards the District Magistrates, Members of the Board of Revenue and other high officers being dealt with in the Secretariat notes. The great point of my resolution is this. I wish prominently to mention that the Judicial department of the Provincial Civil Service is treated as if it were an out-caste. They are treated as outside the pale and their claims are not considered in the same sympathetic spirit. I do not know whether it is due to the prejudice of the executive branch to the Judicial branch. I want to infuse some spirit of sympathy and co-ordination between the two branches. That is the great object of the resolution. Let the Secretariat consider that the members of the Judicial branch are also members of the Civil Service. That feeling I want to infuse into the Secretariat. I am afraid there is an alien feeling. That feeling will be got rid of if they can get in as well as members in the Executive branch. The feeling should be that they are all members of the same block; that should be the idea which should prevail and that feeling itself will be of great advantage. There is nothing in the rules to prevent it. I therefore appeal to Your Excellency's Government to accept this resolution. It will give great contentment to the members of that hard-worked branch."

The Hon'ble Mr. L. DAVIDSON:—"The discussion on this resolution, if I may say so, has travelled far afield. The proposition is that a member of the Judicial branch of the Provincial Civil Service should be imported into the Home Secretariat. The Hon'ble Mr. A. S. Krishna Rao has sought to base on that proposition an attack on the delay in passing orders in regard to the furtherance of judicial reforms and reorganization. I cannot for a moment subscribe to such a contention. He said: 'I have not the slightest doubt that these delays would have been much reduced if the Government had had the assistance of an experienced Subordinate Judge.' If the Honourable Member had seen the files as I have seen them, he would have found that the cases which he mentioned—the improvement of the scale of pay of the process establishment, the question of the establishment of additional sub-courts and district munsifs' courts and Mr. Phillips' scheme to increase the pay of the judiciary—if he had seen the course which these cases actually took, if he had seen the actual volume of Secretariat papers, I do not think for a moment that he would have come forward with the assertion that the presence of an experienced sub-judge or a district munsif could have had any perceptible bearing on the disposal of the question. It is financial considerations and the necessity of correspondence with the Government of India and the Secretary of State which block the disposal of schemes of this character.

Again, the Hon'ble Mr. Ramachandra Rao travelled far afield to my mind in seeking to place the Indian Civil Service and the Provincial Civil Service in opposition in this matter. The opposition is surely between the judicial and the executive branches, not between the Provincial Civil Service and the Indian Civil Service. At the present moment, an officer of the Provincial Civil Service is Home Secretary and an officer of the Provincial Civil Service is Under Secretary. It is quite a mistake to suppose that the question is between the Indian Civil Service and the Provincial Civil Service. I quite admit that there is an opposition between the executive and the judicial services and I am disposed to think that it is a well-grounded opposition. One should think not once but twice before making the Secretariat and the Executive Government an object of advancement for judicial officers, who may at any time have to decide suits in which the Government are a party. Surely that might lead the way to corruption of their judicial impartiality, a point which would appeal most strongly to the Hon'ble Mr. Ranga Achariyar."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I shall be very glad if Government would part with all their powers of appointment and promotion to the High Court. Then I would not press this resolution."

The Hon'ble Mr. L. DAVIDSON:—"If a subordinate judge or a district munsif were brought into the Secretariat, he would have to replace one of the Provincial Under Secretaries. It might also be legally possible to bring in a District Judge under the limitations of the Government of India Act, but we have not hitherto ever appointed a District Judge from the Civil Service as a Secretary to Government and to do so would be contrary to the usual practice.

RESOLUTION RE APPOINTMENT OF A CIVIL JUDICIAL OFFICER 1079
IN THE HOME (JUDICIAL) DEPARTMENT.

4TH APRIL 1919.] (Mr. Davidson; the President; Mr. Ranga Achariyar;
Mr. Krishna Rao; Mr. Narasimha Ayyar;
Mr. M. Ramachandra Rao; Mr. Sadasiva Bhat.)

But what is wanted in the Secretariat is not people who are specialists in one branch, whether civil judicial work or police or magisterial or education, or any other branch. It is people who have special aptitude for Secretariat work. I do not say that a sub-judge would necessarily be unfit for such work. I can quite conceive that individual officers might be well fitted, but what I am seeking to controvert is the proposition put forward by the Honourable mover and mentioned by the Honourable seconder that special value and importance should be attached to inside knowledge of the civil judiciary. My answer to that is that exactly the same reason would justify the appointment of a police officer or an educational officer or a magisterial officer. I do not contend that a sub-judge is *per se* unfit for Secretariat work; but I do claim to have established that there is not any large proportion of work in which his inside knowledge would be of value.

"I do not think, sir, I need detain the Council or Your Excellency longer in regard to this matter. I have only to say in conclusion that Government do not think it necessary, in the interests of the Judicial branch of the Provincial Civil Service, to depart from the attitude, which I have outlined. On the contrary, we do not wish in any way to risk harm to the judicial impartiality of members of that service by holding out hopes to them of comfortable Secretariat headquarter appointments."

His Excellency the PRESIDENT:—"The Honourable Member has put forward his point of view and brought forward his suggestions to the notice of Government. I do not know if he wishes to press it. It is a matter always left to the discretion of the Governor in making the appointments."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"If that matter is borne in mind, I will not press."

His Excellency the PRESIDENT:—"It will be borne in mind."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"I do not press the resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

His Excellency the PRESIDENT:—"We have a long list of resolutions."

The Hon'ble Mr. A. S. KRISHNA RAO:—"In any case it will have to run to Monday."

His Excellency the PRESIDENT:—"Will Honourable Members give me an idea as to the resolutions not to be moved?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I and II* will not be moved."

His Excellency the PRESIDENT:—"Are they withdrawn?"

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Yes."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I do not propose to move XXVI†. My object has been attained."

His Excellency the PRESIDENT:—"All the other resolutions will be moved. I must adjourn the discussion of the Budget till Monday. We will proceed with the discussion of resolution XVIII."

The Hon'ble Mr. K. SADASIVA BHAT:—"Resolution XXI‡ will not be moved."

His Excellency the PRESIDENT:—"Thank you, that will be noted."

The Hon'ble Mr. A. S. KRISHNA RAO:—"There may be a chance of beginning the discussion of the Budget to-morrow."

His Excellency the PRESIDENT:—"If that is so, I shall consent to its commencement to-morrow."

The Council then rose for the day.

H. G. STOKES,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

* Vide page 1002 supra.

† The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"XXVI. This Council recommends to the Governor in Council that the orders of the Government for the closure of the canals in the Kistna Eastern delta be modified and that instructions be issued that the canals in the said delta be kept open till the 15th April."

‡ The Hon'ble Mr. K. SADASIVA BHAT:—"XXI. This Council recommends to His Excellency the Governor in Council that necessary legislation should be undertaken to enable a tenant in the South Kanara district to set off payments by him towards assessment on the holding against rent due from him in all cases."

**Proceedings of an Adjourned Meeting of the Council of the Governor of Fort
St. George assembled for the purpose of making Laws and Regulations
under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.**

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Saturday,
the 5th day of April 1919.

P R E S E N T :

His Excellency the Hon'ble Sir ALEXANDER CARDEW, K.C.S.I., Governor of Madras—
Presiding.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.

The Hon'ble Mr. L. DAVIDSON, C.S.I.

The Hon'ble Mr. C. G. TODHUNTER.

The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E.,
I.S.O., O.B.E.

The Hon'ble Mr. L. E. BUCKLEY, C.S.I.

The Hon'ble Mr. A. Y. G. CAMPBELL, C.I.E.

The Hon'ble Mr. L. T. HARRIS.

The Hon'ble Mr. W. J. J. HOWLEY.

The Hon'ble Mr. W. HUTTON.

The Hon'ble Mr. R. LITTLEHAILES.

The Hon'ble Mr. N. E. MARJORIBANKS.

The Hon'ble Mr. A. F. G. MOSCARDI.

The Hon'ble Lieut. Col. W. J. NIBLOCK, I.M.S.

The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.

1082 RESOLUTION RE IMPROVEMENT OF DRAINAGE CONDITIONS IN THE
GODAVARI AND KISTNA DELTAS.

(Mr. Venkatapati Raju.)

[5TH APRIL 1919.]

The Hon'ble Mr. S. SRINIVASA AYYANGAR (*Advocate-General*).

The Hon'ble Mr. H. G. STOKES, C.I.E.

The Hon'ble Mr. R. B. WOOD.

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR Avargal.

The Hon'ble Mr. C. P. RAMASWAMI AYYAR.

The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO PANTULU Garu.

The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.

The Hon'ble Mr. P. SIVA RAO.

The Hon'ble Mr. B. V. NARASIMHA AYYAR.

The Hon'ble Mr. K. SADASIVA BHAT.

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR Avargal.

The Hon'ble Mr. K. RAMA AYYANGAR.

The Hon'ble Sri RAJA RAO VENKATA KUMARA MAHIPATI SURYA RAO Bahadur, Raja of Pithapuram.

The Hon'ble B. RAJA RAJESWARA SETUPATI alias MUTTURAMALINGA SETUPATI Avargal, Raja of Ramnad.

The Hon'ble Mr. B. VENKATAPATI RAJU.

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.

The Hon'ble Yaqub Hasan Sahib Bahadur.

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR SAHIB Bahadur.

The Hon'ble Sir GORDON FRASER, Kt.

The Hon'ble Mr. J. H. THONGER.

The Hon'ble Sir FAIRLESS BARBER, Kt.

The Hon'ble the Most Rev. JOHN AELEN, D.D.

The Hon'ble Sir FRANCIS SPRING, K.C.I.E.

The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.

The Hon'ble Sri SOBHA CHANDRA SINGH DEO, Zamindar of Serugada.

The Hon'ble Raja, RAJA SRI RAVU VENKATA KUMARA KRISHNA RANGA RAO Bahadur, of Robbili.

The Council re-assembled at 11 a.m. when the discussion on Resolution XVIII was taken up.

RESOLUTION RE IMPROVEMENT OF DRAINAGE CONDITIONS IN THE
GODAVARI AND KISTNA DELTAS.

The Hon'ble Mr. B. VENKATAPATI RAJU:—"The resolution which I have the honour to propose runs thus:—

'XVIII. This Council recommends to the Governor in Council that programme for a continuous improvement of the drainage conditions of the Godavari and Kistna deltas be prepared and published and put into execution as expeditiously as possible.'

"Your Excellency, this is a subject which has engaged the attention of our Council during the last several years. It has come up for discussion in one shape or another and I may submit that the Government have taken the same view which the representatives have taken in the matter of the drainage conditions. It is admitted that the present drainage condition is very defective. Government say that every attempt is being taken to improve the condition of drainage, but the people still complain that the Government do not pay as much attention to drainage as they pay to irrigation for the very good reason that one gives revenue, the other is only taxing the purse. So far as the drainage condition is concerned, any amount spent will be spent without any return—I mean immediate return; but it will have the effect of bringing contentment and material prosperity to the localities concerned. Unless and until Government take it that it is an equally essential thing to provide drainage, mere taking up of major irrigation works, though possibly helping to the extent of bringing waste lands into cultivation, will not satisfy us so far as the health of the people is concerned. There was a misconception for a long time that the natural outlets would suffice. The drainage conditions provided were found to be inadequate as time passed on and with reference to some of these matters our engineers have given us the assurance that they are unable to do anything. We were told by Mr. Ellis that the Kolair lake drainage condition was a hoary enigma which can never be

RESOLUTION RE IMPROVEMENT OF DRAINAGE CONDITIONS IN THE 1083
GODAVARI AND KISTNA DELTAS.

(Mr. Venkatapati Raju.)

5TH APRIL 1919.]

solved. On the 29th of March 1915 when the Hon'ble Mr. Ramachandra Rao moved a resolution that early steps be taken to improve the existing arrangements for the drainage of the Godavari and Kistna deltas, Government were pleased to accept that resolution. As there was not much of improvement, in 1916 the same Honourable Gentleman moved another resolution on the 22nd November which, with some amendments made in the Council, Government were pleased to accept. That was to the effect that the present defective drainage in the Godavari and Kistna deltas should be further investigated and a suitable programme for improving the drainage condition in the above deltas be drawn up. In the year 1916 there was an admission of the defective drainage and also a promise of further investigation and preparation of a suitable programme for improving the drainage arrangements in those two deltas. During the last three years some amount is being spent and I notice in the present budget also some provision is made—Rs. 1,93,000. When a question was put as to what was the amount, Government replied it was Rs. 190 lakhs. Though directly under the head of drainage in the budget I noticed about 140 lakhs, yet Government say they are going to spend 190 lakhs. I may invite the attention of the Council, at the time when the discussion took place in November 1916, Colonel Ellis promised to look into sixteen drainage systems. He promised to do something with regard to the outfall of the Thuliabagha drain. We want to know what was done with reference to the same. He also stated that estimates were being prepared for improving the drainage higher up, with reference to that drain, at a cost of Rs. 2,22,000. I do not think much progress is made even in that direction. Then he stated that there are drains intercepted by Kovur-Manjair junction canal for which he suggested a sum of Rs. 36,400 was wanted. Besides that, he said that the large drain, the Ainapur drain, was a thing which should be improved and he suggested Rs. 1,26,300 was wanted for that purpose. He promised that he would call for the estimates for improving outfalls of the seaboard drains at a cost of about 3 lakhs. The same gentleman also suggested that to improve the drainage condition of Yenamadurru drain it required an additional sum of Rs. 3,73,000. I do not know whether any weir and lock were constructed at the head of Kakaraparru to improve the means of disposal of flood water which he suggested would cost about Rs. 45,000. And he suggested a scheme for altering Nilacodu and Bondada drains for the improvement of the drainage of that locality and he gave no estimates for that. He stated that it was not ready at that time. There was also Ryves regulator which he said would cost Rs. 21,500. He also spoke about Gunadala drain and extending the Yambalakodu and diverting the upper part of Peddalanka drain and he lastly stated that for the improvement of Kommileru and Kavatticodu drains and diverting the outfalls to the sea to improve the drainage of 265 miles, all this would come to about 20 to 30 lakhs. But I am glad to learn from our sympathetic officer in charge of this department, the Hon'ble Mr. Howley, that the Government are prepared to spend a larger amount than even this to the extent of 60 lakhs.

"My proposal is modest enough. What I state is that as the Government are willing to admit the defective condition of the drainage and as they see the necessity for improving the condition, I ask that there should be a comprehensive scheme prepared and not only prepared but it should be published, because when it is once published, we will know what the Government are doing, whether they are carrying out the schemes as published, and also I lastly request that it should be put into execution as expeditiously as possible. Persons who have actually seen the drainage condition in these deltas must come to one unanimous conclusion that it is very bad; especially in days when there are floods you will find several villages surrounded with water, several fields submerged and people suffering untold misery. I do not think our engineering skill is inadequate to meet the conditions. There is a general continual complaint with reference to these matters that we do not take a comprehensive view of things, but we only try to meet the conditions as they arise from time to time; that is not a thing which should be done with reference to drainage conditions, but we must have a proper scheme before us.

"I quite admit the difficulty of spending a larger amount in this respect for want of two things. One is labour and also the number of officers who can be secured to devote their time for that purpose, but when it is an essential matter, the easiest way to secure labour is to give wages according to the market rate. When I heard that want of labour was standing in the way of improving the drainage conditions even in the year 1916 I inquired of the people in the parts affected, and they told me that it was not impossible to secure labour, but the Department of Public Works was not prepared to pay the wages at the market rate. I do not understand how it is possible to secure labour unless we are prepared to pay at the rates which they are able to get elsewhere; and when the Government are able to spend even a larger amount, even crores, on railways, they are securing efficient labour and sufficient labour. The answer generally is that they can provide facilities for bringing the coolies from distant places. Some step should be taken and I do not think that want of labour especially in a country like India is a thing which cannot be surmounted. The other thing is very easy to surmount—for the Chief Engineer to appoint proper officers to look after this business. Therefore my earnest appeal is that a programme should be published and steps should be taken to utilize this amount as early as possible. We as laymen may not be able to say within how long a period this could be accomplished. We could not expect it to be done immediately but we expect strenuous efforts to be made and it must be vigorously executed, so that the object should be to secure it and not to allow it to take its own time. We must infuse vigour in the execution of these works and

1084 RESOLUTION RE IMPROVEMENT OF DRAINAGE CONDITIONS IN THE
GODAVARI AND KISTNA DELTAS.

(Mr. Venkatapati Raju ; Mr. Suryanarayana Murthi
Nayudu ; Mr. Howley.)

[5TH APRIL 1919.]

see that it is done, that every pie in the budget is spent ; though it does not yield revenue, it adds much comfort and material prosperity to the people. Under these circumstances, I hope there would be no difficulty for the Government in accepting such a simple suggestion on the lines on which it was accepted on two previous occasions."

The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTHI NAYUDU :—" Your Excellency, this is not the first time when this matter is brought up before this Council. It is known to the Public Works Department and to Government that the drainage system in the Godavari and Kistna deltas is defective in most places and in some places it is very very defective. The Hon'ble Mr. Howley who is well acquainted with these deltas, I am sure, will agree with me when I say that the drainage in these deltas is very defective and that it requires early attention and improvement. Some years ago, when the earthenware pipes were introduced to supply water from the irrigation channels, a committee was appointed to send a report. I was also on that committee along with Sir Robert Clegg and Mr. Langston. We went round the Godavari delta and wherever we went there were large complaints regarding this defective drainage. Of course, the Department of Public Works has been doing something here and there, but not to such an extent as the situation requires. So it is highly necessary that a programme should be drawn up for some continuous work and work should be begun as early as possible to spread over some years. Some drains especially in the Godavari Eastern delta are very defective. There are several villages that are submerged every year as soon as the rains set in. Unless these drains are improved, the ryots in those villages who have been suffering will continue to suffer unless immediate steps are taken to improve those drains. With these words I second this resolution."

The Hon'ble Mr. W. J. J. HOWLEY :—" Your Excellency, the resolution that has just been moved and seconded is very similar to a resolution moved by the Hon'ble Diwan Bahadur M. Ramachandra Rao at a meeting of this Council in November 1916. In that resolution the Hon'ble Mr. Ramachandra Rao asked for a public inquiry into the state of drainage in the Godavari and Kistna deltas and wanted that a suitable programme should be laid down for improving the drainage in these deltas. The Hon'ble Colonel Ellis in speaking to that resolution admitted that serious losses are suffered by the ryots in the deltas in years of abnormal rainfall, such as in 1916 and 1917. The rainfall between June and December in those two years was more than double the rainfall in 1918 and naturally there has been considerable outcry and considerable attention has been drawn to drainage defects, owing to that reason during the last couple of years. Colonel Ellis pointed out that there are considerable extents of swampy lands under cultivation which always suffer and have always suffered from defective drainage. The Government are, however, under no obligation to drain such lands except as part of a productive scheme. The cases which call for preferential treatment are obviously cases where owing to the extension of irrigation, the construction of canals, channels and so on the original natural lines of drainage have in some ways been interfered with or rendered less efficient. The resolution then moved by the Hon'ble Mr. Ramachandra Rao was accepted by Government in a modified form omitting the words 'public inquiry' which it was pointed out would serve no useful purpose as it would elicit information already in possession of Government."

"Government do not dispute the fact that improvements are necessary in the drainage in regard to both the Godavari and Kistna deltas—both expensive and extensive improvements—but the execution of these improvements in a liberal scale during the last few years has been held up and delayed solely owing to financial considerations. Estimates have been prepared and sanctioned and the supervising establishment is available and all that is wanting is the money to pay for the works. Once all these estimates are for works not remunerative they require the sanction of the Government of India and that is one difficulty in preparing a definite programme. We cannot say definitely that any proposals sent by this Government will be accepted by the Government of India. In the case of some drains sent up in 1910 or 1912 by this Government, the Government of India strongly objected to the very high cost which land bore as compared with the cost of the scheme. By degrees the cultivation extended to the low water margin of these drains. When we want to widen and improve a drain say at a cost of about Rs. 1,000 or Rs. 1,200, they agree ; there is not much difficulty. But in regard to the one drain which I am referring to the Polraz, the compensation was something like Rs. 30,000 as against Rs. 10,000, the cost of actual work. The Government of India refused to sanction it and it was sent back and they said that they did not see why public money should be spent in improving the condition of these low-lying lands which have no doubt been assessed at a lower rate and which only brought in to Government a water-rate on the crop."

"In accepting that resolution, the Government undertook to prepare programmes of improvements to be carried out. Programmes of drainage improvements were accordingly obtained from local officers and these programmes amounted to 25.76 lakhs for Godavari and 34.77 lakhs for the Kistna delta. The total of these two deltas is no less than 60.73 lakhs. It must be remembered that these programmes represent merely the proposals made by the local officers ; in most cases detailed plans and estimates have still to be prepared and then they have to be sent up to the Government of India. The programmes are only really proposals made tentatively. We have already on hand sanctioned estimates for what can be executed during the next few years, so that the want of a complete and comprehensive programme, referred to by the Hon'ble Mr. Venkatapati Raju is not delaying the work in any way. For example, in Godavari delta we

RESOLUTION RE IMPROVEMENT OF DRAINAGE CONDITIONS IN THE 1085
GODAVARI AND KISTNA DELTAS.

5TH APRIL 1919.]

(Mr. Howley ; Mr. M. Ramachandra Rao.)

have estimates aggregating to 5.99 lakhs already sanctioned ; detailed proposals have been received and are understood to be in progress and proposals are under scrutiny for works which would cost over 11 lakhs and more. I am afraid I have omitted to note the amount in the Kistna delta, but we have received estimates amounting to a considerable amount which are now under scrutiny prior to submission to the Government of India. I am directed to accept the Honourable Member's motion for a preparation and publication of programmes of drainage works on the understanding that the programmes should not be considered to be exhaustive or final programmes embracing all works to be carried out in the next 20 or 30 years. It is quite impossible. These programmes must be tentative subject to alteration as we go on. The programmes that Government propose to publish will merely be lists of works arranged more or less in the order of urgency, which as at present advised, they propose to carry out subject to the allotment of funds and the sanction of the Government of India where necessary. There are also several large estimates which have been sanctioned during the last few years by the Government of India for execution after the war and we have recently written to the Government of India asking permission to put these works in hand at once amounting to about 7 lakhs."

"The Hon'ble Mr. Venkatapati Raju referred to the Anantapur drain, the sanctioned estimate of which amounts to Rs. 1,45,000. The work is now in hand. We sent orders and recently there was half a lakh allotted for this work last year but at the instance of the Government of India, it was withdrawn and surrendered to the Government of India. The amount has been now reallocated and local officers have been ordered to put the work in hand at once. He also referred to the Tulsiabagha which has an outlet in the Cocanada drain. That has a lot of reed and brush-wood."

"We find that the type of dredgers available at Godavari are not suitable and we propose to wait for further improvements to be carried out till the arrival of suction dredgers from Home, which will do the work much more rapidly and usefully even for other drains. It is proposed to get two or three of these for both the Kistna and Godavari deltas. The Honourable Member also referred to the sea-board drains of Panchanadhi and others. They are tidal drains which cannot be cleared by hand labour. The bucket dredgers are not suitable for dredging on a large scale and we must get some big dredgers which we will do as soon as possible."

"I should like to point out that the rates at which these works can be carried out must depend entirely upon the labour available. The Hon'ble Mr. Venkatapati Raju seemed rather sceptical as to there being any difficulty about labour, but I can assure him that there is the greatest possible difficulty to face. Even when we offer the extra inducement of a bonus, we find that we do not get on very much faster. The higher rates do not seem to make much difference. That same thing was decided at a conference some years ago at Ootacamund for tank restoration schemes. One of the questions under consideration then was whether the increase of rates would improve our outturn and it was decided for various reasons that it would not help the work in the same way unless we raise the rates very considerably. I do not think it would make much difference in these drains. We had a big drain mentioned by the Honourable Member the Yenamadurru drain, estimates for which have been sanctioned by the Government of India for Rs. 3,41,000. It was eight years under execution on an average expenditure of Rs. 45,000 a year. There is another big drain in Tanjore costing Rs. 1,70,000 which is six years under execution for the same reason. The labour difficulty is the difficulty everywhere, especially in the Godavari and Kistna deltas where there has been considerable expansion of the second crop. These drains can be attended to by dredging only during the dry season. We are not getting coolies in the dry season. Local labour is all engaged in harvesting in April and getting the land ready for June. In Yenamadurru drain, we had a contractor who tried to get labour and we offered them considerable bonus and so on, but without much effect. There are twenty estimates sanctioned or about to be sanctioned, more than enough to keep all the labour available in full work, and if some Honourable members who have local influence would help us in getting more labour, we may get on faster."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—" Your Excellency, the Hon'ble Mr. Howley's reply to this resolution is very satisfactory so far as it goes. The Honourable Member is intimately acquainted with the conditions of both the Godavari and Kistna deltas, and I consider it a great satisfaction to us that he is in a position now to examine the whole subject as to the requirements of both these deltas from the point of view of drainage. Your Excellency, as has been pointed out, this is one of the subjects on which myself and my predecessors in office and my Honourable Friend Mr. Venkatapati Raju who represents the ryotwari landholders have felt very keenly and it is a satisfaction to us that the time has now come at least to make a programme, a comprehensive programme of all these works. The first difficulty that has been suggested is the question of funds. Your Excellency, we know that these are major productive works and any expenditure in the drainage of these two deltas will only have to come with the permission of the Government of India. We are quite aware of the fact. The Honourable Member stated that the expenditure on drainage can only be sanctioned as part of a productive scheme. I think I understood him aright."

The Hon'ble Mr. W. J. J. HOWLEY :—" I referred only to the two areas, the low swamps, some of them below sea level which have no real claim to expect that their drains would be productive."

1086 RESOLUTION RE IMPROVEMENT OF DRAINAGE CONDITIONS IN THE
GODAVARI AND KISTNA DELTAS.

(Mr. M. Ramachandra Rao.)

[5TH APRIL 1919.]

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"The lands referred to by the Hon'ble Mr. Howley are lands forming a low swamp which have been brought under re-settlement operations and are exactly on the same footing as any other land in the delta for the purpose of assessment of land revenue. Therefore there is no ground at all for not improving the drainage condition of the deltas. Our contention has been for years that both the Kistna and the Godavari deltas taken as a whole have been paying 17½ per cent on the capital outlay on irrigation schemes in these two deltas. That being so, any expenditure on the drains should not be calculated separately, but must be debited to the irrigation scheme and it can by no means be contended that when the Godavari delta is paying 17½ per cent and the Kistna delta is paying similarly, any expenditure on drains can be regarded as anything but part of a productive scheme. Therefore, Your Excellency, I am not in agreement with the Hon'ble Mr. Howley if he intended to say that this expenditure of 65 lakhs or 25 lakhs or 35 lakhs would not be considered a legitimate expenditure debitable to the scheme, even assuming that a portion of it is to drain the swampy land which is assessed to land revenue. However, be that as it may, hereafter this major irrigation scheme, if the scheme of constitutional reforms becomes an accomplished fact, will become a Provincial subject. We shall probably have no more references to the Government of India for sanctioning estimates either for this or for any other purpose in this Presidency. So much on the subject of finance.

"I contend, Your Excellency, that any expenditure such as this is a perfectly legitimate charge and a very necessary charge, seeing that these two deltas are giving such handsome return on the capital outlay. Then going to a few other matters, I quite recognise that the rate of progress with reference to the execution of these large drainage works costing lakhs of rupees depends upon the labour that is available. It is no doubt true that at the time when these works have to be executed, there are demands upon the labour of the districts arising from agricultural conditions and the execution of routine works of the Public Works Department and the municipalities and local boards and so on. But I venture to bring to the notice of the Honourable Member, as he made the reference to the conference at Ootacamund with reference to the execution of tank restoration works, this fact that one of the complaints then brought forward at that conference—I was present at the time—both by administrative officers and the Public Works Department officers, was that there was no attempt made by the ryots to co-operate with the department in the execution of these works and ultimately the decision that was reached by that conference was that a revenue officer of the grade of at least a tahsildar should be specially employed to organize the necessary labour in the districts where these works are undertaken on a large scale. I venture to bring this fact to the notice of the Honourable Member with a view to adopt a similar procedure in the execution of these drainage works. I am certain that if a special officer is appointed to co-operate with the Public Works Department to organize labour and stimulate the ryots to come forward with assistance and generally to procure the necessary labour so far as it is available in the district or outside, it will be a step in the right direction. I would suggest that in the Kistna, Guntur and Godavari districts during the season during which these drainage works are undertaken a special officer should be appointed for about five months to organize labour for the department just two months before the work is started and place it at its disposal as far as possible. That is so far as the question of labour is concerned.

"Then there is the question of the investigation of these works and their execution. The Hon'ble Mr. Howley stated that he had estimates and figures for Godavari for about 25 lakhs and about 35 lakhs for Kistna, but that they are not based on actual estimates; they are merely rough forecasts as to what is likely to be the expenditure on these works. So that we still have a good deal of work to be done before the estimates could be sanctioned and the necessary investigations made, even independently of the question of actual execution. The question arises whether this large extra work can now be performed by the existing public works divisions in these two deltas. I doubt it very much. My conversations with the Superintending Engineer and with several Executive Engineers in both these districts lead me to the conclusion that if we desire a speedy execution of these works, the investigation could not be undertaken by the existing ordinary staff of these divisions. I would suggest for his consideration the necessity of forming a separate division in each of these three districts for the investigation of these drainage works and the execution of these drainage works when estimate are sanctioned. I think that the time has come when drainage should be treated as apart from irrigation. I trust therefore, that the Honourable Member would not rest satisfied by merely publishing a list of works, but that he will follow it up by making specific proposals for the formation of separate divisions if necessary or for additional staff for the investigation of these schemes and the preparation of estimates.

"There is one other point which he made, and that is the question of land compensation. It is true that on account of the fact that every inch of ground has been occupied by cultivation, compensation for acquisition for drainage works is costly. It is not only for drainage works but for any works in the deltas, either village extension or for buildings, land is costly. But even assuming it is, it will pay the additional cost. The illustration that he has given of the unwillingness of the Government of India to sanction estimates on the score of the high cost of the land really illustrates the point. The ryots in these two deltas have been encouraged for years, actively encouraged by the officers of the Public Works Department as well as by the officers of the Revenue department, to bring the lands under cultivation and that was done from the point of view of revenue without sufficient consideration for the requirements of the village as regards

RESOLUTIONS RE IMPROVEMENT OF DRAINAGE CONDITIONS IN THE 1087
GODAVARI AND KISTNA DELTAS AND APPOINTMENT OF JIU-
JITSU TEACHERS.

5TH APRIL 1919.] (Mr. M. Ramachandra Rao; Mr. Howley; the President;
Mr. Venkatapati Raju.)

village extension, extension of village sites, and even regardless of the necessary drainage arrangements—let alone the sanitary drainage for these villages. I do not think, therefore, it is a consideration that ought to weigh with Your Excellency's Government that the cost of land will be heavy. It is heavy in every delta and that ought not to be a consideration for neglecting this important work. Your Excellency, it is a fact that year after year in both these deltas a certain amount of remission is given by the revenue department consequent mainly upon the defective drainage and the consequent flooding of irrigated fields. That would be a saving if these drainage arrangements are properly carried out.

"Having said all this, I only wish to make one or two inquiries in connexion with the figures which the Honourable Member has given. One is with reference to the Kistna, whether the figure that he has given includes the proposals in regard to the scheme for moderating the floods of the Tammalerru."

The Hon'ble Mr. W. J. J. HOWLEY:—"It does not include that."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I should also like to ask what possibility there is of the construction of a regulator for this Polraj canal. It has been under consideration for a long time. I think he mentioned it as part of the drainage scheme. If that is so, I have been asked several times by ryots of that part of the country to urge upon Your Excellency's Government the absolute necessity of the construction of that as early as possible, and in arranging for a programme I trust that the Honourable Member will regard it as an urgent work which ought to take precedence over others.

"Your Excellency, I am glad that this resolution has been accepted and finally I should like to suggest this: We may act in this matter on the suggestion of Your Excellency, with regard to the publication of our proceedings in connexion with the Hon'ble Mr. Narasimha Ayyar's proposal, that, if any particular matter required publication of the proceedings of this Council, Government may be prepared to consider such a request. Your Excellency, in this matter there has been considerable discontent in our districts for some time and I therefore propose that Your Excellency's Government should publish the debate on this resolution and also publish the forecast of the works likely to be undertaken in the District Gazettes of these two districts. It will show to the ryots that Government after all are alive to the requirements of these two deltas and that the matter has been brought to the notice of Your Excellency's Government and that the matter has reached the stage of active consideration. I make this suggestion so that wider publicity may be given to the request contained in this resolution."

His Excellency the PRESIDENT:—"I will now put the resolution unless the Honourable Member has any remarks to make."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, nothing more need be said with reference to this resolution except expressing our grateful thanks to the Government for the acceptance of this resolution. I may be permitted to make one remark, that the Government of India might not be so forward in providing the necessary funds. But I may mention in this connection that, whenever additional funds for the Provincial Government for useful subjects are broached in the Imperial Council, invariably the answer is that no Provincial Government pressed it either in the matter of sanitation or village improvement or any other thing. Therefore, I hope that so far as this is concerned, Government will leave no stone unturned for getting a grant from the Imperial Government, at least what is absolutely necessary for the improvement of the drainage condition. As the Government have been pleased to accept the resolution, I have nothing more to say."

His Excellency the PRESIDENT:—"With regard to the request of the Hon'ble Mr. Ramachandra Rao that this debate should be published, I am sure my Honourable Colleague in charge of the department will be prepared to consider whether the Hon'ble Mr. Howley's statement should be published in the District Gazette. Does the Honourable Member mean that it should be published in the vernacular?"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Yes."

His Excellency the PRESIDENT:—"As it is only one vernacular, Telugu, it is a comparatively easy matter."

The resolution was then put to the Council and agreed to.

RESOLUTION RE APPOINTMENT OF JIU-JITSU TEACHERS.

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, the resolution which stands in my name, runs as follows:—

'XIX. This Council recommends to the Governor in Council that the Government be pleased to engage the services of Japan gymnastic teachers to train our school gymnastic teachers in Jiu-Jitsu for the purpose of training the student population as far as possible in the art of self-defence and to keep the body in good training.'

(Mr. Venkatapati Raju.)

[5TH APRIL 1919.]

"Your Excellency, this is a small matter but of national importance. I know that I have not only to convince the Government but to convince some of my non-official colleagues of the necessity and importance of this. When I wanted to move at the last meeting that grants-in-aid should be provided for this, and several other objects in connexion with physical culture, the Hon'ble the Director of Public Instruction was kind enough to point out that under the head of gymnastics, this can be done, and therefore I may take it for granted that wherever Jiu-Jitsu is taught, it will not be viewed with suspicion, but will be viewed by the Government with approval and some provision will be made as grant-in-aid for other gymnastic purposes. Your Excellency, I may mention that whatever be the advance in the matter of the spread of education in the country, there is no gainsaying the fact that so far as physical culture is concerned, it is deteriorating. The Hon'ble Mr. Ranga Achariyar is nodding his head in disapproval and probably he seems to think that there is much advance in physical culture. Whatever it may be in the places which he has knowledge, I may say that in most schools and colleges that I know, physical culture is utterly neglected. We find only here and there some football matches, cricket matches, tennis or badminton matches. But we have invariably the process of drill, and curiously it has become such a bad piece of routine that a gymnastic instructor will take the hours from 11 to 5; he will take up one class between 11 and 12 a.m. and another class between 12 and 1 p.m., another between 1 and 2 another between 2 and 3 p.m. and so on, irrespective of the consideration whether this thing is to be done before meals or after meals, or at the beginning, or at the end, or in the morning or in the evening. Just as we read history or geography or mathematics, drilling goes on from hour to hour all through the day. That is the practice in most institutions. What I particularly want is that our boys should be trained to be manly and self-reliant. I do not think any Honourable non-official Member would oppose such a national ideal to be set before us. In order to have such an ideal, we must train our boys to be self-depending persons to attain to the fullest height of manhood which their system is possible to realize. There would be certain other difficulties, if I were to suggest that in the physical culture that is to be given to our students, we must teach the art of self-defence.

"If therefore, we want to understand perfect physical culture adopted in any institution, I would invite the attention of Honourable Members to Japan where it is carried to perfection. There the boys are not only taught defensive measures but offensive measures, as fencing and shooting. For the present I am quite satisfied with Jiu-Jitsu. It is not only to keep the body in a good and energetic condition but the man will know his own value and he can defend himself without the aid of any lathi or any other thing. By the process of muscular training, he is able to withstand the attacks of even a bully. When a person understands that, he can defend himself, that itself is worth imparting. I may also mention this: I might be asked, why should you not be satisfied with the provision already existing, that in all institutions boys may be taught gymnastics and the Government are making provision that Jiu-Jitsu also may be taught there; and why should you want this additional thing at the hands of Government? Jiu-Jitsu was unknown in most countries till Japan stood foremost after the victory over China and since then everybody is acquainted with their methods of perfecting bodily training, and curiously England is one of the countries which adopted this system. The Hon'ble the Director of Public Instruction might enlighten us on that point, but I am told in books that in England it was adopted. I need not go even to England; even in India some steps were taken to give such training to our soldiers and I do not see any difficulty in providing an institution where it is taught. If an institution were started to train students it is an advantage to have a central institution. Therefore I suggest that teachers in batches may be trained. Just as we are training sanitary inspectors in Madras to provide sanitary inspectors for various municipalities, we can train batches of teachers who in their turn, would teach the boys in the various schools. That would not take long and once we give the stamp of approval of Government, it will be easy. In India nothing will have acceptance in educational institutions unless it has the stamp of the approval of Government, because they solely rely upon Government aid in most cases. Under these circumstances, if the Government undertake to do it, then every school or institution which has not hitherto undertaken it, may attempt to do some such thing in this direction. Otherwise they might not know whether the particular inspector of schools of that division would approve of it or not. If once they know that it has the approval of Government, and if evidence is given by starting an institution, small or big, according to the available finances we can secure the training of several hundreds of teachers in the course of a number of years and that would be a very useful thing in this connexion. Unless we want our future generations to be weak and dependent upon others, which is always a demoralised condition, if we want them on the other hand to be manly, I think there is nothing wrong in the Government spending some amount in this direction. If there are other directions, they are all the more welcome. I suggest this, and if the Hon'ble the Director of Public Instruction wants to suggest some additional things, I will be quite glad. Some years back, bhana and pattah and other things were taught in schools and colleges. I know that sword-play was taught, but nowadays nothing is taught except drill in unusual hours. Therefore I do not think I need take up any more of Your Excellency's time. I hope the Government will see their way to encourage this sort of physical culture along with any other thing approved by the Government, so that our boys may be perfectly trained and prove good, reliable and efficient citizens of the future."

5TH APRIL 1919.]

(Mr. Ramaswami Ayyar; Mr. Littlehales;
Mr. Ranga Achariyar.)

The Hon'ble Mr. C. P. RAMASWAMI AYYAR:—"Your Excellency, whilst I second this resolution, I should have preferred that it should have asked the Government to institute an inquiry regarding the feasibility of the training suggested in the resolution. I happen to have some knowledge of the system not only from personal inquiry but from demonstration. Whilst there is no question that the present system of gymnastics and drill as practised in most of our educational institutions serves very useful purposes and whilst I am not one of those who decry the value of what I may call communal exercises like football and cricket, which serve not only the purpose of individual bodily training but also help to stimulate the idea of comradeship and co-operation, I still feel that a great field is open for the purpose of training our students in the art of self-defence. I believe that self-respect and manliness demand that course, and under the circumstances under which our students are taught, having regard to certain peculiarities in our training and habits of thought, I think it would be a very good thing indeed if more self-reliance and desire to stand up when assaulted or rudely handled is developed in our young men. I would therefore welcome the system, but at the same time there is the alternative which may be suggested, and I think the Hon'ble Mr. Littlehales will not blame me if I probably anticipate one of his arguments as I have had the advantage of an informal discussion with him on this matter. The national systems which were in vogue until Swedish drill and gymnastics took their place, had a very salutary effect, and those old systems of exercise have been rightly characterised as calculated to render our muscles supple and develop that habit of self-reliance which it is the object of the Honourable Mover to bring about. The system of Jiu-Jitsu is more spectacular. It is perhaps calculated to show off a little more than the indigenous systems of gymnastics. It has been said, I know,—in the course of the discussion it might be said—that for perfect success Jiu-Jitsu requires some amount of co-operation in the person who is thrown and the person who attempts to throw. It requires careful and anatomical knowledge of the muscular peculiarities of the human system, knowledge of the fact that if a certain muscle is pressed in the human system, the man would become unfit and would be thrown. It would be of great value to know it and I believe that has been recognized both in the English and the American police. A person who is not physically strong may by the aid of this system be in a position to resist the assault of a more powerfully-built adversary. From that point of view, it is of great educative value and probably of individual value also. Whether the time is ripe and whether it will be useful to inculcate that in a big school are matters which are open to investigation and on which opinions might differ. I would therefore, while seconding this resolution, invite the attention of the Government to the necessity and the feasibility of instituting an inquiry as to adopting this course in this country."

The Hon'ble Mr. R. LITTLEHAILES:—"Your Excellency, the policy that the Educational department has adopted is to allow school managers a free hand in prescribing any form of physical training that they please, any physical training that is suitable to the age and physique of the pupils. We do not enforce any particular system but we prefer the system that is adopted to be based upon indigenous exercises, but it should have drafted upon it such supplementary exercises and games as will produce sound health and general physical fitness without developing some parts of the body to the neglect of other parts, such supplementary exercises and games being adopted for use in this country from systems in vogue in other countries. To this end the department is now encouraging the compilation of a manual in games and physical training which will be a guide to school teachers and to managers of schools.

"The Honourable Mover of this proposition would propose that, out of the many systems of exercise adopted in different countries, this Government should give preferential treatment to the Jiu-Jitsu system. Regarding Jiu-Jitsu when two exponents of the art give an exhibition, it is most effective; but this is due, as the Honourable Secunder of the motion has already mentioned, largely to the fact that each anticipates the move of his opponent, permits him to get the hold agreed upon and gives the impression of extreme helplessness, but as an exercise it is distinctly inferior to wrestling which, known in Tamil countries as *guthi*, has the further advantage of being indigenous. The difficulty of introducing it in schools is obvious, and places it in exactly the same category as boxing, fencing, wrestling and games of that kind, which however valuable they may be, are and must be considered individualistic and outside the pale of large-group activities which of necessity are the main, if not the sole activities that ought to be borne in mind when we enter into school training.

"So far as Jiu-Jitsu is required to supplement indigenous systems and so far as it might be considered by expert opinion as the best form of exercise for any particular muscular practice, its claim will no doubt be considered in the compilation of the manual. But it would be educationally unsound and the expense would be out of all proportion to the results attainable for the Government to engage Japanese gymnastic instructors to train school gymnastic tutors for the purpose of training the student population either in the art of self-defence or to keep the body in good training or for both purposes."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"Your Excellency, both the Honourable Mover and the Honourable Member speaking for Government have apparently forgotten what happened in this Council in March 1915 when I brought a resolution that more provision should be made for providing for the appointment of instructors in physical training and for the efficient training of boys in schools and colleges throughout the Presidency. On that occasion,

1018 RESOLUTION RE TRANSLATION OF THE PROCEEDINGS OF THE
LEGISLATIVE COUNCIL.

(Mr. Krishna Rao ; Mr. Chidambaranatha Mudaliyar ;
Mr. Suryanarayana Rao ; Mr. Narasimha Ayyar.) [3RD APRIL 1919.]

what the Bills meant. I have not the slightest doubt that it would be much easier to give a more correct rendering of the proceedings of this Council than of the Bills. There should be therefore no hesitation in accepting this resolution."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR :—"Your Excellency, I wish to say a word in connexion with this resolution. The Hon'ble Mr. Todhunter has based his opposition to this resolution on the ground that there is practically no demand for it. I am inclined to think that in this important matter the supply should precede the demand. He has observed that there is no demand for the vernacular newspapers and the report of these proceedings in them. As one of the previous speakers has observed, there is no doubt that the vernacular newspapers are not in a position to take up this costly work. In view particularly of the very important part that the proceedings of this Council play in the every-day political life of the country, I believe the publication of translations of the proceedings of this Council would greatly help the ryot in understanding the work done in this Council and the intentions of the Government; and it will greatly help the people in their political life and political knowledge, so much so, that I think that this ought to be a case of the supply preceding the demand and the Government coming forward in their interests as well as in the interests of the public, as also in the interests of the non-official Members of this Council, and publishing the proceedings verbatim in the chief vernaculars of this Presidency. As already observed by the previous speakers, there is no use of having a summary or compendium, it will be practically of no use and it will not convince anybody. I am entirely in favour of a true and literal translation of the proceedings, which after all cannot be a difficult matter, published both in the interests of the Government and of the public."

The Hon'ble Mr. A. SURYANARAYANA RAO :—"I rise simply to support the resolution. I feel from my knowledge of the districts that there is now greater interest taken in the proceedings of the Council than before. People are now trying to understand what is going on in the Council Chamber and they are reading vernacular newspapers, where summaries of these proceedings are given. I have no doubt that if the proceedings are translated and published in the vernaculars in the Gazette, it would be an advantage to the people."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"On this matter, I have been anxious to see what the Hon'ble Mr. Todhunter would say to make out a case against the resolution. The only defect he pointed out was removed by the Hon'ble Mr. Ramaswami Ayyar's amendment which I gladly accepted. I think if as early as possible translations in the chief vernaculars are published of these proceedings, that would satisfy all the non-official members here. Still I am surprised to see that the Hon'ble Mr. Todhunter seems to think that there are obstacles which he considers insuperable. He first pointed out that my own book which I published three years ago when I again stood before my constituency was published in English. Because I knew they were not getting copies of the proceedings, I printed them at my own cost and placed a copy in the hands of each voter. I found it cost me Rs. 1,000. If I were to translate it into Tamil, it would have cost me much more and I thought it was rather dear considering my circumstances. The Government are not in the same position in which I was. I hope the Government would consider the duty which they owe to the public and the advantage they derive by publishing these translations."

"One objection that has been raised on behalf of the Government is that very few persons go through the Hansard and very few people here would go through these translations. As regards the Hansard, I go through the Hansard when there is anything important and Mr. Montagu has said something. That is a sufficient reason why we should have the Hansard. Similarly let us take the Council. If the Council proceedings are translated in the vernaculars, the ordinary member of the literary society would not care to go through it. But take the rice question. Suppose we have an early print of the rice resolution debate. I am sure many persons will go through it from the beginning to the end. People would be anxious to know what their representatives have been doing and what the Government propose to do. I know that there are some matters in which interest is so great that they will make the people who ordinarily fight shy go through these publications. I must say that a volume of 1,000 pages in Tamil requires a lot of courage to tackle; but the general public may not go through every page. They have their leaders and their prominent men, half a dozen in the central town who would go through the proceedings and circulate the ideas and when any debate arises, they will be able to say 'here is an authoritative Government publication, your representative has said this and the Government have said that.' That will permeate the whole atmosphere and you will find that there is a distinct advantage in having vernacular translations of the proceedings of this Council. The Hon'ble Mr. Todhunter was mentioning that the cost of it has after all to be considered. I beg to point out one very important fact which some of my predecessors have mentioned. We are now translating the resolutions passed by local boards and municipalities and that the resolutions of this important body which decides the fate of 42 millions should not find publication in the official Gazette? Is it not a very peculiar state of affairs? With reference to the Bills themselves, it is the Bills that the Hon'ble Mr. Todhunter was thinking of when he said that the vernaculars did not easily lend themselves to the expression of thoughts that you find in the English language. That was the reason he thought, why I did not translate."

RESOLUTION RE TRANSLATION OF THE PROCEEDINGS OF THE 1019
LEGISLATIVE COUNCIL.

3RD APRIL 1919.]

(Mr. Narasimha Ayyar ; Mr. Todhunter ;
Mr. M. Ramachandra Rao.)

my book. I do not think I have such an eradite turn of mind that I could not find equivalents for my ideas in the vernaculars. I could turn the whole of my book into easily readable Tamil if I sit for a fortnight. I am more likely to be understood in Tamil than in English. In spite of the statement of the Hon'ble Mr. Rajagopala Achariyar that we understand English better, I am quite conscious, painfully conscious of the defects in our speaking in English; the grammar may be wrong or the accent may be wrong and there is no end of trouble. After thirty years of struggle with the foreign language with the difficulty of idioms and expressions, I still feel that I express myself very feebly in it. I am able to express my thoughts much better in Tamil and I will be thoroughly understood by my fellow Tamilians. It is not the difficulty in expression; I think it will be much better expressed in Tamil than in English.

"The matter has been thoroughly discussed. I would make only one appeal. The Government have opposed my third resolution to allow the discussion in the vernaculars and if the Government oppose this, what will be the impression on the public? They will think that the Government are afraid of democracy; they are in horror of democracy being given a chance and the people, knowing only the vernaculars, being given a chance of giving their representatives full weight. I hope the Government will not allow such an impression to go abroad. I am sure that the Government cannot possibly entertain such fear of the public taking that interest. In point of fact, the Hon'ble Mr. Todhunter has put it the other way, that the public are not following. When he says that the public are not following he points to a defect which we should remedy, and the remedy is pointed out here. After all the amount of cost is nothing. He referred to the proceedings running to 1,000 pages. Let us take only Parts III and IV of the Gazette. The number of pages in parts I and II must be more than 700 and we find there translations of abkari notification and other miscellaneous things. We need not grudge a little expenditure on such an important matter as the translation of the proceedings of this Council in the vernaculars. I hope before the matter is pressed to a poll, the Government would re-consider their decision and let it not go forth that the majority of this Council were afraid of having the proceedings published in the vernaculars."

The Hon'ble Mr. C. G. TODHUNTER :—"I am very grateful to the Honourable Members who have supported this motion for the assistance they have given in opposing it. Hardly one has maintained that there is a real demand; and one Honourable Member has said that we should create a demand. My case is that there is no demand at present and that it is not possible to create one. I quoted the old proverb that you can take a horse to the water, but you cannot make it drink. There I maintain, I have been supported by every Honourable Member who has spoken. The Honourable Mover took the point that we are publishing the proceedings of local bodies, even of the unions, and therefore *a priori* we should publish the proceedings of the highest legislative body in the Presidency. *A priori* arguments are rather dangerous. If I were to base an *a priori* argument on these premises I should state it thus: that we want to promote political education and we should commence in the sphere of local self-government; that we are taking the action you desire by publishing the proceedings of the local bodies in the vernaculars; the Hon'ble Mr. Ramachandra Rao says it is not worth while——"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO (interrupting):—"As now published."

The Hon'ble Mr. C. G. TODHUNTER :—"Your case is that they should be published in a form which would be much more useful."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"Yes. They should be published in the localities where the people will take an interest in them. I doubt whether persons living in various parts of the district, in the various villages outside Ellore, would take any interest in the proceedings of the Ellore municipality. But the proceedings of the municipality will be read with interest by the people of Ellore. My contention was that the publication is a necessary step in securing effective administration of the local boards and the translations should be published in such a manner as to reach those who are likely to take an interest in them. That is my point."

The Hon'ble Mr. C. G. TODHUNTER :—"I thank the Honourable Gentleman for his correction. The fact remains that we are publishing these proceedings and that no interest is taken in them. If we are to base an *a priori* argument on this fact, *a priori* it would be less useful to publish translations of the proceedings of this Council which deal with much more abstruse questions. More than one Honourable Member has admitted that the Bills as now published in the vernaculars are unintelligible without help. The Hon'ble Mr. Siva Rao goes further and says that we should not only translate, but we should coin words in all these vernaculars to enable us to make translations. That is a very large proposition. After all, this is a Legislative Council and a great deal of our legislative proceedings depends upon the nicety of meaning of particular English words; and it is impossible to convey that into a number of Dravidian vernaculars. The Hon'ble Mr. Ramachandra Rao goes so far as to admit that a complete rendering is not necessary and he says that we should publish only a summary. A number of Honourable Gentlemen have objected to the summary being made by officials. Here I appeal to the Hon'ble Mr. Ramaswami Ayyar. Speaking on the previous resolution he appealed to the vernacular papers and he laid stress on their duties. He said, is it not their duty to publish a summary of these proceedings? On that ground, I hold that a great deal has

(Mr. Ranga Achariyar ; Mr. Narasimha Ayyar ;
the President.)

[5TH APRIL 1919.]

I pointed out that what was wanted was the training, and that we must have physical instructors, not the ordinary gymnastic instructors, but instructors who can give instruction in physical culture in the way that Mr. Hall is giving instruction in European schools and Mr. Noehren has been recently engaged in giving in Indian schools. On that occasion, the Hon'ble Mr. Stone and His Excellency the President speaking on the subject spoke most sympathetically about it and promised, as soon as financial conditions improved, that better provision would be made for training more people in giving instruction not in the ordinary gymnastics, but in the way in which it is done in European schools. I should have thought that if that project had fructified, we should have been most content indeed. I know Mr. Noehren is most earnestly engaged in this work in the city itself. He is often going out to the mufassal also to give instruction in gymnastics, and I believe he trained some people in the Teachers' College some time ago. I would like the Hon'ble the Director of Public Instruction to give us more information as to what progress is made in that direction, whether more people are trained by Mr. Noehren and Mr. Hall in giving this sort of instruction in physical culture which is in vogue in European schools. Speaking for myself, I may say that I am not taking that gloomy view which the Hon'ble Mr. Venkatapati Raju is taking as to the physical appearance of our youths. I think there is a marked progress, comparing the boys of my days and the present day boys. I am gratified to see that there is improvement both in physical appearance and in moral grit and also general manly trend. I notice certainly a remarkable growth and it compares very favourably with the days of my youth. His Excellency Lord Pentland told us at the last meeting that Government were viewing this movement with the greatest sympathy and to quote His Excellency's words at page 557 in the discussion in March 1917, His Excellency stated:— 'I should like to say also—I may say that in this the Hon'ble Mr. Stone will agree—we are exceedingly satisfied with the work done under Mr. Hall and Mr. Noehren. It is making excellent progress and we believe that interest is being stimulated among Indian boys in this form of improvement, in individual improvement.' I am rather surprised that the Hon'ble the Director of Public Instruction now thinks that more importance should be attached to the indigenous systems. By all means, let us take the best of the indigenous systems, the best of the English systems, the best of the American systems, the best of the Japanese systems. But what we do want is that more attention should be paid to the scientific physical training of our boys. I am quite unacquainted with Jiu-Jitsu. I do not care which system is adopted. Let some system be adopted and encouragement given in the way in which His Excellency promised in that speech: 'I can give the Honourable Member the assurance that he asks, that we will not allow any consideration of money to stand in the way of the development of this kind of training.' Let these words be remembered by Your Excellency's Government and I ask Your Excellency's Government to come forward and train more people under Mr. Hall and Mr. Noehren so that the country will be flooded with such instructors and our youths may receive that training in physical instruction. I have come forward with this suggestion as I thought that this discussion may throw in the background the former discussion on my resolution to which I prominently draw the attention of the Council."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"May I know if the subject matter which the Honourable Member is pressing is the same as what we now have before us?"

His Excellency the PRESIDENT:—"He has travelled far wider afield than the resolution. The subject matter of this resolution refers to jiu-jitsu. I think the Hon'ble Mr. Venkatapati Raju might reply."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I wish to take this opportunity of making one observation. It appears to me that the main matter pressed in this resolution has not been faced by the Hon'ble the Director of Public Instruction. The Hon'ble Mr. Littlehales came forward with a statement that the Government are going to place before the public a book containing forms of exercises which would be recommended for adoption in the various schools and they would be mostly indigenous. He said that they might also include a few items from other countries. It strikes me that that has nothing to do—the preparation of a book has nothing to do with the proposal now placed before this Council, which is whether we are to engage the services of Japanese gymnastic instructors to train some of our gymnastic teachers here. I do not think, whether a book is issued or not, the need for training a few teachers in the Japanese system would be done away with. I thought the Hon'ble the Director of Public Instruction might put forward some alternative system. As the best of the various systems has to be gleaned from various sources, just as we like some of our officers to go and study things in continental countries and find out what is best, I thought he would suggest that some of our gymnastic instructors should go to America, Japan and other countries and then come back and be able to teach what they find is best there. In the absence of such an alternative there does not appear to be any very serious obstacle in the way of the acceptance of this resolution. The resolution merely asks for the engaging of the services of Japanese gymnastic instructors; it does not say whether it should be two dozens or twenty dozens and I do not know why the Hon'ble the Director of Public Instruction fancied that the cost would be prohibitive. For aught I know, the cost may be, Rs. 3,000 or Rs. 4,000 and there is nothing to suggest a prohibitive cost in this resolution. Perhaps one teacher in the training college might be sufficient. This is not a very deep mystery; I suppose in the course of a few months an apt disciple will learn what there is to be taught and will impart it to others. It appears

[5TH APRIL 1919.]

(Mr. Narasimha Ayyar ; Mr. Siva Rao ;
Mr. Venkatapati Raju.)

to me, therefore, that the objection put forward by the Hon'ble the Director of Public Instruction has not got much force. The only thing that struck me was that importance was specially attached to one particular species of wrestling. Wrestling is a well-known Indian art and there are numerous tricks in it. I, as a young man or rather as an young boy used to wrestle and dozens of tricks were taught to me. If my teacher could have given me that training in jiu-jitsu I could have picked it up. After all, it strikes me that jiu-jitsu is not so very complicated and it might not even require any very extensive arrangement to be made. I think we might get a teacher or two from Japan and full knowledge of it would be diffused throughout the country in a few years. The Japanese have a way of advertising their wares. They may term jiu-jitsu a special art, but even if it is treated as a special art, a few tricks may be systematised and made into a system and I think we might easily absorb all that is best in it by the appointment of a teacher or two, and no very prohibitive cost need be apprehended as a consequence of accepting this resolution. I hope Government will find it possible to accept this very small recommendation. I thought the subject was hardly worth serious opposition by Government and I thought Government would accept it at once. I did not anticipate serious opposition."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, this is a very simple proposition before us. I do not know why there should have been so much misapprehension about it. The Hon'ble the Director of Public Instruction thought that the Honourable Member was seeking to impose this system upon all public schools. That was far from his intention. The Hon'ble the Director of Public Instruction replied that the policy of the Government was not to impose any particular method of physical culture on schools in general but in each case to leave it to the option of the managers concerned. It is quite right. I do not think either myself or the Honourable Member will quarrel with a statement of a policy like that. The Hon'ble the Director of Public Instruction also stated that it would cost enormously. I do not at all see the prospect of any enormous cost or expenditure in this. All that the resolution asks for is that a particular mode of instruction should be provided for. Japanese instructors who knew this particular method might train mufassal gymnastic instructors. In other words, it comes to this: that provision should be made for this particular kind of physical culture also. It may be that if this resolution is accepted, it will only mean that one or two Japanese instructors should be employed to train others also in that system. It is a very harmless proposition and I do not see any difficulty in the way of the Honourable the Director of Public Instruction accepting it. We have got indigenous methods, we have got the English methods; we have got Danish drill and so many other methods and I do not see any reason why this particular mode of physical instruction also should not be provided for by Government while option is given to the managers of schools to follow any method that they like for enforcement in their particular institutions."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, the Hon'ble the Director of Public Instruction has not done full justice to the importance of this resolution. We know that even in England the Government are particular in training their students, and in America they are careful in training their constables. Therefore jiu-jitsu is a thing worth learning, the art of self-defence without doing any damage to any person. The Hon'ble the Director of Public Instruction has been kind enough to suggest: why do you go to foreign countries when you have your own indigenous systems? Nobody disputes it; I myself mentioned them. Formerly in the institutions that I know they were taught; fencing and other things according to old oriental methods were taught. If I were to ask for any special training for them, the Hon'ble Mr. Littlehales will come and say, you have any number of men in your villages who know it and why do you ask Government to pay for it? This is a matter which is not ordinarily known to persons here. I am not particular with reference to the Japanese teacher. If we can secure one from America, or from England who is well acquainted with this, it does not matter in the least to me. What I want is that the man should know it first-hand and should teach it. We are not going to the subject whether we are getting any book on physical culture. After all it does not matter. There are several books already in existence about physical culture, good, bad, and indifferent, and we may get another book, but we do not think that the country would be improved by getting the books even from the Government publication department. We want to know what steps are taken and I do not think even in Government institutions, whether collegiate or secondary, there is any additional improvement in the matter of physical culture. When the Government with all their resources cannot undertake to train these people in fencing, rowing, swimming and other things, how can we expect the poor managers of institutions to provide for these? Therefore I appeal to this Government, so far as this is concerned; it is not at all compulsory. I never stated that it should be introduced as a compulsory subject, but what I stated is that this might be introduced so that the teachers might be aware of it and such boys as are willing to learn it might learn it. There may be unfit or unwilling boys. But when every other civilised Government thinks that it serves a good purpose in the art of self-defence and making a man manly, I do not see what difficulty there is for this Government making such a provision. Merely stating that they do not want to interfere with the discretion of managers of schools will not satisfy. There are cases where it is necessary that a good example should be set by the Government so that others might follow. I therefore earnestly appeal that the Government would reconsider the matter and would see some way of infusing more enthusiasm into the physical culture of our future generations."

(Mr. Ranga Achariyar ; Mr. Narasimha Ayyar ;
the President.)

[5TH APRIL 1919.]

I pointed out that what was wanted was the training, and that we must have physical instructors, not the ordinary gymnastic instructors, but instructors who can give instruction in physical culture in the way that Mr. Hall is giving instruction in European schools and Mr. Noehren has been recently engaged in giving in Indian schools. On that occasion, the Hon'ble Mr. Stone and His Excellency the President speaking on the subject spoke most sympathetically about it and promised, as soon as financial conditions improved, that better provision would be made for training more people in giving instruction not in the ordinary gymnastics, but in the way in which it is done in European schools. I should have thought that if that project had fructified, we should have been most content indeed. I know Mr. Noehren is most earnestly engaged in this work in the city itself. He is often going out to the mufassal also to give instruction in gymnastics, and I believe he trained some people in the Teachers' College some time ago. I would like the Hon'ble the Director of Public Instruction to give us more information as to what progress is made in that direction, whether more people are trained by Mr. Noehren and Mr. Hall in giving this sort of instruction in physical culture which is in vogue in European schools. Speaking for myself, I may say that I am not taking that gloomy view which the Hon'ble Mr. Venkatapati Raju is taking as to the physical appearance of our youths. I think there is a marked progress, comparing the boys of my days and the present day boys. I am gratified to see that there is improvement both in physical appearance and in moral grit and also general manly trend. I notice certainly a remarkable growth and it compares very favourably with the days of my youth. His Excellency Lord Pentland told us at the last meeting that Government were viewing this movement with the greatest sympathy and to quote His Excellency's words at page 557 in the discussion in March 1917, His Excellency stated:— 'I should like to say also—I may say that in this the Hon'ble Mr. Stone will agree—we are exceedingly satisfied with the work done under Mr. Hall and Mr. Noehren. It is making excellent progress and we believe that interest is being stimulated among Indian boys in this form of improvement, in individual improvement.' I am rather surprised that the Hon'ble the Director of Public Instruction now thinks that more importance should be attached to the indigenous systems. By all means, let us take the best of the indigenous systems, the best of the English systems, the best of the American systems, the best of the Japanese systems. But what we do want is that more attention should be paid to the scientific physical training of our boys. I am quite unacquainted with Jiu-Jitsu. I do not care which system is adopted. Let some system be adopted and encouragement given in the way in which His Excellency promised in that speech: 'I can give the Honourable Member the assurance that he asks, that we will not allow any consideration of money to stand in the way of the development of this kind of training.' Let these words be remembered by Your Excellency's Government and I ask Your Excellency's Government to come forward and train more people under Mr. Hall and Mr. Noehren so that the country will be flooded with such instructors and our youths may receive that training in physical instruction. I have come forward with this suggestion as I thought that this discussion may throw in the background the former discussion on my resolution to which I prominently draw the attention of the Council."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" May I know if the subject matter which the Honourable Member is pressing is the same as what we now have before us ?"

His Excellency the PRESIDENT :—" He has travelled far wider afield than the resolution. The subject matter of this resolution refers to jiu-jitsu. I think the Hon'ble Mr. Venkatapati Raju might reply."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" I wish to take this opportunity of making one observation. It appears to me that the main matter pressed in this resolution has not been faced by the Hon'ble the Director of Public Instruction. The Hon'ble Mr. Littlehales came forward with a statement that the Government are going to place before the public a book containing forms of exercises which would be recommended for adoption in the various schools and they would be mostly indigenous. He said that they might also include a few items from other countries. It strikes me that that has nothing to do—the preparation of a book has nothing to do with the proposal now placed before this Council, which is whether we are to engage the services of Japanese gymnastic instructors to train some of our gymnastic teachers here. I do not think, whether a book is issued or not, the need for training a few teachers in the Japanese system would be done away with. I thought the Hon'ble the Director of Public Instruction might put forward some alternative system. As the best of the various systems has to be gleaned from various sources, just as we like some of our officers to go and study things in continental countries and find out what is best, I thought he would suggest that some of our gymnastic instructors should go to America, Japan and other countries and then come back and be able to teach what they find is best there. In the absence of such an alternative there does not appear to be any very serious obstacle in the way of the acceptance of this resolution. The resolution merely asks for the engaging of the services of Japanese gymnastic instructors; it does not say whether it should be two dozens or twenty dozens and I do not know why the Hon'ble the Director of Public Instruction fancied that the cost would be prohibitive. For aught I know, the cost may be, Rs. 3,000 or Rs. 4,000 and there is nothing to suggest a prohibitive cost in this resolution. Perhaps one teacher in the training college might be sufficient. This is not a very deep mystery; I suppose in the course of a few months an apt disciple will learn what there is to be taught and will impart it to others. It appears

[5TH APRIL 1919.]

(Mr. Narasimha Ayyar ; Mr. Siva Rao ;
Mr. Venkatapati Raju.)

to me, therefore, that the objection put forward by the Hon'ble the Director of Public Instruction has not got much force. The only thing that struck me was that importance was specially attached to one particular species of wrestling. Wrestling is a well-known Indian art and there are numerous tricks in it. I, as a young man or rather as a young boy used to wrestle and dozens of tricks were taught to me. If my teacher could have given me that training in jiu-jitsu I could have picked it up. After all, it strikes me that jiu-jitsu is not so very complicated and it might not even require any very extensive arrangement to be made. I think we might get a teacher or two from Japan and full knowledge of it would be diffused throughout the country in a few years. The Japanese have a way of advertising their wares. They may term jiu-jitsu a special art, but even if it is treated as a special art, a few tricks may be systematised and made into a system and I think we might easily absorb all that is best in it by the appointment of a teacher or two, and no very prohibitive cost need be apprehended as a consequence of accepting this resolution. I hope Government will find it possible to accept this very small recommendation. I thought the subject was hardly worth serious opposition by Government and I thought Government would accept it at once. I did not anticipate serious opposition."

The Hon'ble Mr. P. SIVA RAO :—" Your Excellency, this is a very simple proposition before us. I do not know why there should have been so much misapprehension about it. The Hon'ble the Director of Public Instruction thought that the Honourable Mover was seeking to impose this system upon all public schools. That was far from his intention. The Hon'ble the Director of Public Instruction replied that the policy of the Government was not to impose any particular method of physical culture on schools in general but in each case to leave it to the option of the managers concerned. It is quite right. I do not think either myself or the Honourable Mover will quarrel with a statement of a policy like that. The Hon'ble the Director of Public Instruction also stated that it would cost enormously. I do not at all see the prospect of any enormous cost or expenditure in this. All that the resolution asks for is that a particular mode of instruction should be provided for. Japanese instructors who knew this particular method might train mufassal gymnastic instructors. In other words, it comes to this: that provision should be made for this particular kind of physical culture also. It may be that if this resolution is accepted, it will only mean that one or two Japanese instructors should be employed to train others also in that system. It is a very harmless proposition and I do not see any difficulty in the way of the Honourable the Director of Public Instruction accepting it. We have got indigenous methods, we have got the English methods; we have got Danish drill and so many other methods and I do not see any reason why this particular mode of physical instruction also should not be provided for by Government while option is given to the managers of schools to follow any method that they like for enforcement in their particular institutions."

The Hon'ble Mr. B. VENKATAPATI RAJU :—" Your Excellency, the Hon'ble the Director of Public Instruction has not done full justice to the importance of this resolution. We know that even in England the Government are particular in training their students, and in America they are careful in training their constables. Therefore jiu-jitsu is a thing worth learning, the art of self-defence without doing any damage to any person. The Hon'ble the Director of Public Instruction has been kind enough to suggest: why do you go to foreign countries when you have your own indigenous systems? Nobody disputes it; I myself mentioned them. Formerly in the institutions that I know they were taught; fencing and other things according to old oriental methods were taught. If I were to ask for any special training for them, the Hon'ble Mr. Littlehales will come and say, you have any number of men in your villages who know it and why do you ask Government to pay for it? This is a matter which is not ordinarily known to persons here. I am not particular with reference to the Japanese teacher. If we can secure one from America, or from England who is well acquainted with this, it does not matter in the least to me. What I want is that the man should know it first-hand and should teach it. We are not going to the subject whether we are getting any book on physical culture, good, all it does not matter. There are several books already in existence about physical culture, good, bad, and indifferent, and we may get another book, but we do not think that the country would be improved by getting the books even from the Government publication department. We want to know what steps are taken and I do not think even in Government institutions, whether collegiate or secondary, there is any additional improvement in the matter of physical culture. When the Government with all their resources cannot undertake to train these people in fencing, rowing, swimming and other things, how can we expect the poor managers of institutions to provide for these? Therefore I appeal to this Government, so far as this is concerned; it is not at all compulsory. I never stated that it should be introduced as a compulsory subject, but what I stated is that this might be introduced so that the teachers might be aware of it and such boys as are willing to learn it might learn it. There may be unfit or unwilling boys. But when every other civilised Government thinks that it serves a good purpose in the art of self-defence and making a man manly, I do not see what difficulty there is for this Government making such a provision. Merely stating that they do not want to interfere with the discretion of managers of schools will not satisfy. There are cases where it is necessary that a good example should be set by the Government so that others might follow. I therefore earnestly appeal that the Government would reconsider the matter and would see some way of infusing more enthusiasm into the physical culture of our future generations."

1092 RESOLUTIONS RE APPOINTMENT OF JIU-JITSU TEACHERS AND
RESETTLEMENT OF THE VIZAGAPATAM DISTRICT.

(The President ; Mr. Venkatapati Raju.)

[5TH APRIL 1919.]

His Excellency the PRESIDENT :—“ If the resolution had been framed with greater care by the Honourable Member it would have received quite a different answer. The resolution says :—

‘ This Council recommends to the Governor in Council that the Government be pleased to engage the services of Japan gymnastic teachers to train our school gymnastic teachers in jiu-jitsu for the purpose of training the student population as far as possible in the art of self-defence and to keep the body in good training.’

“ If the words were to have any meaning it means there should be sufficient men for training the gymnastic teachers to train the student population of the Presidency and not that there should be one or two to train gymnastic instructors selected for the purpose.

“ It is because of the way in which this resolution is framed that the Government have a difficulty in considering it. If it had merely asked that in the course of the development of gymnastic training, the claim of jiu-jitsu should be considered or due weight should be given to that branch of instruction, the Government would have given due weight to its consideration. But what the Government have to do is to read the wording of the resolution as it is. The implications in the resolution do commit the Government to a great deal more than is practicable. We could not undertake to engage gymnastic instructors for the purpose of training the student population as a whole, but as to the possibility of getting a certain amount of training in jiu-jitsu I think it is not only possible but it is being done. The Hon'ble Mr. Davidson reminds me that the Madras Police, some of them, have been trained in jiu-jitsu, and I suppose a Japanese instructor is giving it. If Mr. Noehren thinks that it would be useful, he will, I presume, carry it out. On the other hand, it will be a great mistake for this Council or for the Educational department to pin its faith to one system. It seems to me there has been much force in the speeches of the Honourable members that we have to teach individual pupils each by himself. You will have to teach each man the tricks and the manoeuvres, how to use his hands, how to seize his adversary by the neck, and in fact it requires an enormous amount of teaching in order to produce good result. For its own purposes, it is an invaluable thing. I am sure that the Hon'ble the Director of Public Instruction and the Educational department will not lose sight of its advantages and we will draw the attention of Mr. Noehren in preparing his manual to this training in jiu-jitsu along with what he has in hand. The claims of jiu-jitsu will no doubt be considered. Beyond that, I do not think the Government can go. I do not know if the Honourable Member wishes to press the resolution to a division.”

The Hon'ble Mr. B. VENKATAPATI RAJU :—“ I do not wish to press it, but I am prepared to modify it so as to suit the Government.”

His Excellency the PRESIDENT :—“ I think the Honourable Member can leave it as it is. He has drawn attention to the claims of this method and the Honourable the Director of Public Instruction will pay due attention to it.”

The Hon'ble Mr. B. VENKATAPATI RAJU :—“ I do not press it.”

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE RESETTLEMENT OF THE VIZAGAPATAM DISTRICT.

The Hon'ble Mr. B. VENKATAPATI RAJU :—“ Your Excellency, the resolution that I have the honour to move runs thus : the length of the resolution indicates the importance of it, because we have to deal with various points concerning the resettlement of the district of Vizagapatam. To give some idea I might be permitted to read the resolution. It runs thus :—

‘ XX. This Council recommends to the Governor in Council that the Government be pleased, in regard to the resettlement in Vizagapatam district,

(a) that instructions be issued to the Settlement Officer to conduct a thorough inquiry into the indebtedness of the ryots ;

(b) that the percentage enhancement proposed in the scheme report be given up, having regard to the impoverished condition of the people ;

(c) that the enhancement if at all should be limited to 12½ per cent on individual holdings ;

(d) that the uniform percentage enhancement of 3 annas in the rupee regarding all classes of dry lands be given up ;

(e) that the enhancement of assessment on poor pattadars be not imposed ;

(f) that all sources of irrigation in the district be grouped in five classes with reference to their supply and capacity instead of four ;

RESOLUTION RE RESETTLEMENT OF THE VIZAGAPATAM DISTRICT 1093

5TH APRIL 1919.]

(Mr. Venkatapati Raju ; the President ; Mr. Buckley.)

(g) that in the Sarvasiddhi taluk the irrigation sources classed as 2, 3 and 4 be classified as 3, 4 and 5 ;

(h) that the second crop assessment be made optional instead of being made compulsory ;

(i) that the assessment on dry lands close to the sea in Sarvasiddhi taluk admittedly high should be reduced ; and

(j) that the irrigation sources of Kottisa, Talagam, Sivvam, Vangara and Mugguru in Palkonda taluk be classed as 2, 3 and 4 according to water-supply.”

“ Your Excellency, I am perfectly well aware what should be the test in the matter of discussing these settlement resolutions. We have had experience of the discussions here with reference to several districts. I shall be quite content if I can convince the Government that their usual procedure of refusing to concede even the reasonable demands made by the representatives here should not be followed but a different treatment should be given to this resolution, because, unlike other districts, Vizagapatam has got peculiar features of its own. In extent and in population it stands the highest and we can even claim the credit of being the first district of the whole Empire, because it is bigger than some countries in Europe but we find that the Government own only three taluks covering about 300 square miles, all the rest being zamindari. All these three taluks together are less than any taluk in Trichinopoly or in any other place. Therefore though it has a big name of the settlement of a district, it is only a small matter and decision one way or the other will not tax the public purse to any great extent, or adherence to any particular view will not bring any large amounts into the coffers of Government. During the discussions of the last three or four years, whenever this question arose, we have had the assurance from the Government that the economic condition of the people would be the first concern of the settlement officer and it would necessarily be gone into. At the same time I must assure the Government that the people of the district feel very grateful to Mr. Gwynn who is a very conscientious officer, who is giving the people every possible opportunity and every facility to make their grievances heard.”

His Excellency the PRESIDENT :—“ The Honourable Member is dealing with a large proposition. There are several detailed points and I think if we hear what the Hon'ble Mr. Buckley has to say on the several detailed points, it will shorten the proceedings. If that will satisfy the Honourable Member, I will call upon the Hon'ble Mr. Buckley to deal with the several points.”

The Hon'ble Mr. B. VENKATAPATI RAJU :—“ Yes.”

The Hon'ble Mr. L. E. BUCKLEY :—“ Your Excellency, the position as regards the re-settlement of Vizagapatam is this : the Settlement Officer has submitted a report and that report has gone on with the Board's recommendations to Government. The Government have not yet considered it. I am instructed to say that whatever arguments are put forward in this Council on this resolution will be considered by the Government when passing orders on the scheme report. I had proposed to refer only to those points on which the Board supports the recommendations of the Settlement Officer and in consequence I am not prepared to go at great length into the many arguments and points raised by the Hon'ble Mr. Venkatapati Raju. I will go straight to item No. (d). ‘ The uniform percentage enhancement of As. 3 in the rupee regarding all classes of dry lands be given up.’ I understand that what the Honourable Gentleman desires is that the course should be followed, which has been followed in North Arcot and the Periyar tract of Madura whereby the percentage increase should be lowered on the lower assessed lands than on the higher assessed lands. Is that what he means ?”

The Hon'ble Mr. B. VENKATAPATI RAJU :—“ I mean irrespective of the value it should not be increased.”

The Hon'ble Mr. L. E. BUCKLEY :—“ You say : ‘ the uniform enhancement of As. 3 in the rupee regarding all classes of dry land should be given up.’ I take it that you mean that if there is to be a percentage increase, it should not be the same for all classes of lands.”

The Hon'ble Mr. B. VENKATAPATI RAJU :—“ Yes.”

The Hon'ble Mr. L. E. BUCKLEY :—“ That is not proposed by the Settlement Officer, nor has it been recommended by the Board. The reason is that in the two districts in which percentage rate of increase was not uniform, no increase was put on the two lowest tarams and the increase rose as the value of land rose. It was found that the percentage of non-occupation in the three lower tarams is very small in Vizagapatam while the percentage of non-occupation in the three tarams in the other districts is high. In the lowest three tarams of Vizagapatam, the percentage of non-occupation is 7, 12 and 7 but in the other two districts they run from 27 to 74. That is the reason why the uniform rate was proposed—it is clear that in the lower tarams of land, assessments are not oppressive, for the greater part of the land is under occupation.

“ I go on to the next point, point (f) ‘ All sources of irrigation in the district be grouped in five classes with reference to their supply and capacity instead of four.’ At the settlement of Vizagapatam, four classes of irrigation sources were adopted. Mr. Gwynn has gone carefully over the country and has seen most of the irrigation sources, so also has Mr. Leach, and their

1094 RESOLUTION RE RESETTLEMENT OF THE VIZAGAPATAM DISTRICT

(Mr. Buckley; the President; Mr. Venkatapati Raju.)

[5TH APRIL 1919.]

opinion is that these sources are fairly classified as between themselves. The fourth class in Vizagapatam corresponds to the fifth class in the other districts; the third class in Vizagapatam corresponds to the fourth class in other districts, the second class in Vizagapatam corresponds to the third class in other districts. The first class in Vizagapatam corresponds practically to what is the second class in other districts although there are one or two exceptional sources of irrigation which might be put in the first class of other districts.

"With regard to this point, I will go on to speak of item (h) which enables me to put my argument better—The second crop assessment be made optional instead of being made compulsory." I discussed this point both with Mr. Leach and with Mr. Gwynn and I made some inspection myself and after these discussions, Mr. Gwynn has made the recommendation that compulsory second crop assessment should be done away with; this has been very strongly supported by the Board. In making the second crop compulsory assessment, the rates at which additions to the assessment were made were one-third, one-fourth, one-fifth and one-sixth instead of one-half, one-third, one-fourth and one-fifth the rates adopted elsewhere. The concession was no doubt given because composition was compulsory. Mr. Gwynn has recommended that these rates should be continued, even though composition is to be made voluntary and the Board has supported this recommendation. That is to say, they will have composition at rates lower than those adopted in the other districts. They are practically in the same position as regards voluntary composition as they would be, if all the classes of lands were one class lower. The abolition of the second crop compulsory assessment means a considerable amount. It means the removal of a charge of 33½ per cent to 16½ per cent source of the first crop charge. In item (g) the Honourable Gentleman asks that the Sarvasiddhi irrigation sources should be classed as third, fourth and fifth. The Special Settlement Officer has drawn attention to the fact that some lands in the Sarvasiddhi taluk are over-assessed and the Board have recommended that where over-assessment is due to the class of source being placed too high, the Settlement Officer should be given the power to reduce the classification of the source.

"Then with regard to item (i) 'The assessment on dry lands close to the sea in Sarvasiddhi taluk, admittedly high, should be reduced', the Special Settlement Officer has referred to this; the Board has supported his recommendation, and emphasized what he has said. It is common knowledge that the assessment in a few villages is high.

"Then with regard to item (j), the Honourable Member asks that 'the irrigation sources of Kottisa, Talagam, Sivvam, Vangara and Mugguru in Palkonda taluk be classed as 2, 3 and 4 according to water-supply.' Although at the time of settlement the tank in the last named village was fed by the Sekarapalle channel, owing to various causes channel water no longer reaches the village, the Settlement Officer has accordingly proposed that it should be treated as a non-channel village and that the classification of the source should be made according to the actual water-supply; this has been supported by the Board. With regard to the four other villages, the Settlement Officer has proposed a revision of classification; this again has been supported by the Board. What I have said will clear the air considerably. It will be seen that very considerable concessions have been given to the district. The compulsory second crop rate has been done away with. This was the main grievance in the district. The Honourable Gentleman will understand that as the Government have not had time to consider the report, it is quite impossible that the resolution as it stands should be accepted, but I am instructed to say that whatever is said in this Council on the various points will be taken into consideration by the Government when the time comes for passing orders on the report of the Special Settlement Officer and the recommendations of the Board of Revenue thereon."

His Excellency the PRESIDENT:—"I hope that will help the Honourable Member and he may make his observations."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, I am thankful to the Board of Revenue for strongly supporting the recommendations of the Settlement Officer that second crop assessment should be made optional instead of compulsory. If I were certain that the Government also would accept that view, I need not say anything, but I have to say something because it unfortunately happened on the previous occasion, when both the Settlement Officer and the Board of Revenue recommended strongly that this optional system should be adopted, Government vetoed it. I hope on this occasion the recommendation of the Settlement Officer and the Board of Revenue will be acted up to with reference to the second crop assessment being made optional. I may mention one or two facts; it is admitted so far as the Sarvasiddhi taluk is concerned, out of several thousand acres only a thousand and odd are being irrigated with second crop and others are never irrigated. So is it fair that they should be asked to pay second crop charges as well? If it were the case that on account of the negligence of the ryot or on account of any unreasonable conditions it was not raised, I can understand it. But here is a case of its being impossible for the ryot to raise it, because the water is insufficient even for one crop. When that is so, what is the meaning of compelling the people to pay second crop assessment? That is also true with reference to other taluks. Therefore, not only the concession recommended by the Board of Revenue that it should not be made compulsory but should be made optional, should be adopted; but it must also be stated that when they want to take water for second crop, the usual compulsory rates of one-third and one-fourth should be adopted and not the higher rate of one-half and one-third. I hope Government would accept the strong recommendations of the Board of Revenue on that point."

RESOLUTION RE RESETTLEMENT OF THE VIZAGAPATAM DISTRICT. 1095

5TH APRIL 1919.]

(Mr. Venkatapathi Raju.)

"Regarding the other point, as to the necessity of grouping the several sources of irrigation into five classes instead of four, I notice with reference to the assessment charged it will make some difference, there will be some reduction of assessment if five classes are made. As the Hon'ble Mr. Buckley suggests that except to a slight extent, there would be no material difference, I do not press it. But I was all along under the impression that if it should be changed into five classes, there would be a reduction of assessment and this would give relief to certain classes of people."

"The other point is that the Board will be pleased to consider the recommendations of the Settlement Officer regarding the assessment of dry lands close to the sea in Sarvasiddhi taluk and also with reference to the question in Palkonda taluk about classification."

"Your Excellency, not as a matter of complaint but as a matter of serious difficulty I have to bring to the notice of Government that there is an indebtedness to such an exorbitant extent in the Vizagapatam district, and I might say more than 75 per cent of the pattadars are indebted. If we were to refer to the Triennial Registration report, though we have not got particulars about these three places, we shall know the great indebtedness of that district compared with the income of that district. It is not very difficult for the Settlement Officer or for the Government to find out the indebtedness if they care to take pains to do that; because apart from the indebtedness which can only be disclosed by private transactions, and which may be a difficult process to find out, so far as registered documents are concerned, they will show clearly how many pattadars are really indebted, and we can give a sufficient margin for additional indebtedness which does not go to the registration office."

"One other peculiar condition which Vizagapatam district suffers from is this: In Sarvasiddhi taluk it has been admitted by the Settlement Officer that remission is being granted to the extent of 23 per cent every year on the average and in some years it goes to the extent of 62 per cent. If we have got a taluk where the demand of the Government has to be reduced by a quarter almost every year it shows that there must be something wrong. I do not complain about the remissions, but I complain of the effect. What is the meaning of remissions? Remissions will be granted when the people satisfy the inspection officer that they have not got even an one-anna crop and if after such a careful scrutiny—more often it does not verge on the side of generosity—it is found that 23 per cent remission has to be given, we may take it that there is an utter failure of crop at least in the case of 50 per cent of lands. Government would be pleased to remember one fact that the ryots who suffer by failure of crops will not be satisfied by remissions alone. Remission only means that the amount which the pattadar has to pay to Government is excused and it is stated in more than one publication of Government, 'though we say that we do not take more than one-fifth of the gross revenue in the matter of assessment, as a matter of fact, our assessment will not exceed ten per cent.' That is what the Government of India say. Assuming that it is either 10 per cent or more, what about the loss of 90 per cent to the pattadar? You are excusing the pattadar only 10 per cent of the gross revenue but he loses 90 per cent and if a person invariably loses to the extent of one-fourth of the full crop necessarily, he will be indebted and his economic condition will never be good. All Collectors who have had experience of the Vizagapatam district will convince the Government that whatever be the condition in other localities, the condition of the people of Vizagapatam is not very enviable. They are not rich; they have not amassed any capital. They have not got, most of them, any capital or any substantial buildings, and I may add that a large proportion of them cannot make both ends meet. That is the unfortunate condition."

"Unfortunately Government officers compare these pattadars with the pattadars of the neighbouring zamindars. I cannot say that the pattadars under the Government are in any way worse than those under the zamindar; in some cases they are better. I have noticed in the recent publication that we must compare the assessment of Government with the assessment which the zamindar imposes on his tenants. That is a very bad step, first of all because we ought not to compare State assessment either with the assessment by the zamindar or by landholder or any other person. In order to avoid such misconceptions and wrong deductions, the previous Secretary of State told us definitely long ago and communicated it to the India Government that they should impress upon every Indian civilian that he ought not to treat this assessment as in the nature of rent, but he must treat this as in the nature of a tax. Every subject of the State is bound to contribute to meet the common burden and therefore the landholder also is equally bound to do so. If we once give up that theory, if we say that it is not a tax but that it is a rent to Government just as to any other landholder, the position is different; such an indication is not wanting as was seen in the previous discussion, when the members on behalf of Government spoke about it and said that they were entitled to take what any other landholder takes, but that out of concession they were not taking so much though they were entitled to take it. First of all, we must get rid of such an idea. We must first of all show what is absolutely necessary that ought to be taken from the people. I may at once admit that if the Government are prepared to take what we call economic rent or competition rent, they could easily get more than 50 per cent. If all the pattadars are deprived of their lands today and their holdings are sold and given away to anybody just as any private landholder would do, it can be increased to 50 per cent, but then we would say that it is not the State but it is a private landholder. The State has other duties than what a private landholder has. The private landholder does not care to know whether his tenant has enough to eat; all that he wants to know is whether there is any other person who is prepared to pay more to cultivate his land. He seizes on every offer which is higher, but the Government say 'No, we will take into

1096 RESOLUTION RE RESETTLEMENT OF THE VIZAGAPATAM DISTRICT.

(Mr. Venkatapati Raju; Mr. Buckley.)

[5TH APRIL 1919.]

consideration the economic condition of the people. Why is this? It is because the Government want to show that it is not rent but it is only a tax which is imposed only for what is absolutely necessary.

"The first thing that a Settlement Officer ought to do is he must find out the indebtedness. Let alone the divergence of view, whether there should be a public or a private inquiry into the matter, there must be some inquiry to find out the indebtedness. I have perused the pages from one end to another of the report, but I do not find any such inquiry. The only stray reference, here and there, is that we have some sale-deeds picked up in order to find out the selling value of land and some lease-deeds also have been picked up. This is not what is wanted; we want to know the actual indebtedness of the people. I am fully aware of the statement made at one time that it is impossible to find out the real indebtedness of the people. That may or may not be true, but we can easily find out what is the acknowledged registered indebtedness of the pattadars and that will indicate to some extent the real indebtedness. What is the necessity of a large number of pattadars being greatly indebted? It is not due to the mere fact that they are spending a large amount on festive occasions, on marriages and so on, but it is because they are unable to get on. If crops fail, they are unable to get anything and they have to go to the money-lender because more money is wanted to carry on their cultivation. Whatever be the attitude of our Kistna and Gōdāvari friends, it must be said to the discredit of Vizagapatam that Vizagapatam cannot provide sufficient sustenance for our people and so sends a large number to Gōdāvari and Kistna. All the labour in those two districts depends upon the people of Vizagapatam district who go to those two districts. If steps are taken to make arrangements to keep them in their own land, there would be more flourishing condition in these taluks than when we find a large number of emigrants who go to Gōdāvari and Kistna to do labour service. We cannot improve the whole of the district because much of it and indeed most of it is indeed not in the hands of Government. We are not concerned with the position of the tenants of zamindars, because that is not within our province. The Government have only a small portion of the district and their revenue is very small, it is only a few lakhs, less than 5 or 6 lakhs and any increase or decrease would not materially affect Government or their revenue. I earnestly appeal to Government that, whenever this question is viewed with reference to Vizagapatam district, the ordinary views of settlement operations discussed in this Council should not be adopted with regard to Vizagapatam district, on account of the large indebtedness and the constant failure of crops. Additional concessions should be given to the pattadars in this district.

"I may mention in this connexion that there was a percentage enhancement; though several pages of the report were devoted to various other matters, we notice that the aim and object of the settlement looks to be that we must arrive at some figure in order to increase the assessment and the question is what should be that increase. It is like giving judgment beforehand and afterwards filling up the blanks with arguments advanced on the one side or the other. Here they want some increase of assessment and the reasons follow. You decide to increase by As. 3 or As. 4 and then you find out reasons. Whereas in other districts cultivation expenses were valued up to Rs. 24, here it was limited only to Rs. 10. I do not know how there was such disparity in the matter of providing cultivation expenses. Therefore my respectful suggestion is that this percentage enhancement should not be allowed in regard to the re-settlement of this district and in case it should be adopted, I pray as an alternative that it should never exceed 12½ per cent., that is, As. 2 instead of 18 per cent. In this connexion, I may point out that in Salem when it was re-settled, they increased it only by 12½ per cent. Even in Chingleput which is far better than our district, the increase was 15 per cent. Why of all districts this district which is in every way bad should be made to bear an increase of 18 per cent. I do not know."

The Hon'ble Mr. L. E. BUCKLEY:—"May I give an explanation? The 12½ per cent was fixed before the rise in prices. But Vizagapatam comes in now after 14 years of high prices and naturally the commutation rate is high."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, it is most unfortunate that there should be the re-settlement of my district after the war. In the war during the last three years, there was an abnormal rise in prices. Just as there are famine years, these are ultra famine years, because in famine years, the scarcity rates were 8 seers but now they are 3½ seers a rupee. Therefore if we have to deduct famine years from our computation we must deduct these ultra famine years. But what I want to state is that unless and until the Government are satisfied that the pattadars are in a position to bear the high assessment, they should not raise the assessment. I am not concerned with the rich pattadars, but it is with reference to the poor pattadars, most of whom do not pay more than Rs. 10 assessment and have not got more than two or three acres, that I am complaining. I earnestly invite your Excellency's attention that any additional burden thrown upon these pattadars would be only benefiting the Gōdāvari and Kistna districts at the expense of Vizagapatam. It will necessitate the emigration of these people, if not to Rangoon, at least to the neighbouring places to help themselves because they cannot help themselves in their own districts. Therefore, I purposely added another clause with reference to this: that the enhancement of assessment on poor pattadars be not imposed. I have left it as elastic as possible, I wanted to limit it to pattadars whose whole assessment would not exceed Rs. 30. But I found most pattadars would come under that and in order to give additional scope and to reduce the chance of loss of revenue to the

RESOLUTION RE RESETTLEMENT OF THE VIZAGAPATAM DISTRICT. 1097

5TH APRIL 1919.]

(Mr. Venkatapati Raju; Mr. Suryanarayana Rao.)

Government, I suggest that it might be pattadars whose assessment is not over Rs. 10 or who have only one or two acres of land. It was once suggested in the previous discussion, why should you make any distinction between one pattadar and another? Why not provide equally for all? That, I submit, Your Excellency, is a business-like point of view. But what I say is that it is not at all state-craft. State-craft requires that you must impose the burden upon those shoulders which can afford to bear it, and you must not impose the same burden on those shoulders which are unable to bear it. These poor pattadars cannot bear it; it is quite impossible for them to bear it, because they are poor, they have got only two or three acres and they have not enough left with them. On paper we may calculate the several points; we might calculate that the man raises so much of which so much goes for expenses and so much remains and all that. But when he has a family of five members and has only two or three acres what is there left for sustenance. Therefore, this is an aspect which the Government should remember whenever any re-settlement is made which has the effect of imposing additional assessment. Government say that in spite of this, there has been an increase in value. Certainly; that also shows that the pattadars are unable to keep the property in their own hands. They are indebted to a very great extent and the persons to whom they owe this money want to take the land for what it is worth and they leave the district bag and baggage selling the property for what it can fetch. If he is a big landholder or a rich mirasidar who purchases that land, he will be satisfied with a small percentage of interest on his money invested and he would rack-rent it and get whatever money he can get. A rich man who has enough wealth can pay a fancy price. That does not mean that the original holder is able to bear the additional assessment. That is the point of view which the Government should consider—whether the pattadars could bear the excessive assessment. Therefore the imposition of excessive assessment on the sole ground of the increase in prices should be limited to pattadars whose assessment is not less than Rs. 10. That would relieve the situation to a great extent.

"As there might be several speakers on this resolution, I do not propose to keep you long, but whatever may be the final orders of the Government, I pray that the condition of the poor pattadars should be remembered and some means should be devised in order to save them from any additional burden, and secondly that no person should be made to pay for a crop which it is not possible for him at any time of the year to raise, and thirdly that assessment should not be increased to a very high extent as proposed, by 18½ per cent by the Settlement officer and it should not exceed on any account 12½ per cent. With these words, I commend the resolution to the acceptance of the Government."

The Hon'ble Mr. A. SURYANARAYANA RAO:—"Your Excellency, as belonging to the Vizagapatam district, it is with great pain that I am obliged to support the resolution because my district is so poor that I have to plead before the Government that concession should be shown to my district. The Sarvasiddhi and Yellamanchilli taluks are really at the fag end of the river and they receive very little water and the water that flows is practically intercepted by the Gummalu proprietor and the Government taluks receive very little supply; in the Palkonda taluk the big landholder, the Maharaja of Bobbili with his other sub-landholders take away most of the water and the Government taluks do not receive so much supply. It is these three taluks that are now sought to be resettled. I believe that the Sarvasiddhi and Yellamanchilli taluk people submitted a memorial to the Government last year praying that the settlement of their taluks might be postponed altogether or might not be taken up at all. I sent in a resolution last year that there should be no settlement of these taluks now, but I was easily silenced with the answer that this is only a question which can be taken up by the Imperial Government. When I brought forward that resolution it was not meant that the question should be altogether shut out but only that it should be favourably considered. However, the Hon'ble Mr. Venkatapati Raju while conceding that there might be re-settlement, has brought out several defects that are noticeable in the present settlement. With regard to the state of these taluks, Sarvasiddhi and Narasapatam, the present position with regard to food grains, I think, is clear and these two taluks are in a hopelessly poor condition. They are receiving their supply of paddy from Gōdāvari and other districts. These two taluks produce no paddy whatever practically and they are unable to supply themselves. With regard to any paddy that is produced, it has been stated by the Hon'ble Mr. Buckley that prices have risen and therefore that enhancement was proposed. But when the prices are taken into consideration, I have no doubt Government will also be pleased to consider the cost of production. I have no doubt that the cost of production has also proportionately increased and therefore one factor ought not to be taken into consideration without considering the other factor. With regard to the poverty of these two taluks especially, we can see that several of these pattadars have practically abandoned their holdings, or even if they nominally retain them, most of the other members of the family are going out to the other districts, Gōdāvari and Kistna to eke out their livelihood there and if we only take into account the several passengers that go by steamer on every Saturday to Rangoon and other places—I have witnessed it on many occasions—Your Excellency will notice that these people who go out by steamer are thousands every week. That speaks of the poverty of the pattadars in these two taluks and the persons who go to Rangoon are mostly from these two taluks—I would include Anakapalle also, the taluk of the Maharani of Wadhwan. When that is the poor condition of these three taluks, I appeal to Your Excellency whether it would be proper to take up re-settlement now very seriously and to impose very heavy enhancement on their holdings. If at all any enhancement has to be made nominally, I think it should be a very small amount, but I do not think that

1098 RESOLUTION RE RESETTLEMENT OF THE VIZAGAPATAM DISTRICT.

(Mr. Suryanarayana Rao ; Mr. Krishna Rao.)

[5TH APRIL 1919.]

these holdings can bear any further enhancement. The Palkonda taluk is a little better than these two taluks, but as I have already mentioned, that taluk also is in a very poor condition and even that taluk has not been able to produce very much of paddy this year. It is a sure and certain indication that the water-supply to that taluk is very poor, so that the condition of the district of Vizagapatam is very pitiable. Hereafter these pattadars will have to eke out their livelihood as coolies when the hot season commences and probably some of these contractors would find it very easy to find cheap labour in Vizagapatam district because pattadars do not find cultivation very encouraging or at all paying. I am surprised to find that the businessmen, who speak for the masses and who profess to take interest and who are supposed to take interest in the masses, do not appear here when we speak of these pattadars. I only mention it, because after all it is only the much maligned lawyer perhaps that comes in for the help of the pattadars. However, that is a different point. I hope Your Excellency's Government will view this resolution favourably and see what can be done for these pattadars in these taluks."

The Hon'ble Mr. A. S. KRISHNA RAO :—" Your Excellency, I wish to make a few remarks on clauses (a), (b), (c) and (e) of this resolution. I must say at the outset that the statement made by the Hon'ble Mr. Buckley is encouraging and assuring so far as it goes, and that if the Board of Revenue have not been able to be more liberal in their recommendations, the Board of Revenue cannot be blamed in view of the attitude of the Government in dealing with questions of this sort in the last five or six years. The main question to be considered while dealing with a problem of this character is about the taxable capacity of the land and the taxable capacity of the people concerned. It is by a correct appreciation and a proper adjustment of these two fundamental principles, that one can arrive at a satisfactory state of things. The report of the settlement officer and the tables and statements furnished by him in his report would suggest that some inquiry has been made as to some facts affecting the capacity of the land; but I have not the slightest doubt that proper inquiry has not been made as to the taxable capacity of the people and as to the economic condition of the ryots affected in these tracts. I shall now briefly refer to a few facts tending to substantiate my position. The discussions in this Council during the last five or six years while we have been considering the re-settlement of North Arcot, Chittoor, Madura, South Arcot, Bellary—and now we come Vizagapatam—must have convinced the Council, of the utmost importance and the paramount necessity for making a thorough and searching inquiry into the economic condition of the ryots affected. What is the inquiry which is made so far as these three taluks in Vizagapatam are concerned? It cannot be suggested that an economic inquiry is complete or satisfactory unless there is an inquiry into the agricultural indebtedness of the ryots. From the materials which are before me, I have not been able to lay my hand on any inquiry, much less a satisfactory inquiry, as to the indebtedness of agriculturists. It is not merely the statistics furnished by the registration department and the amount of mortgages and other transactions entered into by the ryots which will afford a criterion as to the indebtedness of the ryot, but more searching inquiry is necessary in individual villages or in typical villages as to the amount of loans taken on promissory notes or other negotiable instruments. It will be remembered that debts are contracted to a very large extent in this country not on mortgages but on promissory notes; and unless satisfactory inquiry is made, it will not be possible to come to a correct understanding as to the economic condition of the ryots affected.

"One of the circumstances taken into consideration apart from commutation of rates and apart from the increase of prices, regarding which I do not propose to make any special remarks, is about the increase in the sale value of lands. Even the information furnished in the report of the settlement officer in paragraph 39 shows that it is a very risky ground for us to proceed upon. He himself refers to these figures in paragraph 39 and proceeds to state as follows :—

"Thus the prices and rents shown in these appendices are considerably below the prices and rents actually received to-day. It must also be remembered that even to this day the competition for land is by no means so keen and universal as in the more developed southern districts. In a few prosperous villages, prices and rents appear to have been driven up by competition so high as to show the full value of the land. But one sometimes finds a sharp difference between the sale and lease value of similar lands even in two adjacent villages grouped under the charge of the same karnam. The karnam or the ryots, when questioned, will explain the difference by the absence of competition in the village where the sale and leasing values are lower. Where competition is keen, the purchaser of the non-cultivating castes is content with an immediate return of 6 per cent on his land, while a sub-tenant who takes the land on lease, hopes for nothing more than a bare livelihood. But in some villages a buyer of the cultivating castes expects so good a return on his money that he is willing to borrow at 9 per cent or 12 per cent to make the purchase, while the sub-tenant in some villages succeeds in laying by substantial savings after paying his rent."

"He refers to his having met two ryots who said that they made substantial profit. It is therefore clear that so far as that district is concerned, there is no competition and prices are much lower than in the other districts, and that even in the case of two adjoining villages, different versions were given as to the sale value. It is risky and dangerous to come to the conclusion from this circumstance that they are fairly prosperous and that there has been substantial improvement in the position of the ryot to justify the enhancement of the assessment proposed. I find in paragraph 41 of the report 'after making allowance for these things, the position of the ryot has greatly improved since the last settlement.' I do not say that there has not been

RESOLUTION RE RESETTLEMENT OF THE VIZAGAPATAM DISTRICT. 1099

5TH APRIL 1919.] (Mr. Krishna Rao ; the President ; Mr. Ranga Achariyar.)

any improvement, but the question is whether there has been such great improvement as to justify the enhancement which has been suggested. Therefore, I would suggest that, as suggested in clause (a) of this resolution, there should be a thorough enquiry into the indebtedness of the ryots. That is the first portion of the resolution. I have not the slightest doubt that there has not been such an inquiry.

"The next point is, the percentage enhancement proposed in the scheme report be given up having regard to the impoverished condition of the people. The Honourable Mover of the resolution referred us to some figures furnished by the registration department showing the indebtedness of the ryots as amounting to a very large sum, and if along with that we take the fact that large sums of money are borrowed otherwise than on mortgages found in the registration department, there is no doubt that he has made out a case for his position.

"Clause (c) is more important. It suggests a definite principle that the enhancement if at all should be limited to 12½ per cent on individual holdings. I do not know, Your Excellency, if I can on this occasion convince successfully this Council and this Government as to the desirability of fixing a maximum limit for this percentage enhancement which is coming up before the Government as often as possible at every periodical revision of assessment. It would be more convenient and satisfactory if a limit could be fixed as to the maximum to be imposed. I know on a former occasion, notice was given of a resolution suggesting that 12½ per cent should be fixed as a maximum; but it was not allowed to be brought up in the Council on the ground that it was a matter for the Government of India. In the Madras Estates Land Act, after considering the condition of the ryots and providing for periodical enhancement of the rates on the ground of rise in prices and other circumstances, a maximum has been fixed at annas 2 in the rupee. I would suggest that the maximum fixed in sub-clause (c) places it on the same footing. Before I leave this portion of the subject, I do not wish to take the same gloomy view as the Honourable Mover when he referred to the possible comparison with private landholders. I do not think that we should draw a distinction. I believe they are as anxious to safeguard the interests of the tenants and ryots as the Government are to safeguard the interests of the ryotwari landholders.

"Next, I wish to point out that there is considerable force in the argument advanced that the enhancement should not be enforced in the case of the poor pattadars. That is a direct application of the principle that it is only when we are satisfied about the taxable capacity of the people, there should be enhancement. It is only in the case of those owning sufficient property that there will be a sufficient margin left after meeting all the necessities of life for them to pay these increased assessments. But it is impossible to suppose for a moment that persons who own very small plots of land will be able to save anything to make provision for increased assessment. It is for that reason that the Honourable Mover suggested that enhancement should not be imposed on poor pattadars.

"Regarding the other points raised in the resolution, the Hon'ble Mr. Buckley gave a reply in the beginning and stated that the Board of Revenue supported the recommendations of the Settlement Officer; and let us hope and trust that the Government also would arrive at a satisfactory conclusion and satisfy all the parties concerned. What is more important is that before percentage enhancement is determined upon, Government should be satisfied that there has been a proper inquiry into the economic condition of the people and into their capacity to bear the increase of assessment. The materials before us do not justify us in coming to that conclusion."

His Excellency the PRESIDENT :—" I do not know whether any other Honourable Member wishes to address the council. The position of the Government is that the Board's report has reached the Secretariat, and Government have not considered the point and they are not in a position to give any definite finding on the points, but the speeches that have been made will be considered when the papers come before the Government and all possible attention will be paid to those points which have been raised in the resolution, and in the speeches of the Honourable Members. I do not think it will be possible for the Government to go further, and not having myself seen the Board's report, I am quite unable to go into details. It would be impossible for me to answer the Honourable Members' arguments until I have gone into details. The settlement report is a complicated document as Honourable Members know and it is full of a mass of detail and cannot be dealt with in a week or two. It takes a long time, several months. We may well assure the Honourable Mover that what he has said and what others have said on the subject will be considered very carefully, and I will advise the Honourable Member to leave it at that stage unless he wishes to press it to a division."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—" Your Excellency, Your Excellency's Government accepted my resolution that the principles and measures adopted by Mr. Grey in the settlement of the Nilgiris should be communicated to all settlement officers engaged in re-settlement work and Your Excellency's Government issued a circular inviting the attention of all settlement officers to that procedure. From the statement made just now, there has been no inquiry into the indebtedness of the ryot. If this is true, it would be violating that Government Order and Your Excellency's Government should investigate that matter.

"I would also like Your Excellency to consider whether Your Excellency's Government would take these war years into account in fixing commutation prices, whether it would be wise to do so.

1100 RESOLUTION RE RESETTLEMENT OF THE VIZAGAPATAM DISTRICT.

(Mr. Ranga Achariyar; Mr. Ramanuja Achariyar; Mr. M. Ramachandra Rao.) [5TH APRIL 1919.]

"The third circumstance to which I would like to draw Your Excellency's attention is, if there is a large class of poor pattadars in these taluks as mentioned by my honourable friends, then whether Your Excellency's Government will not be acting, having regard to the crisis in this country, in conformity with the principles adopted already in regard to other districts, namely, to continue the existing settlement for a further period till normal conditions are restored. I wish Your Excellency's Government would keep these matters in view in dealing with this question."

The Hon'ble Rao Bahadur V. K. RAMANUJA ACHARIYAR :—"Your Excellency, the information furnished by the Hon'ble Mr. Buckley with regard to items (f), (g), (h) and (j) is very satisfactory. But the main point is what should be the rate at which the present assessments should be enhanced. The settlement officer says it should be As. 3 in the rupee, and the Hon'ble Mr. Venkatapati Raju says there should be no enhancement, and even if there should be one, it should not be above As. 2. Your Excellency, I glanced through the pages of the report and I find that the enhancement proposed is not justified. There has been a large rise in the prices of food-grains, but at the same time the cost of cultivation should be calculated afresh on the present prices of labour and materials; and no attempt whatever has been made to do this. The system of enhancement, the obnoxious system of enhancement of assessment adopted in the Malara settlement, is followed here and not one word of apology for dispensing with the calculation of cultivation expenses has been given. The rate is fixed in a wholly arbitrary way at the whims of the settlement officer and is accepted or altered by the Board and the Government. The mass of figures quoted serves no purpose whatever, because they do not explain how this rate of As. 3 has been arrived at. They serve only to cover the arbitrary nature of the enhancement proposed. The Hon'ble Mr. Venkatapati Raju therefore throws himself upon the mercy of the Government and pleads for not more than 12½ per cent. I think the present system of raising the enhancement at resettlements should be completely abandoned. Government have got large powers given to them by Act II of 1864, and if they use the power arbitrarily as they are doing now, the consequence will be on their shoulders. They will not see the effect at once, but in course of time when districts are impoverished, they will see the result of the policy of having high rates."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"Your Excellency, the discussion of settlement schemes in this Council has ranged principally round two or three questions. The point for consideration is, since these discussions have been initiated in this Council, whether any different policy has been pursued in regard to the questions on which the previous settlement schemes have been attacked in this Council. Your Excellency, one of these is as regards the question of indebtedness of the ryots. It was contended here, in regard to the schemes which came up for consideration relating to North Arcot, Chittoor and other places, that it was part of the duty of the settlement officer to make thorough inquiries on the subject of indebtedness and that unless inquiries were made on that subject, Government would not be in a position to see whether the ryot could bear the enhancement that was proposed by the settlement officer. So that the whole question of the economic condition of the ryot is dependent upon the ascertaining by actual inquiries as to what the assets are and what the general liabilities are, and whether he would be in a position to tide over bad seasons that may occur. Your Excellency, I need not cover the whole ground which has been exhaustively dealt with on previous occasions. On the present occasion also, the settlement officer's report does not show that he made any inquiries at all on this question of the indebtedness of the ryots in these three taluks. There is absolutely nothing in this report to show that he made inquiries or that he examined the figures of the registration office or that he called any individual pattadars and ascertained their economic well-being or that in any other manner he ascertained to what extent people are indebted and how far this percentage enhancement will trench upon the necessities of life and whether there is any substantial rise in the standard of comfort of the ryots. That is the main question that is debated in this Council so often and I regret to say that this report is as defective as other previous reports, because there is absolutely no information with reference to these three taluks as to the state of things of the ryots. As to how such inquiry should be conducted, formed the subject of numerous resolutions. At one time several of my honourable friends proposed that it should be directed to the whole tract; then I believe the Hon'ble Mr. Rama Ayyangar suggested that it should be in the case of individual families and I believe the Hon'ble Mr. Krishna Rao wanted that it should be for typical villages. Especially looking at the fact that orders on this report will not be passed for some months as stated by Your Excellency because it requires investigation, I suggest that further inquiries be made on this important subject—the question of the indebtedness of the ryots. I have dealt on previous occasions with the inquiry made in Bengal with reference to a whole district. Honourable Members are aware of the publication by a member of the Indian Civil Service, showing the position in the district of Faridpur and I would recall that it is possible to do something of the same nature in regard to these three taluks. That is one important matter in which I would press for further information and further inquiry by the settlement officer."

"Another point on which I would like to say a few words is the general question as to whether, judging from what the Hon'ble Mr. Venkatapati Raju has referred to, judging from the emigration figures, the district can be said to be in a prosperous condition. I acknowledge, representing three neighbouring districts of Vizagapatam, that these districts are considerably

RESOLUTIONS RE RESETTLEMENT OF THE VIZAGAPATAM DISTRICT 1101 AND ESTABLISHMENT OF A BOARD OF AGRICULTURE.

5TH APRIL 1919.] (Mr. M. Ramachandra Rao; Mr. Venkatapati Raju; the President.)

benefited by the stream of immigration from Vizagapatam which began since the great famine of 1877. Since then, thousands of families have been coming in as agricultural labourers and settling down in these three districts much to the benefit of our districts and have been supplying greatly the agricultural needs of these three districts. I ask Your Excellency's Government, though we had benefited considerably in that matter, whether it is a healthy sign of the state of things in Vizagapatam. I know the district fairly well though not as intimately as my honourable friends, but I have absolutely no doubt that the district is absolutely poor and the people will take the earliest opportunity of clearing out to Godavari or Kistna or Guntur and earn a living either as agricultural labourers or setting up in course of time as small farmers. That is very much to their credit and their thrifty habits have made them very dear to the agriculturists of our district. While we have considerably benefited by this immigration, I cannot but assert with the greatest emphasis that I can that the state of things in that district is anything but satisfactory. The settlement officer ought to have looked at the question of emigration as having a bearing on the general condition of the district. That is the second defect which I may mention in regard to this report. We have mentioned this on previous occasions time after time, but settlement officers are pursuing exactly the same course and following exactly the same mechanical way of looking at this question. I think the time spent in criticising the report is absolutely useless. The time has come when Your Excellency's Government ought to make up your mind to issue supplementary instructions with regard to these matters on which we feel keenly and see that the economic condition of the tract which is proposed to be resettled is examined in these important matters."

"The Hon'ble Mr. Buckley referring finally to this question referred to the voluntary character of the composition for the second crop and he suggested that that concession would greatly benefit this district. Your Excellency, I am not quite prepared to say with the information published in this report, that it will be a real concession. Some figures are given as suggesting that the amount collected now as second crop assessment is Rs. 74,553 and the amount estimated to be collected on the voluntary basis of compounding the second crop is Rs. 56,000, a difference of about Rs. 16,000 or Rs. 18,000. I am not sure whether this is a substantial improvement in the position of these three taluks and I should like to see that this matter is further examined. It is quite possible that this figure of Rs. 56,000 stated by the Hon'ble Mr. Buckley is not a correct estimate, or is rather too hopeful a view of the situation. I do not see how the difference matters in this matter."

"I may finally bring to the notice of Honourable Members what the financial proposals are, how, taking the figures as a whole for these three districts, the ryots are affected. The present assessment is estimated at 4 lakhs and odd and the proposed assessment is Rs. 5,20,242. That seems to be the net result of these proposals and in view of these circumstances and the poverty of the tract and the infertile character of the lands as compared with other districts, I think there are very weighty considerations as to why a more favourable view should be taken."

The Hon'ble Mr. B. VENKATAPATI RAJU :—"In view of the expressions of the Government and the assurance that the various points urged upon the attention of the Government would be carefully gone into and as no orders are issued by the Government, I think I will be doing good to my district men by accepting the suggestion of Your Excellency not to press the point any further at this stage."

With the permission of His Excellency the President, the resolution was withdrawn.

His Excellency the PRESIDENT :—"Resolution No. XXI* is not to be moved. No. XXII may be moved. We shall adjourn for lunch."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"I do not propose to move No. XXIII."†

The Council then adjourned for a short interval.

The Council reassembled at 3 p.m. when the discussion on resolutions was resumed.

RESOLUTION RE ESTABLISHMENT OF A BOARD OF AGRICULTURE.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"Your Excellency, this resolution is in these terms :—

'XXII. This Council recommends to the Governor in Council that a Board of Agriculture be established for this province.'

"Your Excellency, perhaps Honourable Members are aware that in or about September 1918 the Government of India issued a circular to Local Governments which, in terms suggested for the consideration of Local Governments the advisability of the establishment of a Provincial Board of Agriculture in each province. The proceedings of the last meeting of the Board of Agriculture for India, the All-India Board, came up then under the consideration of the Government of India and their views were communicated to Local Governments. The Government of India

* The Hon'ble Mr. K. NADARAYA BHAT :—

XXI. This Council recommends to His Excellency the Governor in Council that necessary legislation should be undertaken to enable a tenant in the South Kanara district to set off payments by him towards assessment on the holding against rent due from him in all cases.

† Vide page 1104 infra.

1102 RESOLUTION RE ESTABLISHMENT OF A BOARD OF AGRICULTURE.

(Mr. M. R. Ramachandra Rao.)

[5TH APRIL 1919.]

then stated that the time has come when it is desirable that there should be some devolution and decentralization of the deliberations of the Agricultural Department. As regards the number and range of subjects dealt with in this department, they suggested that it might be desirable that in the major provinces at least a Provincial Board of Agriculture should be constituted which will meet annually and in which subjects of local interest will be discussed. 'On the research side', they proceed to state 'the sectional meetings of the Board of Agriculture, referred to in paragraph 5 of the circular of the 31st August 1918, will meet the case to some extent'. But they point out that there are many purely agricultural questions which are of essentially local importance arising in the province which would more successfully be dealt with by a Provincial Board and the Government of India invited Local Governments to consider the advisability of constituting such Provincial Boards in each province. One of the main reasons which they suggested for the formation of this Board was that the scope of these meetings might with advantage be extended and they suggested that non-official co-operation in agricultural matters would be valuable and they pointed out that to the Boards so constituted large landholders, representative agriculturists and others interested in the rural development should be invited. Your Excellency, the object of such a Board is not only to develop agricultural research and organize agricultural experiments in the districts but also to enlist the co-operation of those who are interested in scientific agriculture. Then the Government of India suggested that the questions relating to the provinces might be settled in these Provincial Boards and questions of more general importance might be settled by the All-India Board of Agriculture. The circular proceeded in terms to say that the Provincial Governments accepted this suggestion that the Agricultural Advisor to the Government of India might be occasionally asked to be present at these Provincial Boards so that they might have the benefit of his wider experience in the development of agriculture. I understand from the Hon'ble Mr. Rajagopala Achariyar that this matter was considered after the circular, during the last two or three months, and he has courteously placed at my disposal the views of the Director of Agriculture on which the Government came to the conclusion that for this province no Board of Agriculture was necessary. Honourable Members will see that the Government considered this circular of the Government of India issued in September and came to the conclusion on the 14th of December 1918, that 'in the circumstances reported by the Director of Agriculture, the Government agree that it is unnecessary to constitute a provincial Board of Agriculture in this Presidency and accept the Director's suggestions in paragraphs 6 and 7 of his letter read above'.

"I contest by this resolution the soundness of such a decision. I contend that the main object or one of the main objects of a Provincial Board of Agriculture—and I consider this to be the most essential feature—is to interest the agriculturists and the large land-owners in the scientific methods of agriculture and if any organization of that kind is constituted in this Presidency, it will be of the utmost advantage to the people of this Presidency. Honourable Members would remember that some years ago agricultural associations were formed throughout the province, but for some reason or other they have disappeared and the literature on the subject amounts to several volumes in the Board office or in the Government Secretariat. It was suggested at the time that it was an unnatural forcing of the interest of the public, that the public never evinced any interest in these agricultural associations, that they were mainly composed of persons who did not themselves carry on agriculture as a profession and various other circumstances of that kind were mentioned. I remember the question was more than once discussed when Mr. Hutton was Director of Agriculture. I was myself interested in one of these agricultural associations and it is hardly necessary to recall the failure of that movement at the time. But, Your Excellency, the whole question of agricultural development has received a further impetus from the Government of India and the wider organization of agriculture and the scope of agricultural associations have been so much developed that I think it would be a great mistake not to bring into existence an organization which would secure the active co-operation of the landed classes in this Presidency on some footing such as that suggested in this resolution of the Government of India. I have been careful to look at it from the standpoint of Mr. Stuart who says that he consulted all members of the Imperial Agricultural Service in the Province and discussed the matter with the staff at Coimbatore at a general meeting and at a special meeting; and the general conclusion to which he came was that there was no necessity for the formation of formal Provincial Board of Agriculture. He says that it will entail no small dislocation of the work of the officers concerned and the result will certainly be incommensurate with the time occupied. It is a proverb that 'one cannot expect a plant to flourish if one pulls it up by the roots too frequently in order to see how it is growing.' Your Excellency, I do not think that this conclusion of the Director of Agriculture could be supported. The main standpoint of the Government of India in the constitution of these Provincial Boards was to invite the co-operation and to secure the active support to modern agricultural methods of the landed classes; and that aspect has not at all been dealt with by Mr. Stuart. Of course the average official would have little to do with district boards and municipalities and taluk boards if he can help it, or with any form of association, with any other non-official organization such as this. The general average view is that it is an impediment and that it is far better not to have anything to do with it. Let us have our own way. We can do much better than any number of boards or advisers.' That is the point of view with which I have been very frequently familiar. Whatever may be the proposal, our standpoint is co-operation, active co-operation of the leading landed classes with the officials of the Agricultural Department. The officials of the Agricultural Department think that they can do very much better without the co-operation of the people and the landed classes. I am not at all prepared to accept that view. It will be the same, I expect, in any

RESOLUTION RE ESTABLISHMENT OF A BOARD OF AGRICULTURE. 1103

5TH APRIL 1919.] (Mr. M. Ramachandra Rao ; Mr. Rajagopala Achariyar.)

department. Therefore, this view that the officers of the Imperial Agricultural Service are against it is essentially unsound. In paragraph 4, Mr. Stuart says: 'At present, an informal agricultural conference is held every year at Coimbatore under the auspices of the Madras Agricultural Students' Union at the time of the College day.' I think college days are always matters of merry-making and so on—felicitous speeches at the beginning and at the end, plenty of sports and a good deal to roam about and so on. But whether this co-operation which the Government of India had in contemplation when they said that they should secure the co-operation of the landed classes would be secured, I do not know; I do not know whether Mr. Stuart was of the same opinion. He continues: 'To this conference the official visitors of the Agricultural College are invited and also other large landowners and persons interested in agriculture. Papers are read and discussions take place, but no formal resolutions are moved. I think that this meeting serves the purpose of keeping the department and large landowners in touch with each other and that it is not necessary to try and make it more formal.' The view of a co-operative conference on co-operative lines that has been referred to by the Government of India is also criticised in paragraph 5. Finally Mr. Stuart says that while he is against holding regular annual Provincial Board meetings, he is in favour of holding inter-departmental conferences when necessary to discuss special subjects. Here again he has missed the real point as to the constitution of the Board. While it is very good that departmental officers should meet and exchange views, it is also equally necessary that the public should be educated by contact with them, by consideration of their views, by their sympathetic treatment of the difficulties and grievances of the ryot, and by a general explanation of the attitude of the agricultural officer, in securing agricultural development. Inter-departmental conferences are certainly not the best means of doing this. One good result of inter-departmental conferences is travelling allowances, which is very good to draw for those who can do it. Your Excellency, I am not at all prepared to say that these inter-departmental conferences will not do any good. Certainly they may, but not in the direction which I wish to see pursued. Then Mr. Stuart says that at these inter-departmental conferences, questions such as those of irrigation, fuel and fodder, agricultural education, where the Public Works department, the Forest department and the Educational department are equally interested with the Agricultural, might be considered. Are all these subjects in which the ryot and landed classes are not interested? The whole trouble is that every department thinks that it must consult another department although the ryot is keenly interested in irrigation, in fuel and fodder, in agricultural education, etc. Therefore I should think that the actual reasons urged are not quite sound. Mr. Stuart also thinks that the departmental conferences deal mostly with questions of promotions and transfers of staff, departmental rules and practices and he thinks that inter-departmental conferences could not be expanded into general meetings. So that, these are the grounds on which Mr. Stuart has recommended that there should be no Board of Agriculture here.

"Perhaps Honourable Members would be interested to know that there is at any rate in the United Kingdom a Board of Agriculture which is a statutory body established in 1889 of which various officials and non-officials are always members. Its functions are statutory and the large number of agricultural questions with which this Board of Agriculture deals can be seen from the proceedings of this Board."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Are there non-officials on that Board?"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I assume there are some non-officials in the United Kingdom. My idea is that several gentlemen who are not in the service take greater interest in England in problems of agriculture than probably in this country and several questions relating to agricultural research are actively taken up by them and pursued. I hope in times to come our own landed aristocracy will take to the development of agricultural methods in the same way. Your Excellency, the duties of that Board are those that are transferred to the Board and they are: (1) The powers and duties of the Privy Council under the Contagious Diseases (Animals) Acts and the Destructive Insects Act, 1877; (2) the powers and duties of the Land Commissioners for England under all Acts relating to allotments, commons, Copy-hold, Drainage and Improvement of land, Inclosure, Metropolitan Commons, Tithe Rent Charge, Agriculture holdings, Conveyancing, Glebe land, etc. and the powers and duties of the Land Commissioners under every other Act whether general, local and personal or private and the powers and duties of the Commissioner of Works under the Survey Act, 1870, the Collection and Preparation of Statistics relating to Agriculture and Forestry, the inspection of and reporting on and aiding of any schools which are not public elementary schools, and in which instruction is given in any matter connected with agriculture and forestry and the aiding of the lectures or instruction in connexion with and the inspection of and reporting on any examinations in agriculture or forestry, and making or aiding in making inquiries, experiments or research, etc., for the purpose of promoting agriculture and forestry."

"So that it is a very comprehensive programme of work and it is placed on a statutory basis. Whether it is necessary to do so or not, here in this Province just now is a matter for consideration, and I for one will be satisfied if it is a Board constituted as stated here on an advisory basis, or if the Hon'ble Mr. Rajagopala Achariyar who is always keen that nobody should give irresponsible advice,—and advisory board in agricultural matters might be irresponsible—I certainly would not object to his placing it on a statutory basis as an administrative body. I leave it entirely to him, but I want this active co-operation between the

1104 RESOLUTIONS *RE* ESTABLISHMENT OF A BOARD OF AGRICULTURE,
MINOR SANITARY GRANTS TO LOCAL BODIES FOR TOWN
EXTENSION AND TRAINING OF MEDICAL OFFICERS IN THE
DIAGNOSIS OF TUBERCULOSIS.

(Mr. M. Ramachandra Rao; Mr. Rajagopala Achariyar; [5TH APRIL 1919.
the President.)

landed classes and the officers of the Agricultural department to be secured. One of the resolutions at the last Agricultural Conference at Ootacamund was that district boards should have an agricultural staff of district agricultural inspectors who should go about and disseminate information on matters relating to agriculture. That is one way of linking the organization of the districts, and as time goes on, it is possible that district boards may develop an agricultural side for the dissemination of agricultural literature, for carrying on investigation and experiment and actively helping the officers of the Agricultural Department. On these grounds I think, Your Excellency, it will be to the public advantage to have a Board of Agriculture in this Presidency. I have read in the newspapers that such a Board was constituted in the United Provinces. I think I am right, although I am not quite sure, I trust the Honourable Member would see his way to accept this motion."

The Hon'ble the Raja of Ramnad seconded the resolution.

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, after the very full treatment which this question has received at the hands of the Hon'ble Mr. Ramachandra Rao, there is very little for me to add except to say, as he has already pointed out, that this question was considered at length by the Director of Agriculture who reported to us quite recently, last September, that he thought there was no need for a Board of Agriculture like that. We issued the Government Order which was referred to by the Honourable Member and of which I furnished him a copy so as to enable him to deal with the question upon its merits. After hearing what he has said, without committing myself to any final decision on the matter, I am prepared to remit the question back to the Director of Agriculture for re-examination, and in connexion with that we would take note of the criticisms which the Honourable Member has offered on the Director's objections, and after the question is re-examined by the Director, I promise to look into the matter most closely and to give full consideration to what the Honourable Member has now said before I arrive at a final decision. But it is not possible for me to commit myself immediately to a reversal of what has been decided last December. The utmost that I can say is to promise a re-examination of the question with reference to what the Honourable Member has said. If that would satisfy him, I would suggest that he need not press this resolution to a division just now."

His Excellency the PRESIDENT:—"Is the Honourable Member prepared to accept it?"

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I do not wish to press this. I do not wish to force Government to come to a hasty conclusion in this matter."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION *RE* MINOR SANITARY GRANTS TO LOCAL BODIES
FOR TOWN EXTENSION.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"I do not propose to move resolution No. XXIII."

The resolution was not moved. The resolution ran thus—

"XXIII. This Council recommends to the Governor in Council that the minor sanitary grants to local bodies for the year 1919-20 should, as far as possible, be devoted to schemes of town extension and also for the acquisition by local bodies of land in the course of development."

RESOLUTION *RE* TRAINING OF MEDICAL OFFICERS IN THE
DIAGNOSIS OF TUBERCULOSIS.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"The resolution that I have the honour to move runs in these terms:—

"XXIV. This Council recommends to the Governor in Council

(a) that a scheme be devised for giving a training to medical men in the service of Government and local bodies in the diagnosis of tuberculosis; and

(b) that necessary funds for this purpose be found from the Provincial revenues."

"Your Excellency, there are a large number of special hospitals in Madras for the treatment of special diseases. There is the Ophthalmic hospital, there is the Maternity hospital, and there is now the hospital for the treatment of tuberculosis, and I think that it will be a great advantage to our medical men in the mufassal to undergo some training in these special branches of medical science which are dealt with in these hospitals. On a recent visit to the tuberculosis institute I found that cases have been coming from almost every district in the

RESOLUTION *RE* TRAINING OF MEDICAL OFFICERS IN THE 1105
DIAGNOSIS OF TUBERCULOSIS.

5TH APRIL 1919.] (Mr. M. Ramachandra Rao; Lieut.-Col. Niblock.)

Presidency and the district of Malabar and Madras furnished a great number of patients. I also found that the work done in this institution showed that it would be somewhat an advantage if our assistant surgeons and sub-assistant surgeons spent some time in this institution to pick up the main lines on which the work is being done in this institution. Some time ago Your Excellency was pleased to sanction a scheme by which some assistant surgeons in the mufassal undergo a training in ophthalmic surgery. These persons are posted to the districts and I understand they are doing very good work. Similarly, I think a course of training given to medical men in the service of Government and of the local bodies in this institution would be a great advantage in detecting cases of tuberculosis and directing the parties either to go to this institution or to prescribe to them the methods of treatment. If it is left purely to local bodies the subject is certain to be blocked up owing to financial difficulties. I think there should be some system of training for all assistant surgeons in these hospitals a system by which they can come and spend some time both in the Ophthalmic hospital and in this hospital and pick up experience and go back to the mufassal for treating such cases. It is on these considerations that I place this matter before the Council. I trust therefore that it would be possible to do something in the direction indicated in this resolution."

The Hon'ble Mr. A. S. Krishna Rao seconded the resolution.

The Hon'ble Lieutenant-Colonel NIBLOCK:—"Your Excellency, the resolution which has been put before the Council seems to me rather vague, and rather incomprehensible in a sense, in that it only mentions the diagnosis of tuberculosis. Diagnosis alone would not be of any great use to a medical man unless he knew how to treat the disease. And in this disease particularly it is very necessary for the medical man to know how to prevent the disease. Prevention of tuberculosis is much more important than treatment. Diagnosis alone is of minor importance. I take it that the Honourable Member includes treatment when he speaks of diagnosis. I quite agree with the Honourable Member that training is necessary as regards tubercular disease, but at the same time I should like him to understand that all the medical men in this Presidency who are either in Government employ or in the service of local bodies have had a very thorough training in tubercular disease, not only in diagnosis but also in the treatment of the disease. He wishes the treatment to be carried out in the special hospital and he refers to the treatment carried out in the Eye hospital and in the Maternity hospital. As a matter of fact the treatment of tubercular disease at the present time in most parts of the world is carried out in General hospitals. The time certainly is coming when tuberculosis will be treated in special hospitals, and a large number of special hospitals are already in existence at the present time. But my point is that at present our medical men do get a thorough training in the diagnosis and treatment of tuberculosis. They learn that chiefly in the Madras General Hospital. That is the case as regards University students; they learn in the General Hospital. I have got figures for the past five years which go to show that on an average no less than 400 patients suffering from tubercular disease are admitted, and in this connexion I should like to draw attention to one point, and that is that these cases are chronic; and each of these cases remains in the hospital for a much longer period of time than people suffering from ordinary diseases. Therefore, every student has ample opportunities not only of diagnosing but of watching the treatment of this disease. I am speaking now of the in-patients, but in addition to that, a large number attend as out-patients; and here also the student is taught to diagnose in the out-patients' department."

"We all know what students are. We have been students ourselves, and the main object of the students is to pass the University examination. They do not worry themselves about what is to happen after they are qualified. But the main thing is to pass the examination. To get to know tuberculosis it is necessary that they should pay special attention, and to do so, we have made a special point at every examination in connexion with the University and at all the Board examinations of asking questions on this particular disease, either on paper or in the clinical examination, or in giving cases in the ward for diagnosis, or in the oral examination. I know that because I have been an examiner of the University myself; for the last twenty years, off and on I have been on the Board of Examiners and I know that personally to be a fact. This keeps the students up to the mark much more than they are likely to be in after life, human nature being what it is. Not only do students get this thorough grounding in the diagnosis and treatment of this disease in the General Hospital and in the Medical College, but they also undergo a similar training in the different medical schools in this Presidency."

"Then an equally important point, a point to which the Honourable Mover of the resolution wished to draw my attention, was post-collegiate training in tubercular disease. Unfortunately the war has interfered with this, as it appears to have done with a large number of questions brought up before this Council. We have been interfered with by the war not from the financial point of a view, because Government have been always willing to finance us as far as we have asked for in connexion with this, but unfortunately we have not got the men to teach. A very large number of our graduates have gone to the front, the sub-assistant surgeons and assistant surgeons in the service have been very much depleted and in fact we have been working short-handed for many years. It is on this account that proposals for a special post-graduate course have not yet come into effect in Madras. In the year 1913 everything was arranged, the curriculum was drawn up and everything was settled to give a thorough post-collegiate training to medical practitioners; they were to be taken up each year from the

(Lieut.-Col. Niblock ; Mr. Rama Ayyangar.)

[5TH APRIL 1919.]

mufassal and to get a thorough grounding not only in tubercular disease but also in the more important diseases. But unfortunately the war stopped us. We sent notices to the different district medical and sanitary officers and the civil surgeons asking them whether any men could be spared for this course, and we got the same answer from all of them, that every man in the district was wanted, and so we had to abandon the proposal of a post-collegiate course for the time being. But a short time ago, now that the war is over—I hope that the war is over—the curriculum was drawn up, on the 31st of March. This is a time-table for the post-graduate course. It is to begin this year and it is to extend through the months of October, November and December; it will be every day in a week except Sunday and it will last from 7 a.m. till 5 p.m. These practitioners will not only attend to the treatment of tubercular disease, but they will attend the Maternity hospital, the Ophthalmic hospital, lectures on medicine, lectures on surgery, lectures on hygiene, lectures on other subjects, and they may attend demonstration classes, the out-patients' departments of the different Government hospitals in Madras, they will also have a special course of post-mortem examinations. By the time the course is over, I think most of them will require a holiday. I think, Your Excellency, this is the correct way of giving the course. I have had a good deal of experience for the last 20 years in hospitals and in the Medical College, I know the students pretty well, I know their capabilities pretty well, and also the capabilities of these graduates, and I am absolutely certain in my own mind that this is the correct method to train medical practitioners. This is the way in which they are trained in England. This is the way in which I underwent the post-graduate course myself. I did not attend one hospital for tubercular disease.

"I am certain that if an ordinary practitioner attends a special hospital for one or two months in which he sees practically nothing but one disease, tubercular disease, he would ordinarily—there are exceptions—get so obsessed with that one particular disease that he will diagnose a disease as such though there is really no such disease. That is the reason. I do not know whether I am giving away a secret, but we always think that if a person is ill, the proper person to go to is the general practitioner and not a specialist, because there is always the risk of the specialist working the symptoms in, to suit his own particular disease. I do not say that he does it for the sake of profit. But he gets so obsessed with this particular disease, and human nature being what it is, all the ailments to which human nature is subject are attributed to the disease with which he is very largely familiar. I am quite sure that that will be the case. Then again, suppose we do send these men to Madras, and give them a training in important diseases including tuberculosis; if you speak to Dr. Mhasker who is at present experimenting on hook-worm he would desire that they should have a training in that; and Dr. Gibson of Guindy would say, they do not know much about vaccine and that you must certainly have vaccine as part of the curriculum. Colonel Cornwall wanted last year numbers of men to be sent to Coonoor to learn the treatment of rabies. And recently venereal diseases have taken the front place and we are told that all medical men should have a special course in venereal diseases. If all medical men get special courses in all these diseases, the result will be,—we are always discovering new diseases—that they will have no time to treat the patients. Sometimes this may be to the benefit of the patients, but not always so. I quite agree with the Honourable Member that medical men not only during the student career but also during the post-collegiate career should have an opportunity of studying tuberculosis, its diagnosis and treatment by up-to-date methods, but I would also add to it that they should also be taught the diagnosis and treatment of other diseases which I consider equally important. I know I have been self-sacrificing, I have not mentioned any single disease in the surgical list,—I can give a list—in which a special course might be considered necessary, and with equal reason.

"Your Excellency, if you will allow me to make a slight digression, there is one point that I should like to mention which I consider of great importance just now and which the Government consider of very great importance at the present time, and that is as regards the medical inspection of school children. Government have ordered that children in different educational institutions in the Presidency ought to undergo periodical medical inspection. I think the idea is a most excellent one and I think it will have a great effect in helping to stop the spread not only of tuberculosis but also of many other diseases. I attach very great importance to this medical inspection of the boys provided it is properly carried out. At present arrangements are being made for carrying it out. There I think a special training would be very useful as regards the best method of examining children. The training need not take a long time. An extra hour may be given to those practitioners who are coming up for three months' post-collegiate study.

"I will say in conclusion that I agree with a great deal of what the Honourable Mover of the resolution has said, and I think that a scheme has been already devised for giving training to medical men in the service of Government, and of local bodies, not only in the diagnosis and treatment of tuberculosis but also in the diagnosis and treatment of other diseases of equal or at any rate almost equal importance. At present, the expenses are being met from Provincial revenues."

The Hon'ble Mr. K. RAMA AYYANGAR :—"Your Excellency, after hearing the most excellent and satisfactory statement made by the Hon'ble Mr. Niblock I only want to say one word. I think the boards and municipalities have had to engage the services of private practitioners also and they have been taken on conditions which the department have laid down. I only

5TH APRIL 1919.]

Mr. Rama Ayyangar ; Mr. M. Ramachandra Rao ;
the Raja of Ramnad.)

request that till this course is being taken by the whole of the medical practitioners now available, even though the war does not demand so many men now, those that have been taken into the service for the period of the war may be continued till this kind of instruction is given to all the medical practitioners. That is the only suggestion I wish to make."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"Your Excellency, I am greatly obliged to the Hon'ble Colonel Niblock for the extremely interesting speech he made in answer to this resolution. That portion of it which referred to the special bias of the specialists and the experts is one that appealed to me more than any other thing. In one sense, every one of us is a specialist. Frequent references are made in this Council to the businessmen and the lawyers. I always feel that the Hon'ble Mr. Thonger should know a little bit of law and I dare say he feels that I should know a little bit of business. The truth of the statement is quite clear. As the Hon'ble the Surgeon-General has pointed out, probably even in the field of medicine this particular bias of the specialist will sometimes result in a little bit of imagination, as he put it, in the diagnosis of diseases. He says that a post-graduate course is already under contemplation. I certainly would not press the resolution. I was thinking of the men now, in service in the mufassal who have no opportunities of acquainting themselves with the latest methods in the diagnosis and treatment of these special diseases. Those opportunities are available in Madras and I wanted to bring this matter to the notice of Your Excellency's Government, so that a scheme may be devised. As a scheme is under consideration, I withdraw my resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE COMMITTEE TO INQUIRE AND REPORT ON THE
OPENING OF NEW POLICE STATIONS.

The Hon'ble the RAJA OF RAMNAD :—"Your Excellency, the resolution, which I have the honour to move, runs as follows :—

'XXV. This Council recommends to the Governor in Council that a Committee of officials and non-officials be appointed to inquire and report at an early date, as to in what all places new police stations should be opened in this Presidency.'

"A resolution moved in this Council in March 1915 by the Hon'ble Mr. Rama Ayyangar ran almost similar to the one which I am now placing before the Council, but covered a wider ground. But at that time, Sir Harold Stuart thought that no inquiry of the kind suggested was necessary, and that all that could be done was being carried out as per directions contained in the Police Commission Report, and that it would be premature to upset the introduction of those improvements by appointing another committee. This is a brief review of the discussion that took place at that time. The work of reallocation of police stations began, I believe, in the year 1906 and was completed in the year 1916. In answer to a question put by the Hon'ble Mr. Venkatapati Raju in the February meeting of this Council last year, the Government replied that the 'reallocation of police stations in all the districts in this Presidency has been completed, and the Government do not anticipate any appreciable addition to the number of stations in the near future.' But circumstances have radically changed since 1916, and therefore it is that I am here to-day with this resolution.

"We have something like 975 police stations and 372 outposts in this Presidency which is 142,322 square miles in area. I don't think I need reiterate the various arguments raised in support of an investigation of the kind now asked for, as the Hon'ble Mr. Rama Ayyangar and those who followed him in 1916, had very nearly exhausted all the arguments that could be said in its favour. On a later occasion, I have shown how the Sub-Inspector in charge of a police station is overworked and how it must be physically impossible for any officer with such multifarious duties to effectively carry on the duties of a police officer, and that, over a very large area under his control. I must at once say that the location of police stations at present is highly unsatisfactory. To a question put by the Hon'ble Mr. Rama Ayyangar at this meeting, the Government have answered that there is no proposal under consideration for adding outposts and police stations to the existing ones in the Ramnad district. This is indeed a very disquieting news. I shall, therefore, just endeavour to give some particulars regarding the Ramnad district. Till recently, a village, which is not two miles from Ramnad, was under the control of the circle inspector of Sivaganga who, to visit the place, would have to travel 59 miles by road before he could reach it. That village was under the jurisdiction of the police station at Paramagudi, and the Sub-Inspector could never visit the place unless he travelled some 25 miles by road. I can give several instances of this kind from my own personal knowledge, and I do not think these facts can ever be controverted. During the recent economic edge, and the sense of insecurity felt by the public, I think, is within the knowledge of the Honourable Members of this Council, and the scare of looting and plunder was indeed very great in some of the southern districts. Particularly in Ramnad at that time, we had the most unfortunate Kamudi riots which engaged all the available police, leaving other areas practically unprotected. Thousands of cattle have been stolen and several cart-loads of grains have been

1020 RESOLUTION RE TRANSLATION OF THE PROCEEDINGS OF THE
LEGISLATIVE COUNCIL.

(Mr. Todhunter; the President;
Mr. M. Ramachandra Rao.)

[3RD APRIL 1919.]

been said in support of my case. I do not want for a moment to depreciate the demand for political education, but I do not think this proposal is the right way to go about it.

"I should like to refer to one other matter before closing. The Hon'ble Mr. Narasimha Ayyar said that he could translate his book into Tamil in a fortnight; but he did not do so because it cost him Rs. 1,000. If he thought that Tamil was the language of his constituency, why did he publish it in English at all?"

His Excellency the PRESIDENT:—"I may say a word or two before I put this resolution. It seems to me that it is a practical question whether it is worth while. I should not like it to go out to the public that the Government in any way want to keep back from those who know only the vernaculars—to keep back from them what is said in this Council, either to disguise their own attitude or the views of Honourable Members who oppose them. It ought to be within the knowledge of every one that that would not be a true statement of the attitude of the Government. It is merely a question whether it is worth while and from that point of view, I cannot help thinking that there is some force in the example of the Hon'ble Mr. Narasimha Ayyar, who as a prudent man did not think it worth while to go to the expense of publishing his book in Tamil. The Government should follow a practical prudent man like the Hon'ble Mr. Narasimha Ayyar and consider whether it is worth while spending money. After all, the money is not that of the Government, but it is the money of the tax-payers. Is it necessary in the interests of tax-payers to have these debates published in the chief vernaculars? Though the municipal proceedings are published, I do not think the speeches are published. What is published is merely the resolutions. Might it not be a feasible solution of the difficulty and meet the views of the Honourable Member as well as those who support the resolution that if any particular matter is so important, say a debate on the food question which is universally important, the publication of a translation of it might be specially moved? The Hon'ble Mr. Ramachandra Rao has himself said that to publish everything is a serious waste of money and I do not think the Council would be well advised in voting for this resolution."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"May I offer a personal explanation? In suggesting an abridged edition I was going on the practice in the Hansard where except the speeches of the Members of the Government and the leaders of the opposition the rest of them is abridged. In making that suggestion, I was really guided by precedents elsewhere and it was not with a view to cut down important speeches."

The resolution was put to the Council and lost.

The Hon'ble Mr. B. V. Narasimha Ayyar demanded a poll which was taken with the result that 11 voted *for* and 25 voted *against* it. The following was the division:—

<i>For</i>	<i>Against</i>
The Hon'ble Rao Bahadur V. K. Ramanuja Achariyar.	The Hon'ble Mr. L. Davidson.
" Diwan Bahadur M. Ramachandra Rao.	" Mr. C. G. Todhunter.
" Mr. P. Siva Rao.	" Mr. N. E. Marjoribanks.
" Mr. K. Rama Ayyangar.	" Mr. A. Y. G. Campbell.
" Mr. K. Sadasiva Bhat.	" Diwan Bahadur R. Ramachandra Rao
" Mr. B. Venkatapati Raju.	" Mr. W. Hutton.
" Mr. C. P. Ramaswami Ayyar.	" Mr. W. J. J. Howley.
" Mr. K. Chidambaranatha Mudaliyar.	" Mr. S. Srinivasa Ayyangar.
" Mr. A. Suryanarayana Rao.	" Diwan Bahadur P. Rajagopala Achariyar.
" Mr. A. S. Krishna Rao.	" Mr. A. F. G. Moscardi.
" Mr. B. V. Narasimha Ayyar.	" Mr. L. E. Buckley.
	" Lieut.-Col. W. J. Niblock.
	" Mr. H. G. Stokes.
	" Mr. L. T. Harris.
	" Mr. R. B. Wood.
	" Khan Bahadur Aziz-ud-din Sahib.
	" Mr. T. Richmond.
	" the Raja of Bobbili.
	" the Zamindar of Seruguda.
	" Diwan Bahadur A. Subbarayalu Reddiyar.
	" Sir Francis Spring.
	" Mr. R. Littlehales.
	" Sir Fairless Barber.
	" Mr. J. H. Thonger.
	" the Most Rev. J. Aalen.

RESOLUTION RE IMPROVEMENT OF THE ACOUSTIC PROPERTIES OF THE COUNCIL CHAMBER AND FACILITIES FOR THE ATTENDANCE OF REPRESENTATIVES OF VERNACULAR DAILIES. 1021

3RD APRIL 1919.]

(Mr. Narasimha Ayyar.)

RESOLUTION RE IMPROVEMENT OF THE ACOUSTIC PROPERTIES OF THE COUNCIL CHAMBER AND FACILITIES FOR THE ATTENDANCE OF REPRESENTATIVES OF VERNACULAR DAILIES.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, the resolution that I have the honour to move runs in these terms—

'VI. This Council recommends to His Excellency in Council that a committee composed of officials and non-officials should be appointed to devise and recommend measures

(a) for speeches made in the Council being better heard, especially by the public in the balconies of the Council;

(b) for greater provision of space and facilities for enabling more vernacular dailies to send their representatives to attend and report the Council's proceedings;

(c) for facilitating the meeting of non-official members and working in connexion with public business on days when the Council is not sitting; and

(d) for the avoidance of reduplication of questions and resolutions at the same meeting and to remove other similar defects in the working of this Council.'

"This resolution conveys a recommendation which, I believe, has at any rate the merit of not committing the Government to any very large item of expenditure. The matters recommended relate to a number of details, some of which may appear at first to be too trivial for the notice of this august assembly. However as everything contained in this resolution is intended to improve the work of this Council, I hope that this Council will give me a patient hearing for a few minutes when I draw attention to one detail after another and point out what exactly is intended to be recommended in this resolution.

"In the first place, I pray for a committee consisting of officials and non-officials because various suggestions may be put forward by the Council some of which would be acceptable and some not acceptable, some costly, some not costly. Therefore a committee has been suggested as the best means of solving the problem.

"Then I proceed to the work of this committee. They must 'devise and recommend measures for the following purposes'. The first is 'for speeches made in this Council being better heard especially by the public in the balconies of the Council.' The acoustic properties are my first grievance. I have frequently discovered that people on the opposite bench especially when the Hon'ble Mr. Ramanuja Achariyar speaks have to strain every nerve to catch him. The same is the case when I have to hear the Hon'ble Mr. Siva Rao and some other gentlemen. I must confess that I have several times failed to catch what all of them say. It is not all that possess the most powerful lungs that some of us may boast. But I think a Council of this sort must be so arranged that every one should be able to hear every one else. I need not labour the point when I say that many of us sometimes miss what is being said; the records of this Council bear witness to that. On one occasion an Honourable Member speaking on behalf of the Government actually accepted a resolution of mine; but I was under the impression that he opposed it and I got up and said that I withdrew it, because I thought there was some assurance. The reporters were horrified and some of my friends were horrified. Then I was taken to task, that the Hon'ble Mr. Buckley actually accepted it. Then it was a surprise to me that the acoustic properties were so bad that I had been misled into thinking what was accepted as being opposed. I think there is nothing to compare to the misunderstanding caused by the defective acoustic properties.

"The first portion is with regard to members hearing each other. The second portion is with regard to the public following. It is not sufficient that persons are able to read what newspapers say immediately or see what is stated in the Gazette a long time after the meeting. It is of the utmost importance that if any one of the public wishes to follow the debate and give instructions to the representatives, so that the views of the constituency may be properly represented in this Council, facilities should be afforded. I would request Honourable Members who think of opposing this resolution to get up into the balcony and see if they can hear me. It is not in a uniform key or pitch of voice. Sometimes in the heat of emotion, we lapse into inaudibility. When the time limit is going to be applied, the speech is hurried at a rapid rate and unless people are sufficiently near, they cannot hear what is going on. All things considered, it is of the utmost importance that the public should be able to hear what goes on. I do not think there can be two opinions on the necessity for providing the hall with proper acoustic properties. This reminds me of the objection which may savour of the early Roman days when legislation was in the hands of the aristocracy and the Plebeians wanted to know the laws, they presented real obstacles. They said, 'you wish to know the laws and it shall not be a private monopoly.' But they perched the law so high that the people could not see it. Similarly you have provided balconies from which the public cannot hear anything. The analogy strikes me as somewhat close. There is an important difference that the Roman aristocracy deliberately intended to cheat the Plebeians, whereas here we have no such intention. I wish to point out

1108 RESOLUTION RE COMMITTEE TO INQUIRE AND REPORT ON THE
OPENING OF NEW POLICE STATIONS.

(The Raja of Ramnad.)

[5TH APRIL 1919.]

way-laid. The police were absolutely unable to cope with the situation, and one main cause for all that had happened is the abolition of police stations in very many important centres. Of course, in this Council it will be easy for the Government to say that they don't agree to such a conclusion; but I know that they must have received reports from the District Superintendents of Police and other officials regarding the inadequacy of police stations, and particularly of not locating them in suitable places. During the looting scare, I know from personal experience, that people in villages kept awake the whole night for fear of onslaught from the looters. The looters, as a matter of fact, used to visit the villages during the day and levy black-mail, failing which they used to threaten the villagers with an attack that night for carrying away their properties. In several places it has so happened, and I give an instance below to show how the allocation of police stations at present is absolutely unsatisfactory. There is a village known as Uttrakosamangai seven miles to the south of Ramnad, and the magisterial jurisdiction is with the Sub-Magistrate of Ramnad; but it belongs to the police station seven miles further to the south. One evening, all of a sudden, the Sub-Magistrate got a report,—and so did I—that a large band of looters had visited the village that evening, and having failed to levy black-mail, had announced their intention of raiding the village that night at 9 o'clock. I sent the report to the police station and to the Sub-Magistrate; the police said that it was in the jurisdiction of the station at Sikkal, fourteen miles off from Ramnad. I presume the magistrate could not do anything except forwarding the same through a special messenger to the police station at Sikkal. By the time the messenger reached, it would have been very nearly midnight; in the winter season, access to the place is still more difficult for want of good roads, and wet fields and irrigation channels being numerous on the way. In any case, the police from Sikkal could not have reached Uttrakosamangai before the following morning, which would have been a day after the fair. Uttrakosamangai is a place where there was a police station till the reorganization came into force. There was another police station at Kilakarai which is only five or six miles from Uttrakosamangai. There was also a police station at Kodikulam where, I think, the greatest havoc was played during this time upon cattle. All these stations have been abolished. There was a station at Bogalur which too has been abolished, and which was within a distance of five miles from Uttrakosamangai. So, you now see, sir, that the abolition of police stations in very important centres has contributed much to this looting scare. The District Magistrate, in spite of his very earnest endeavours, could not effectively check the spread of this looting scare at the very outset for want of these police stations. From Ramnad to Rāmēsvaram, a distance of some forty miles, there is no police station. In Pamban, I presume there is an outpost; but I must say that these outposts are not of much use in effect. The necessity for having more police stations has considerably increased owing to the economic distress now prevailing in this Presidency. In the Kamudi side, a number of police stations have been abolished. From Kamudi and Mudukulattūr tracts, come large numbers of criminals, and in spite of this obvious fact, the police stations have been abolished. Of course, I have no particulars regarding the sufferings in this respect of other districts; but I have not the slightest doubt that in other districts also there exists this complaint, and Honourable Members representing those districts here will bear me out when I say that the absence of police stations in important centres is nothing peculiar to this district, but is a complaint concerning the whole Presidency.

"In the matter of administration of police stations and investigation of crimes, we want some reform. There ought to be a separate agency in each district for the investigation of crimes which, year after year, are seen mounting up. During the looting scare, on an intimation from the village headman of Uttrakosamangai, that a large band of men had assembled outside the village with a view to loot their houses that evening, I had to send a special messenger on horse-back to find out if that was true, because no policeman in the Ramnad station would go to that village as it belonged to Sikkal jurisdiction. In these circumstances, sir, I ask the Government if it can be contended for a moment that there does not exist sufficient reason for the appointment of a committee to visit various centres in this Presidency and inquire officials and other prominent men regarding the reallocation of police stations. Even if the reallocation should involve an additional expenditure of a few more lakhs, I submit, it would indeed be money well spent. Of course, if there was what is known as a village police, about which there has been a good deal of discussion in this Council, especially by that police reformer, the Hon'ble Mr. Rama Ayyangar, I should not think that any reallocation on a large scale would be necessary. But in its absence, if there should be no reallocation and addition of police stations, I am afraid, the Government will, before long, have to regret very seriously their failure in this respect. The very presence of police stations in central places prevents criminals from resorting to violence and committing crimes, and therefore I would earnestly request the Government not to hesitate to appoint a committee as requested in this resolution, which, I once again assure the Government, is so much needed for creating a sense of security in the minds of the people. The appointment of a committee to investigate the reallocation of police stations will not, I submit, be uprooting what was done till 1916, but will only be to make a thorough and more satisfactory scrutiny regarding the location of police stations.

"With these few remarks, I beg to commend this resolution for the acceptance of this Council."

RESOLUTION RE COMMITTEE TO INQUIRE AND REPORT ON THE 1109
OPENING OF NEW POLICE STATIONS.

5TH APRIL 1919.]

(Mr. Ahmad Tambi Marakkayar; Mr. Davidson;
Mr. Rama Ayyangar.)

The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR:—"Your Excellency, the Honourable Mover of the resolution has stated the matter so clearly that I do not think I have much to say. However, I should like to say a few words in support of this resolution. Since the introduction of the circle inspector system, several minor police stations were abolished and the present administration of the police is unsatisfactory. In the recent looting, the necessity of police *bāndobast* was keenly felt. I consider that the appointment of a committee consisting of officials and non-officials to inquire into and report on the whole question is a sound idea. With these remarks I second the resolution."

The Hon'ble Mr. L. DAVIDSON:—"Your Excellency, I am afraid that in regard to the question of a general investigation I must adhere to the position taken up by Sir Harold Stuart in 1916, namely, that it is premature to undertake any such inquiry throughout the Presidency. It must be remembered—the Hon'ble the Raja himself has admitted it—that it was only in 1916 that the allocation of police stations as based upon the proposals of the Police Commission was actually completed. That allocation was the result of a thorough and prolonged examination founded upon elaborate scrutiny of administrative needs, geographical factors, distribution and criminality of the population and a variety of other factors which come into the decision of such questions. It is not claimed on behalf of the Police Department that the existing allocation is in any way perfect. Far from it. The Government have received a variety of proposals at one time or another from district officers and from the Inspector-General of Police for modifications. But the policy adopted has, I think, rightly been to discourage the perpetual alteration of existing arrangements until they have been tried sufficiently long for it to be safe to infer from practical experience that they are unsatisfactory and really in need of change. The Hon'ble the Raja has referred to various previous discussions and questions in regard to this matter. The latest instance which he cited was the answer given to question No. 24 at this meeting put by the Hon'ble Mr. Rama Ayyangar. Comparing that question with the resolution of the Hon'ble the Raja, it occurred to me to wonder whether the resolution was not a case of generalizing from the particular instance of Ramnad. The answer given by Government to the Hon'ble Mr. Rama Ayyangar is 'No such proposal is under consideration.' That is perfectly true so far as the Government are concerned, but after that answer had been settled, I referred to the Inspector-General of Police and also looked up the earlier history of the case. I found that in 1914 the Superintendent and the District Magistrate specifically proposed substantial changes in the police arrangements of the Ramnad district. The Inspector-General held them up on financial grounds. He found that the proposals put forward involved the creation of two additional circles, four new stations, three new outposts and additions to the district strength of two inspectors, seven sub-inspectors, 16 head constables and 59 constables. This Council is well aware of the dead set which some of its members usually make to any increase in the police staff and I cannot blame the Inspector-General of Police if he attached importance to the financial consideration, especially as the great war was then only beginning, and adopted a course which undoubtedly was in consonance with the wishes of the Government of India and the Government of Madras and endeavoured to pursue a policy of economy. He sent back instructions to the Superintendent to modify his proposals and recommend only such of them as were imperative and could be carried out without much expenditure. The result was a revised proposal involving the creation of new outposts and additions to the police stations in the Tiruppattur circle, the special policing of the Chettinad, the transfer of a police station from Pamban to Rāmēsvaram, which was considered to be a growing need and other transfers of stations designed to make the Ramnad circle more compact. I cannot pretend to go into details of this revision but the proposals did represent a measure of reform and they were sanctioned by the Government in March 1916. Admittedly, according to the views of the officers of the department and the District Magistrate, this reform did not meet the full requirements of the case. The Inspector-General of Police, when I referred my question and answer to him for remarks, replied to me that he has now asked the Deputy Inspector-General of Police to look into the matter and to submit any proposals which can be made without involving much additional cost; obviously I could not encourage him to be extravagant. If the Hon'ble the Raja of Ramnad will give the Deputy Inspector-General and the local officers the advantage of his advice as based on personal experience gained during the recent looting, I am sure they will be only too ready to take it into consideration.

"This particular case really sums up the general attitude of the Government. It is that we cannot so shortly after the completion of a re-allocation based upon the inquiries of the Police Commission take up the matter of general revision, recognizing as we do that any general revision will entail a very large cost indeed. But we are prepared in particular cases to consider the need for revision if it has been demonstrated by sufficient practical experience. There is no reason to suppose that the Superintendent of Police and the District Magistrate and the Deputy Inspector-General will not fully consult public opinion, local public opinion, in these matters. But I do not think Government would be acting wisely in stimulating proposals of this description in every part of the Presidency by the creation of a roving commission of inquiry. For that reason I am bound on behalf of Government to oppose this resolution."

The Hon'ble Mr. K. RAMA AYYANGAR:—"If the Hon'ble Mr. Davidson had inferred from my question and the Hon'ble the Raja of Ramnad's resolution coming up at the same time in this Council, I can assure him that the two things came on quite independently."

1110 RESOLUTION *RE* COMMITTEE TO INQUIRE AND REPORT ON THE
OPENING OF NEW POLICE STATIONS.

(*Mr. Davidson ; Mr. Rama Ayyangar.*) . [5TH APRIL 1919.]

The Hon'ble Mr. L. DAVIDSON :—"My surmise was merely that both the proposals originated in a common cause, the inadequate police arrangements of the district of Ramnad."

The Hon'ble Mr. K. RAMA AYYANGAR :—"Absolutely so. It so happened that the two things have proceeded independently from independent sources. However I am more concerned with the statement made by the Hon'ble Mr. Davidson to-day. The question is, he thought that the general investigation was opposed and this question of the stations was settled and this was treated as premature. I would invite his attention to the discussions on the previous occasion. I do remember that Sir Harold Stuart thought that the question of posting stations was still going on and he said that the question of allocation of these stations would be considered as far as was necessary. In fact the determination of the Police Commission was to abolish police stations as much as possible, giving on an average about 120 to 150 square miles of area for each police station, it being arranged that the sub-inspector shall be in charge with a higher pay and that the village police will be increased or strengthened so as to afford perfect safety to the villages also. That question, as was pointed out by the Hon'ble the Raja of Ramnad, could not be settled soon, though it is under contemplation, and village police have not been strengthened as the Police Commission expected they would be. Naturally, in the interim, nothing could be done to go against the plan that was adopted by the Police Commission, so that, I agreed on that occasion with Sir Harold Stuart that till the strengthening of the village police came in, it was necessary that this lower number of police stations should be kept up, but it was necessary to see that these stations were posted at the proper places. The question was being considered, the Superintendents were being written to and the whole matter had not settled down. But what I do find is that in reply to my question even then, the question of 995 police stations was settled, and the question of outposts, about 370, was settled, and the permanent allocation of police stations had not been really disposed of. If I remember right, I was then told that the Tanjore District Superintendent of Police and some others were communicating with the Government that certain stations will have to be permanently posted in places other than those where they were posted. I refer to this, so that the Hon'ble Mr. Davidson may go into it completely and satisfy himself that that was the state of affairs when this discussion took place in this Council. In fact, the question is not one that has been settled. That is my humble submission. That was the biggest question that was necessary to be considered. It is not that every District Superintendent of Police has agreed that the posting of stations had been all-right. There were reports made and there were instructions given, but the only point that was then contested was that within a few years of the Police Commission there could not be a committee of officials and non-officials to consider the eight or nine heads, that, I said, would have to be considered by that committee, and it was agreed that this portion would be looked into. The Hon'ble the Raja of Ramnad proposes—as I said, I would not have proposed it in the same fashion as he proposes—that a committee of officials and non-officials should be appointed to inquire and report at an early date as to in what places new police stations should be opened in this Presidency. I would prefer that one officer is put on special duty with power to co-opt members, important non-officials in each district and the Deputy Inspector-General of each division, to go into this matter and report at an early date. It is not necessary that there should be any special committee more than that an officer is put on duty with power to him to add one or two members in each district to find out how this might be done. This matter becomes more important in this way.

"The main question is the question of cost that has been raised by the Hon'ble Mr. Davidson and rightly. Probably it might appear from the speech that he made that we have been insistently arguing all these years from the year 1914. I am quite of another opinion. The Police Commission which examined the strength of the police and the cost of the police fully well went into it, and from 36 lakhs which was the charge in 1895-96 when the Police Commission sat, they came to the conclusion that 63 lakhs would have to be spent on the Police department after the reorganization, and the total strength inclusive of constables, head constables, sub-inspectors and inspectors and all other staff came to 27,000 as was then estimated. We have now gone up to 36,000 and our cost has gone up from Rs. 63 lakhs to Rs. 126 lakhs; and excluding village establishment which has been tacked on at a cost of Rs. 16 lakhs, we will find we have risen from Rs. 63 lakhs which was the utmost that was expected to be reached by the Commission to Rs. 110 or 112 lakhs. That is not the main point, but the one point raised by the Hon'ble Mr. Davidson was that in Ramnad they proposed a staff which would add to the expenditure of the Police department and that would practically bring us to this inconsistency. It is that which brought us to this point. In fact, I have no doubt that when they determined the police force for the province, they took everything into consideration and fixed it at 27,000, but what we have actually done is we have gone up to 36,000 inclusive of the temporary force. It is not that this force cannot be sufficient for this province. There is no doubt that this force is not rightly distributed. It cannot be contended that the Police Commission did commit mistakes, because I have thoroughly well gone into this matter and I am perfectly convinced that 27,000, if properly distributed, would give the necessary force. That is my contention in this Council, but the present force of 36,000 is not sufficient. I want that a police officer is put on special duty to take into consideration any readjustment of the police force in the several districts; and if each Deputy Inspector-General finds out for his own jurisdiction the police that is available or necessary for ordinary purposes of merely guarding duty and of the police needed for the detective and preventive and other

RESOLUTION *RE* COMMITTEE TO INQUIRE AND REPORT ON THE 1111
OPENING OF NEW POLICE STATIONS.

5TH APRIL 1919.] (*Mr. Rama Ayyangar ; the President ; Mr. Krishna Rao.*)

duties, and if we post for each district a certain number, he will be able to see that the strength is not insufficient, but that it is more than what is needed and that the expense is unnecessarily incurred. That is my submission and I am prepared to place before such officer anything necessary to show that what I say is correct. I would refer the Hon'ble Mr. Davidson to the tables that are attached to the report of the Police Commission which worked in detail the number of policemen required for each one of the branches, the increase that it would make upon the previous police that we had, the additional police that we had to engage for special duties like criminal settlement, etc. I have no objection to all that has been added for supplementing the present police force, for example, the Criminal Intelligence Department."

His Excellency the PRESIDENT :—"I want the Honourable Member to confine himself to the subject matter of the resolution that a committee be appointed to consider where the police stations should be allocated. He cannot range over the whole question of police strength and police expenditure, the criminal settlements, etc."

The Hon'ble Mr. K. RAMA AYYANGAR :—"It is perhaps unnecessary to mention at length, but however because the question of cost is raised, I thought it necessary. I only wanted to point out that some form of committee like a special officer on special duty with power to add or consult local people is necessary to consider whether there should be additional police. My submission is that this will have to be gone into. It cannot be put off long and we will have again and again to come to it till it is satisfactorily solved. The village police not having been strengthened, the whole basis of the report of the Police Commission has not been acted up to, but we have reduced the stations as recommended by them. What is the use of giving effect to one portion of the report without giving effect to other portions? I dare say many District Magistrates and Superintendents will agree, and they will place before that officer all that is necessary to show that a re-allocation of the police stations and a readjustment of the police force in the various places will enable the Government to have much better effect and to have the administration of the Police department much better."

The Hon'ble Mr. A. S. KRISHNA RAO :—"Your Excellency, the resolution suggests the appointment of a committee for the purpose of ascertaining in what places new police stations should be established in this Presidency. The first point regarding which it is necessary for this Council to be satisfied is whether it is or is not necessary to have additional police stations opened in this Presidency. If we succeed in inducing the Government to accept that position, the next point for consideration will be whether that can be achieved by the appointment of a committee of officials and non-officials in the manner suggested. The discussion which has already taken place on this subject must have convinced the Government that there have been complaints in various parts of the Presidency about the necessity for the increase of police stations. The Hon'ble Mr. Davidson remarked that we had specific information regarding the district of Ramnad; but that owing to financial considerations, those proposals were kept in abeyance by the Inspector-General of Police. A perusal of the various reports, extracts from which are appended in the report of the administration of the Police Department would show that various District Magistrates who sent up these reports with their remarks pointed out some difficulties which existed in the various districts. Though the idea of opening additional police stations did not specifically present itself before their minds, their attention was drawn to other defects. In some cases, they pointed out that the work of detection was not satisfactory and sub-inspectors were not doing that work properly, that a system of rewards should be tried and that in cases of criminal settlements the escapes should be accounted for. I am giving a summary of the various extracts from the reports of District Magistrates appended to the administration report to the Police Department.

"I may point out that the financial consideration is no doubt a very important one which stares us in our face. Probably the Hon'ble Mr. Davidson would suggest that complaints have been made in this Council on various occasions about the increase of police expenditure and ask whether, in view of these complaints and in view of the various proposals made for reducing the expenditure on police, proposals like the one under consideration for increasing the expenditure could be thought of. Your Excellency, I may point out that if a satisfactory inquiry is made, it will be found that the number of police stations whether judged with reference to the area or with reference to the population is not quite adequate. I have got figures, but I do not wish to take up the time of the Council. I have before me the figures given in the report of the Police Department where the number of police stations is given with reference to the population and also with reference to the area. I know that on a former occasion when a similar question was raised, the comparison was made with the number of police stations in other provinces; and we were asked to be satisfied that, in view of the expenditure incurred on that purpose, it was not possible to make further advance and that the recommendations of the Police Commission were being kept in view. I venture to suggest that that is not the proper way of looking at the whole question.

"The chief way of looking at the question is whether in view of the dimensions of this province and the size of the various districts, which it will be noticed is very large, it is quite adequate to have a few police stations in each district as we now have. It is not possible for persons in remote parts of the districts to communicate with police stations on account of the long distance; and such a state of things can only be remedied if there is a reallocation of stations. The Hon'ble Mr. Davidson pointed out that reallocation was completed only in 1916,

1112 RESOLUTION RE COMMITTEE TO INQUIRE AND REPORT ON THE
OPENING OF NEW POLICE STATIONS.

(Mr. Krishna Rao ; the Raja of Ramnad ; the President.) [5TH APRIL 1919.]

and that it is too early for us to raise that question. The question has specifically arisen in the case of one or two districts ; but the point is of general importance. I am not very particular about the particular form suggested. The Hon'ble Mr. Rama Ayyangar suggested that a special officer should be deputed to ascertain in what districts and to what extent there should be these police stations. The Hon'ble Mr. Davidson deprecated the idea of a roving commission for the purpose of provoking an inquiry of this kind ; and he felt confident that District Magistrates and Superintendents of Police would be able to give information after consulting public opinion. If it is difficult for Your Excellency's Government to accept the resolution in its present form, if it is inconvenient to appoint a committee to go from place to place and district to district with the object of ascertaining whether the number of police stations is adequate or not, and whether they ought to be reallocated, may I not ask that specific references should be made to District Superintendents of Police and the District Magistrates as to whether they consider the number of police stations adequate ? I make that suggestion in view of the fact that the Government have committed themselves to a fixed number of police stations. There may be District Magistrates who may not be satisfied about the adequacy of the police stations. Even if the Government are not at present prepared to appoint a committee for the purpose of this inquiry, I think there will be useful purpose served by inquiring into this matter and calling for specific proposals from District Magistrates who will consult public opinion and also Superintendents, asking them to state whether they consider the arrangement of police stations and out-posts adequate. If all these proposals are before the Government, then the question may be taken up as to what the cost will be that would be involved in carrying out those proposals, whether there should be any readjustment of expenditure in the Police Department, whether proposals for additional police stations or out-posts would present a formidable figure, and whether it is not possible to effect economies in other directions. These are all matters which can be taken up with advantage. I do not think Government should hesitate even to call for information from the various District Magistrates who are responsible for the police administration in the various districts. As admitted by the Hon'ble Mr. Davidson, he was giving them instructions to consult public opinion and ascertain the facts not merely from officials but from leading non-officials having experience and formulate definite proposals. I see no objection to it. On so many occasions and on so many questions the Government trust to District officers ; and in this matter when a point is raised as to the adequacy of police arrangements, they should not hesitate to consult them though it might result in additional expenditure under police. If the expenditure has to be incurred for the purpose of security or for the purpose of preserving the peace of the country, notwithstanding the objection raised against the general increase in police expenditure, I do not think this Council would hesitate to grant it."

The Hon'ble the RAJA OF RAMNAD :—" Your Excellency, I may also assure the Hon'ble Mr. Davidson, if such assurance is needed, that my sending up the resolution and the Hon'ble Mr. Rama Ayyangar's sending up the interpellation had nothing to do with each other. Because the Hon'ble Mr. Rama Ayyangar represents the three districts, he sent that interpellation in order to elicit some information regarding the police stations in Ramnad because Ramnad was the district that was affected most during the looting scare caused by the economic distress. The Hon'ble Mr. Davidson told us that the Inspector-General submitted a scheme or report in 1914 and that those proposals could not be given effect to as they involved very heavy expenditure. But may I submit that even those proposals will now be out of date owing to the circumstances which have so radically changed since that year ? I am not very anxious that a committee should be appointed. My Hon'ble Friend Mr. Krishna Rao has anticipated me. He suggested that if Government would very kindly instruct District Magistrates and District Superintendents of Police to consult non-officials in their respective districts and submit proposals to Government, and the Government considered them, that will satisfy us. May I know whether the Hon'ble Mr. Davidson can give me some such assurance ? If the Hon'ble Mr. Davidson can give me some such assurance, I may not feel the necessity to press this resolution to a division. Will the Government kindly ascertain the opinions of District Magistrates and District Superintendents of Police ?"

His Excellency the PRESIDENT :—" Does the Honourable Member refer only to Ramnad district ?"

The Hon'ble the RAJA OF RAMNAD :—" No."

His Excellency the PRESIDENT :—" Speaking for the Government on the financial side, it will not be possible to accept this resolution. The expenditure on police has been advancing considerably and each year makes a further advance. I am sure that such an inquiry would lead to a further expenditure on police. I think it is most undesirable to open that door for a further demand for further expenditure."

The Hon'ble the RAJA OF RAMNAD :—" It is not my wish that the proposals coming from the various District Magistrates should be given effect to all at once. They may be given effect to as we find funds."

His Excellency the PRESIDENT :—" My Honourable Colleague has told the Honourable Member that he will have an informal inquiry made into the position of the Ramnad district. That is the district in which the Honourable Member is principally interested. It is his

RESOLUTIONS RE COMMITTEE TO INQUIRE AND REPORT ON THE 1113
OPENING OF NEW POLICE STATIONS CLOSURE OF CANALS IN
THE KISTNA EASTERN DELTA AND PROMOTION OF NEW
CO-OPERATIVE SOCIETIES

5TH APRIL 1919.] (The President ; the Raja of Ramnad ; Mr. Davidson ;
Mr. Narasimha Ayyar.)

experience in that district that enabled him to bring forward this motion. I am afraid on the general matter Government are not prepared to go further and cannot give any further assurance. He should be content with that assurance. If that will satisfy the Honourable Member, my Honourable Colleague will assure him."

The Hon'ble the RAJA OF RAMNAD :—" It would indeed be very selfish to accept an assurance of that kind and withdraw a resolution. I would rather take a defeat by pressing this resolution to a division."

The resolution was put to the Council and lost.

The Hon'ble Mr. L. DAVIDSON :—" May I ask for a poll in order that we may know the names of those gentlemen who would approve of this suggested increase of expenditure on police ?"

The poll was taken with the following result :—

For	Against
The Hon'ble Mr. K. Rama Ayyangar.	The Hon'ble Mr. L. Davidson.
" Mr. P. Siva Rao.	" Mr. C. G. Todhunter.
" Mr. B. Venkatapati Raju.	" Mr. N. E. Marjoribanks.
" Mr. C. P. Ramaswami Ayyar.	" Mr. A. Y. G. Campbell.
" Mr. K. Sadasiva Bhat.	" Diwan Bahadur R. Ramachandra Rao.
" Diwan Bahadur Suryanarayana-murti Nayudu	" Mr. A. F. G. Moscardi.
" Diwan Bahadur M. Ramachandra Rao.	" Lieut.-Col. Niblock.
" The Raja of Ramnad.	" Mr. L. E. Buckley.
" Rao Bahadur T. Kanga Achariyar.	" Mr. L. T. Harris.
" Yaqub Hasan Sahib Bahadur.	" Mr. R. B. Wood.
" Khan Bahadur A. T. G. M.	" Khan Bahadur Muhammad Aziz-ud-din Husain Sahib Bahadur.
" Ahmad Tambi Marakkayar.	" Mr. T. Richmond.
" Mr. K. Chidambaramatha Mudaliyar.	" Sir Francis Spring.
" Mr. Suryanarayana Rao.	" Mr. R. Littlehales.
" Mr. A. S. Krishna Rao.	" Mr. J. H. Thonger.
" Mr. B. V. Narasimha Ayyar.	" The Most Rev. J. Aelen.
	" Mr. W. Hutton.
	" Mr. W. J. J. Howley.
	" The Advocate-General.
	" Diwan Bahadur P. Rajagopala Achariyar
	" Mr. H. G. Stokes.

The resolution was declared lost, 15 voting for and 21 against it.

His Excellency the PRESIDENT :—" Resolution No. XXVI is not to be moved."

RESOLUTION RE CLOSURE OF CANALS IN THE KISTNA EASTERN DELTA.

The following resolution which stood in the name of the Hon'ble Diwan Bahadur M. Ramachandra Rao Pantulu Garu was not moved :—

"XXVI. This Council recommends to the Governor in Council that the orders of the Government for the closure of the canals in the Kistna Eastern delta be modified and that instructions be issued that the canals in the said delta be kept open till the 15th April."

His Excellency the PRESIDENT :—" I may mention that resolution No. XXVII will be accepted."

RESOLUTION RE PROMOTION OF NEW CO-OPERATIVE SOCIETIES.

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" I will formally move the resolution. It is as follows :—

"XXVII. This Council recommends to His Excellency in Council that the Government should take all necessary steps for increasing the present rate of creation or formation of new co-operative societies and should especially get appointed a much larger number of officers (with staff) for the creation of new societies on an ampler scale."

The Hon'ble Mr. A. S. Krishna Rao seconded the resolution.
The resolution was put to the Council and agreed to.

1114 RESOLUTION RE FREE ADVERTISEMENT FOR CO-OPERATIVE INSTITUTIONS.

(Mr. Narasimha Ayyar.)

[5TH APRIL 1919.]

RESOLUTION RE FREE ADVERTISEMENT FOR CO-OPERATIVE INSTITUTIONS.

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" Your Excellency, the resolution that I have the honour to move runs in these terms :—

'XXVIII. This Council recommends to His Excellency in Council that the Government should grant free advertisement to co-operative institutions in all the periodical publications issued by Government.'

"I am quite sure Government would have great sympathy with the object of this resolution inasmuch as their sympathy has been shown in accepting the previous resolution. I take it that we all have the same object, namely, to give as many facilities as possible to the various co-operative societies to do their work efficiently and to bring the benefit of co-operative institutions within the reach of as many as possible. That is the object underlying this resolution. One way by which co-operative institutions can do more work is by getting more funds. One of the chief obstacles in the way of co-operation spreading in the Presidency is the absence of sufficient money. Various suggestions have been put forward from various sources. For instance the Hon'ble Mr. Venkatapati Raju suggested that the suggestions of Sir Daniel Hamilton should be given effect to, but we are not now, in this Council, in a position to say anything directly about it. Here is a matter by which we can do something to make more money flow into this movement. The reason why co-operative institutions do not get all the money that they want is not that there is a special tendency to hoard large sums of money in various places, though I do admit that the little possessed by the rustics in the interior especially in time of war, it would be rather difficult to get out of their hands. The greatest difficulty to get money out from Indian hands is the fear of losing capital and the best way of overcoming that diffidence is to assure as many as possible and in as many ways as possible that such fears are groundless. The degree of credit attached to co-operative associations is rather poor when compared with what it might be. There are many people who have spare capital, some of which might be easily diverted into co-operative channels if all people lend their aid to it. I am suggesting in this resolution a very simple remedy. Government in various publications are either making no use of their fly leaves at all or are advertising things which do not require advertisement. When I get the law reports I see all sorts of miscellaneous Acts advertised, some Urdu translations, some Telugu translations of these Acts and we find heaps of pages printed saying that the Acts of so many years are available at one anna three pies, postage six pies, etc. They are repeated month after month very little to the advantage of Government. I think very little money is made out of it. Whether Government are wise in advertising their legal publications is only a by-issue. I am concerned only with pointing out that there is plenty of scope to do work in the direction pointed out by me. If the Government only wish to do so, the postage will be the same, the additional cost by way of printing paper will not be appreciable. You can give every month a chance to the leading co-operative banks in the districts to advertise, in the Law Reports for instance, what amount of capital they have, what reserve they have, what work they have done and one or two certificates, that they get from the registrar. Some of these co-operative banks get excellent certificates from the registrar as to their solvency and reliability but these certificates are hidden away in the annual reports and the ordinary man who has got some money to invest seldom comes across such certificates. Along with private notifications that so and so's son is found to be lavish and so and so is not bound by the debts of his son, we can easily find room for advertisement to co-operative societies. I think that further illustration is hardly necessary. I took the law reports as they are reports which a lawyer looks at, and it is often said that the lawyer has a lot of current coin. The co-operative registrar, Mr. Hemingway, was surprised when he took up the department to see how the much maligned lawyers and Brahmans were putting their moneys and labour into the co-operative banks. I think lawyers can do a great deal more if the advantages of investing in co-operative banks are placed before them by means of notifications in reports and gazettes. I am not particularly referring to legal publications. Government issue every week a large number of publications to go into the hands of the public and yet we do not find co-operative institutions sufficiently advertised. I know, however, sometimes along with the *Fort St. George Gazette*, the accounts with minute details and audit reports are published at great expense. That is no doubt one sort of advertisement for co-operative societies. We are thankful to the Government for it, but what I am pointing out is that when that has been done, there still remains a great deal to be done. It will cost Government practically nothing. It will be easy for the Government to accept and very easy to carry out. and if it is pointed out that my language is too wide, I am quite willing to say 'in such publications issued by the Government as they may find it convenient.' I am quite willing to drop the phrase 'in all periodicals', if that is considered ambitious. But I cannot see any objection to any other portion of this resolution, because co-operative institutions seek only advertisement. I know that a great deal is made of the applications to Government for pecuniary aid. That objection has never been raised to seeking advertisement. If we ask the Government to guarantee all the loans, I have heard it said that it ceases to be co-operation. Whether that position is sound or not, I need not now discuss. But certainly no objection can be raised to this modest request that the Government should, in their numerous

RESOLUTION RE FREE ADVERTISEMENT FOR CO-OPERATIVE INSTITUTIONS. 1115

5TH APRIL 1919.]

(Mr. Narasimha Ayyar ; Mr. Campbell ; Mr. Krishna Rao ; the President.)

publications find some place somewhere to inform those who have money of the advantages of these institutions. It is enough if very short notes are published. I can assure Honourable Members that the space that may be taken would not be much. The district banks may put in six lines for instance or ten lines, and that may appear once a month if the Government so choose. There is no attempt to take all the available space for their own advertisement. I think on the whole the request is so simple, and it appears to me that I am taking up the time, of the Council almost unnecessarily. Therefore without more I shall wait to see what the position of the Government will be and if the objection is to the phrase 'in all periodical publications' I would substitute the other words I have mentioned. I hope in that shape at least it will be possible for the Government to accept it."

The Hon'ble Mr. A. Suryanarayana Rao seconded the resolution.

The Hon'ble Mr. A. Y. G. CAMPBELL :—" Your Excellency, I am afraid it is not possible for the Government to accept the resolution as put before the Council, or as the Honourable Mover suggested he would amend it. Besides the law reports there are other periodical publications, such as the *Fort St. George Gazette*, the District Gazette, the Quarterly Civil List, the Annual Administration Reports, College Calendars, Agricultural Calendar. A great number of these are mainly used for purposes of reference and go chiefly to officials, and I doubt whether they would be of much use in advertising co-operative societies. The number of these societies is now very large; it exceeds 3,000; and if we gave free access to the pages of Government publications to these societies, we might have hundreds of pages in each issue of the Gazette taken up with these advertisements. At the present time, societies other than agricultural credit societies are allowed to publish free their annual audit reports. That, as the Honourable Mover mentioned, gives them some form of advertisement. If more is done, another disadvantage would be that it would give a sort of Government guarantee to the societies. This is what I gather the Honourable Mover wants. I think that would be a mistake."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" I did not ask for Government guarantee."

The Hon'ble Mr. A. Y. G. CAMPBELL :—" It might give that impression to other people. The principle governing private advertisements in the *Fort St. George Gazette* is that it should not compete with local newspapers. Advertisements are accepted if they are required by law or by rules having the force of law, to be published in the Gazette, or if they relate to matters of public importance, or if they are of a kind usually published in the London Gazette. Advertisements will be far more effective if they are published in the public newspapers and we ought not to compete with them by offering publication in the Gazettes."

The Hon'ble Mr. A. S. KRISHNA RAO :—" There ought to be no difficulty in this being published in the District Gazette, so far as societies in each district are concerned. There is some force in the suggestion made that if these advertisements are published in all publications there will be difficulty. The suggestion made by the Hon'ble Mr. Campbell that this may be published in newspapers is not good. I do not think that it would serve a useful purpose. It will be a costly business and it will not be very useful. But it would be more convenient if arrangements can be made for co-operative societies being advertised in each District Gazette. There should be no difficulty in accepting this suggestion. It might serve some purpose. A graphic description has been given about College Calendars and Agricultural Calendars to show that we cannot accept the position that it is to be published in all publications."

His Excellency the PRESIDENT :—" The chief question is whether these societies want to publish advertisements. The great majority of them do not need advertisements. The Honourable Member has mentioned banks. Banks are advertised in newspapers. This is a matter in which we have not consulted the Registrar and Government will be prepared to consult the Registrar and see if there is any advantage to be gained by giving advertisement in the law reports. I do not think Government will have any objection to that; but Government cannot accept the resolution. We will consult the Registrar and we will be guided by the views of the Co-operative Registrar if it will meet the views of the Honourable Member."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—" That meets my views. I shall not now ask for a decision. We must have the view of the Co-operative Registrar. I do not think the Hon'ble Mr. Campbell was right in saying that the fact that advertisements go to officials is a consideration against my proposal. I think officials have got as much money to put by as non-officials have and some official money will be quite as welcome in the co-operative bank as non-official money. As to the impression of Government giving the guarantee it must be very ignorant people that would draw such hasty conclusions. I do not think emphasis ought to be laid upon the possibility of such an impression. For instance, Government do not take the responsibility to vouch for the facts published in a private advertisement. For instance, in an advertisement by a father that he is not responsible for the debts of his son, Government are not taken to vouch for the truth of any facts. With regard to co-operative banks, the difficulty is that they cannot afford money to pay for advertisements in newspapers. Therefore it is not a question of competition with the newspapers. All these things might be considered by the Registrar, and this is a matter in which he ought to be consulted. So I shall not press my resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

1116 RESOLUTION RE SUB-REGISTRARS AND THE CIVIL JUDICIAL TEST.

(Mr. Suryanarayana Rao ; Mr. Venkatapati Raju ;
Mr. Ranga Achariyar ; Mr. Rajagopala Achariyar.)

[5TH APRIL 1919.]

RESOLUTION RE SUB-REGISTRARS AND THE CIVIL JUDICIAL TEST.

The Hon'ble Mr. A. SURYANARAYANA RAO :—"Your Excellency, the resolution that I wish to propose runs thus :—

'XXIX. This Council recommends to His Excellency the Governor in Council that the sub-registrars whose promotions have been affected by the imposition of the condition requiring them to pass the Civil Judicial test, since removed, be restored to their proper rank and given the preference to which such rank entitles them.'

"I appeal to the Hon'ble Mr. Rajagopala Achariyar to accept this resolution as a matter of favour, because after all, it concerns only 19 persons in the whole Presidency and not more. At the time when the Registration tests were first introduced, the sub-registrars were recruited from graduates and under-graduates and were given promotion according to the tests that they passed, but it was said that district registrars should pass the Civil Judicial test. Gradually promotions from sub-registrar were made to the district registrar's post and at that time there was no restriction imposed with regard to their qualifications but afterwards it was laid down that only those who passed the Civil Judicial test could become district registrars. The consequence was that the Civil Judicial test was made a condition precedent, even with regard to the first and second-grade sub-registrars, though there was no such qualification necessary for them to become sub-registrars. Later on, the selection system was introduced by which those in the sub-registrar's grade who passed the Civil Judicial test were given promotion in preference to those who had not passed the Civil Judicial test and the consequence was that among sub-registrars, those that passed the Civil Judicial test got promotions over those who were already in the service, but who unfortunately had not passed the Civil Judicial test. The consequence is that though by seniority and by service they were entitled to promotion, they were not able to get the promotion because they did not make themselves eligible to become district registrars when the time should come ; and those persons were overlooked and those who passed the Civil Judicial test, were given promotion. In 1918, that restriction has been removed and even district registrars are told that they need not pass the test and all are eligible for promotion and can become district registrars. The humble appeal that I now make to the Hon'ble Mr. Rajagopala Achariyar is only with regard to the 19 persons who are about to retire within a short period. They are otherwise eligible but their claims have been overlooked. They have almost completed their services, they have only two or three years to complete their service and their complaint is that while they have put in a full term service which would otherwise enable them to become district registrars, their claims have been overlooked on account of not passing the Civil Judicial test, and now that that test has been removed, they need not be asked to pass that test and promotion may be given to them in the ordinary course, and they may be restored to that rank which they would have occupied if promotions had been made as if they were not required to pass this test. I do not know why their claims were overlooked in the promotions to the first and second grade sub-registrar, because it is only district registrars that should pass the test and not sub-registrars. They were overlooked, probably because they would not be finally eligible for the post of district registrars. I believe there are about seven in the first grade, twelve in the second grade of sub-registrars, and I find all are born before 1870. Therefore they will retire very soon. I appeal on their behalf so that they may have the satisfaction of becoming district registrars, or they might get a larger pension when they retire. It is a humble appeal only on behalf of 19 and I hope the Government would see their way to accept this resolution."

The Hon'ble Mr. B. VENKATAPATI RAJU :—"Your Excellency, I have great pleasure in seconding the resolution. I do not think the attitude of Government will depend upon the suppliant attitude or the defiant attitude in making the request. We claim here not as a matter of favour to a few individuals, but we stand on a higher principle. Rightly or wrongly, Government introduced the principle preventing them from enjoying the rightful promotions to which they were entitled, but subsequently they removed that restriction, and when they have removed this restriction these people are entitled to be promoted. But in the meanwhile, some others have occupied their position and so without disturbing any arrangements already made, these people may be given due promotion which they would have got but for the obstruction created which has been removed subsequently, and therefore not as a matter of favour, but as a matter of justice, it is a claim that the Government should take into consideration."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR :—"May I add one word in support on this resolution. Nowadays we are on the eve of an era of dispensing with examinations even for recruiting for the Civil Service. I do not see why the non-passing of an examination should stand in the way of these people getting their suitable promotions."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Your Excellency, I see there is some misapprehension in the minds at any rate of the Hon'ble Mr. Venkatapati Raju and the Hon'ble Mr. Ranga Achariyar in regard to this question. I think the Hon'ble Mr. Suryanarayana Rao has given the history of the question rightly. It is briefly this : From the year 1907 to 1918 we had a rule restricting promotion to the first two grades of sub-registrars to those who had passed the Civil Judicial test and the Account test. That was the state of

RESOLUTION RE SUB-REGISTRARS AND THE CIVIL JUDICIAL TEST. 1117

5TH APRIL 1919.]

(Mr. Rajagopala Achariyar ; Mr. Rama Ayyangar ;
Mr. Suryanarayana Rao.)

affairs for a period of eleven years. The Honourable Member asked us why while those two tests were necessary only for district registrars we made it a rule to enforce them for the two top grades of sub-registrars. We did so because, the sub-registrars at the top grades would become district registrars, because district registrars had to be chosen from the top sub-registrars. The Government in the year 1907 came to the conclusion that they could not find suitable men in the first two grades of sub-registrars who passed these two tests and were eligible for promotion and they said that they must make it a rule that those people who go to the two top grades of sub-registrars should have passed this test. In 1917 they relaxed the rule and said : for every alternate case, for every alternate vacancy, we will insist upon those persons passing the test, the idea being in that way to secure a sufficient number of men for promotion to higher ranks, such as were needed for appointment as district registrars. This question remained like that until 1918 when the Government considered the whole question and came to the conclusion that not only in this department, but in a number of other departments we had overdone examinations. We relaxed the examination restrictions then to a considerable extent. In the Registration department we first said that so far as sub-registrars were concerned, we were not anxious that they should pass any test in the two top grades, and later on we abolished that qualification for district registrars. By that time, a number of men had been appointed according to the old rules and they had taken up certain places. What the resolution proposes, which the Hon'ble Mr. Venkatapati Raju puts on the claim of justice, is because in 1918 you have come to the conclusion that these examination qualifications are not necessary you had better assume that you had come to that conclusion eleven years earlier and rearrange all these people and give them the places which they would have occupied if the rules were different. That is the proposal which the Hon'ble Mr. Venkatapati Raju has particularly singled out and put on the ground of reason. In other words, you want to rearrange the whole grade of the department retrospectively over a period of eleven years with reference to an order passed in the year 1918. It is against all principles governing gradation. We can never work it. When you do it, suppose afterwards we alter some rule, we will have to rearrange the whole thing. So that there is absolutely no finality. In regard to public service, you can never work things retrospectively in the form in which this resolution proposes. Many of these sub-registrars who did not pass the test and could not get to the top grade of sub-registrars sent up memorials. When we removed the restriction for first- and second-grade sub-registrars and later on they found that we removed the restriction for district registrars,—when we cancelled this restriction in 1918,—it did not mean that what we did eleven years ago in 1907 was all wrong and therefore we should go and rearrange the gradation of sub-registrars. A number of sub-registrars memorialized and we referred the memorials to the Inspector-General of Registration, who said very properly, it is a well-known principle that the rank of an officer is determined upon the date on which he is permanently promoted to that grade and the claims of the officer to promotion depend upon the claims of the officer on the day on which the appointment is made. It is quite out of the question for me now to commit the Government to rearrange the two grades of an important department and supersede the arrangements which took place during a period of eleven years. I cannot accept the resolution in that form. At the same time, I am quite prepared to believe that a certain number of old officers did not get to the top grades for reasons which constitute a hardship. I do not say that they have a right to complain. They were rightly passed over at the time. But I am anxious as far as possible that those who have slipped down the ladder owing to circumstances beyond their control, their individual cases should be examined, and I shall see if any consideration could be shown to individual cases. If there are any deserving men who could go up and who have been blocked on account of that rule, I am prepared to examine their cases ; but beyond that I am not prepared to go. If the Honourable Member gives me the list that he has got, I shall verify it in the office before I go further with the question."

The Hon'ble Mr. K. RAMA AYYANGAR :—"Your Excellency, I have only one inquiry to make. As a reference was made to the justice of the claim, may I know if at the time they were entertained, this rule existed?"

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Probably not. But with regard to all departments it is understood that the members of that department are subject to such rules as the Government may from time to time make in regard to their qualifications."

The Hon'ble Mr. A. SURYANARAYANA RAO :—"I have only one word to say. Since the Hon'ble Mr. Rajagopala Achariyar has asked me for the list, here is the list containing the names of nineteen persons."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"We will have their cases examined."

The Hon'ble Mr. A. SURYANARAYANA RAO :—"When I plead for these poor sub-registrars, it does not matter whether I plead on the ground of clemency or on the ground of justice. The question is whether they were rightly superseded when this question of qualification was attached only to district registrars. There was no such restriction as regards sub-registrars and yet they were superseded. All the same they deserve some concession at the hands of the Government before they actually retire. I see that two or three of them were born in 1863 or 1864 and so they will retire within a very few months. All the same they must have some concession shown to them."

1118 RESOLUTIONS RE SUB-REGISTRARS AND THE CIVIL JUDICIAL TEST
AND ESTABLISHMENT OF A COMMERCIAL MUSEUM IN MADRAS.

(Mr. Rajagopala Achariyar; the President;
Mr. Suryanarayana Rao; Mr. Yaqub Hasan.)

[5TH APRIL 1919.]

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"If they retire, there is nothing more to be done."

His Excellency the PRESIDENT:—"I understand that the Honourable Member withdraws the resolution."

The Hon'ble Mr. A. SURYANARAYANA RAO:—"Yes, after the assurance given by the Hon'ble Mr. Rajagopala Achariyar."

His Excellency the PRESIDENT:—"This is a tremendous principle which if it is going to apply generally would produce chaos. We abolished the Précis-writing test last year. There are hundreds of tahsildars and others. If you put them back into the places where they should be if this test had been abolished long ago, it would create a considerable amount of confusion."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE ESTABLISHMENT OF A COMMERCIAL MUSEUM
IN MADRAS.

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"Your Excellency, the resolution that I have the honour to move runs thus:—

'XXX. This Council recommends to His Excellency the Governor in Council that early steps be taken to establish a commercial museum in the City of Madras like the one in Calcutta.'

"If I had used the words 'industrial museum' perhaps it would have conveyed the meaning much better than the words 'commercial museum,' but I have adopted this nomenclature because the museum at Calcutta is called a commercial museum. I would describe what that museum is. It is a Government institution in charge of a Government official with a suitable staff to assist him. There manufactured articles, articles manufactured throughout India, are displayed. They are not confined to fine art articles, but useful manufactured articles. They are arranged in different almirahs, and manufactures of one sort are arranged together, so that you can compare the articles manufactured in one province with those manufactured in other provinces and in the same way those manufactured in one district of the province may be compared with those of other districts. At the same time you have the names of the manufacturers written by the side of the goods, and you can compare the articles of one manufacturer with those of another. These things are catalogued and they are printed annually and wholesale prices are also given in the catalogues. This is in practice a standing exhibition. I need not say much about the usefulness of exhibitions. The commercial museum is more useful than the exhibitions which are held periodically. There is more of tamasha in the exhibitions held periodically than of usefulness. Many people go to the exhibitions more to enjoy themselves as sight-seers for amusement than for any special benefit. There are many exhibits kept there and the impressions that one forms through a hurried visit are not of a permanent character, and one does not get as much benefit from a visit to such exhibitions as one would like. But a museum is a standing exhibition. The goods are there, the merchants visit it and they study the things at their leisure and they know where such articles are manufactured, who are the manufacturers and what are the terms on which these goods can be had. In western countries, what is known as finding a market for the articles is done on a very scientific basis. There are advertisements, there are special magazines and trade reviews and then there are travellers who are engaged to go round the world with samples, and samples are also sent by post. I remember some time before the war there was a scheme in America of chartering a steamer sending all the American manufactured goods throughout the world just to introduce them into foreign markets. So many devices are adopted by European manufacturers to find markets for their goods. Here in India we are in a primitive stage. Our manufacturers manufacture things firstly on a very small scale, and then the manufacturer has to advertise, he has to find a market for his goods and he has very few agencies through which his goods can be placed on the market. So in India it is very necessary that some agency should be created which will be a medium between the buyer and the producer and this museum serves a very useful purpose in that way. I have visited more than once the Calcutta museum, I have gone thoroughly through the exhibits there and I have personally derived much advantage by my visit. Some things that I wanted to know all about, I could not know through other means, but I got that information at that museum. I am sure if such a museum is started here, there will be a great impetus given to the industries of the country. Any merchant who wants to have certain articles who does not know where to go and from whom to get it, has to find it from the directories of industrial goods, but the directories themselves are not very complete. Then he has to know the addresses of a dozen people and he has to correspond and get samples from these people, and after all he may find that it is more troublesome to get the Indian goods than to get the foreign goods. So many travellers come over with their samples from foreign countries. They go to the merchant and show their wares to the merchants and press them and get them purchased; and ordinary people can easily purchase them from merchants. There are so many facilities for purchasing foreign goods which do not exist for the purchase of Indian goods. I need not elaborate the

RESOLUTION RE ESTABLISHMENT OF A COMMERCIAL MUSEUM 1119
IN MADRAS.

5TH APRIL 1919.]

(Mr. Yaqub Hasan; Mr. Rajagopala Achariyar;
Sir Gordon Fraser.)

point because it is obvious that a museum like the one that I propose will be very useful here. Because there is one in Calcutta, Government need not hesitate to accept my suggestion. If there was no museum in India, and mine was the first suggestion, Government may take refuge under several considerations, but this is not one of those things.

"Three years ago the Hon'ble Mr. Narasimha Ayyar put a question in this very Council, and the answer was given by Sir Harold Stuart that Government were considering this question. This question is under the consideration of the Government. Such answers are given, but the thing is simply shelved. If it was seriously under the consideration of the Government, I am sure it would have come into existence by this time. I brought this forward at the last meeting and the Hon'ble Mr. Rajagopala Achariyar said that he would get information from Calcutta. If it was kept under the consideration of Government for the last three years, he would never give that answer and he would not have thought of getting the information at this late hour from Calcutta."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Can the Honourable Member give me the reference to the Hon'ble Mr. Narasimha Ayyar's interpellation?"

The Hon'ble YAQUB HASAN SAHIB Bahadur:—"23rd November 1915. Sir Harold Stuart said the question of the establishment of a museum was under the consideration of the Government. That was the answer. Now that industrial matters are very much under discussion and the Government also are prepared to give much attention to industrial matters, and much attention will be given to industrial questions in the future, this would be a very good beginning if my resolution is accepted and a commercial museum is brought into existence. I would suggest that Georgetown would be the best place for it, because it is the centre of trade and commerce. If it is located there, merchants will visit it, but if it is placed somewhere else in an inconvenient corner, it would not serve a useful purpose. I may mention that the Victoria Technical Institute is also a sort of museum, but the difference between the museum that I suggest and the Victoria Technical Institute is this: It is fancy articles, articles of an artistic nature and they are also sold there. It is not that what I want; I want articles of every day use, manufactured articles to be exhibited in this museum that I suggest and not to be sold. I do not want it to be a selling agency. I do not want Government to undertake that business. The Superintendent should collect all the articles manufactured in India, catalogue them and arrange them and make an exhibition of them for the purpose of advertisement as suggested. Produce need not be kept there. It is an industrial museum that I want to be started."

The Hon'ble Sir GORDON FRASER:—"Your Excellency, I have pleasure in seconding the resolution proposed by the Hon'ble Mr. Yaqub Hasan. In my opinion the institution of these commercial museums would meet a long-felt want. They ought to be in the first place sources of considerable interest to the general public and also, what is more important and valuable, an aid to the commercial and industrial community. One handicap to their introduction is the fact that a museum in one particular place is more likely to benefit outside places as the idea would be to have exhibits sent from various parts of India and these would be more to the benefit of the seller from outside than to the benefit of the buyer in the particular city. It would be to the mutual benefit of the buyer and the seller, but it would be primarily to the benefit of the outsider, and in a second degree to the benefit of the buyer in the city. This handicap would in the long run right itself if the principal cities throughout India followed the lead of Calcutta and had their commercial and industrial museums. One usefulness would be that specimen exhibits of the various classes of produce of the country might be shown and also comparisons drawn for people to see. Produce is unfortunately too often shipped from this country heavily adulterated and specimen samples might be shown of produce as it ought to be shipped. Special attention might be paid to exhibits of timber and minerals for economic purposes. I am quite aware that the Government museum in Madras has a very fine exhibition of both timber and minerals, but I think that exhibition is classified more from a scientific and academic point of view than from the purely commercial or economic point of view. When we had the recent exhibitions in Madras initiated by and held under the patronage of Lord Pentland, I think the exhibits there opened the eyes of very many people to the resources, commercial and industrial, of this country. I remember Sir Bernard Hunter in proposing a vote of thanks to Lord Pentland mentioned that he personally had been extremely surprised at the large variety and the excellence of a great many exhibits shown at the exhibition. I know I personally shared that surprise as well. What we want is not periodical exhibitions such as those, but something of a more permanent nature. Of course on a very much restricted scale, something of a permanent nature that commercial men and those interested in industries can refer to and study as explained to the Council by the Hon'ble Mr. Yaqub Hasan. The resolution reads:

'This Council recommends to His Excellency the Governor in Council that early steps be taken to establish a commercial museum in the City of Madras like the one in Calcutta.'

"I quite recognize that it is a very large question and it cannot very well be settled in a debate such as the present. But I think my Honourable Friend would be quite satisfied if Government promise to give early and favourable consideration to the matter. I think we are all agreed that a museum such as the one proposed is very desirable. I do not think that the cost

1120 RESOLUTION RE ESTABLISHMENT OF A COMMERCIAL MUSEUM
IN MADRAS.

1121

(Sir Gordon Fraser; Mr. Rajagopala Achariyar;
Mr. Ranga Achariyar; Mr. Yaqub Hasan;
the President; Mr. Narasimha Ayyar.) [5TH APRIL 1919.

would be very heavy. I think the benefits resulting would fully justify the Government in incurring whatever cost may be necessary. I have therefore great pleasure in seconding this resolution."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, the Council may remember that this was on the agenda for the last meeting, and it could not be moved, as I then told the Hon'ble Mr. Yaqub Hasan that we were writing to Calcutta for full information in regard to the constitution and work of the museum there. I regret that we have not yet received that information, but I have allowed the matter to be discussed now instead of asking it to be postponed for the reason that this discussion will be of use to us when the information comes, in determining what we shall do in Madras regarding it, and I promise to consider the matter most carefully and give full and due weight to what has been said in the debate now. I should very much like to wait for the information which we have asked for.

"In regard to the other point mentioned by the Hon'ble Mr. Yaqub Hasan it is true that there was an interpellation about it. I find that in September the President of the Southern India Chamber of Commerce, of which the Honourable Member is a member, was told that the Government had the question of the establishment of an industrial and commercial museum under consideration but at that time were unable to take any step in that direction. That was in September 1915. I am merely mentioning it to show that the question was not shelved. This was apparently one of those things which had to be put off on account of the war like several other things. Now all that is over and we shall take the question on hand as soon as the information asked for comes from Calcutta and I shall give the question my most careful consideration. I hope that will be considered satisfactory and this will not be pressed to a division just now."

The Hon'ble Rao Bahadur T. RANGA ACHARIYAR:—"As one closely associated with the management of the Victoria Technical Institute for many years, I may mention that that institute serving as a museum for artistic production has done a great deal of good to the Presidency in reviving arts in several districts in the Presidency. People who knew to make these things were dying, and we were able to revive many families who would have gone out of memory. I may mention as regards the Calcutta museum, they applied to us for exhibits from our institute and we have sent them exhibits and they were exhibited there in the Calcutta museum. That was some time last year. We sent them large consignments for being exhibited so that it will be an immense good both on the industrial side and on the commercial side and I think Government should put more speed in this matter and not leave it like this. I beg Government to put on speed in such matters."

The Hon'ble Yaqub Hasan Sahib Bahadur:—"Your Excellency, after the reception my resolution has met at the hands of the Honourable Member for Government, I do not wish to press it. I only appeal to him that this question will be constantly kept before him and if information does not come from Calcutta, he will send a reminder and see that something is done towards this matter at an early date. I have advisedly put the words 'at an early date' because Government have often complained that we want things to be done in a specified time and that they are not able to do so. I have left everything to Government and I hope 'at an early date' will not be interpreted to mean an unduly long period. If this is constantly kept before the Hon'ble Mr. Rajagopala Achariyar and is established at least before his time is over, he will have earned the thanks of the commercial and industrial communities. I hope he would not wait for another resolution to be brought here. I withdraw my resolution."

With the permission of His Excellency the President, the resolution was withdrawn.

His Excellency the PRESIDENT:—"That is the last resolution on paper and now remains the discussion of the budget under rule 31. I think it will be to the convenience of the Council to adjourn now and take up the discussion of the budget on Monday morning at 11 a.m. The usual time limit to speeches will be applied. As has been always the custom, it is open to any Honourable Member who wishes to shorten the proceedings to send in speeches to the Secretary to Government."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"As regards the time allotted for a speech, we talked it over at lunch. We discovered that some non-official gentlemen will not be present on Monday and so we desire that 20 minutes may be fixed as the outside limit. It is not everybody that will take 20 minutes, it is only a handful, but that may be regarded as the outside limit."

His Excellency the PRESIDENT:—"I shall have to consider that on Monday when I see how many Honourable Members come."

The Council then adjourned till 11 a.m. on Monday, the 7th April 1919.

H. G. STOKES,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

Proceedings of an Adjourned Meeting of the Council of the Governor of Fort
St. George assembled for the purpose of making Laws and Regulations
under the provisions of the Act of Parliament, 5 & 6 Geo. V, Ch. 61.

The Council re-assembled at the Council Chamber, Fort St. George, at 11 a.m. on Monday,
the 7th day of April 1919.

PRESENT:

His Excellency the Hon'ble Sir ALEXANDER CARDEW, K.C.S.I., Acting Governor of
Madras—Presiding.
The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR Avargal, C.I.E.
The Hon'ble Mr. L. DAVIDSON, C.S.I.
The Hon'ble Mr. C. G. TODHUNTER.
The Hon'ble MUHAMMAD AZIZ-UD-DIN HUSAIN SAHIB Bahadur, Khan Bahadur, C.I.E.,
I.S.O., O.B.E.
The Hon'ble Mr. L. E. BUCKLEY, C.S.I.
The Hon'ble Mr. A. Y. G. CAMPBELL, C.I.E.
The Hon'ble Mr. L. T. HARRIS.
The Hon'ble Mr. W. J. J. HOWLEY.
The Hon'ble Mr. W. HUITON.
The Hon'ble Mr. R. LITTLEHAILES.
The Hon'ble Mr. N. E. MARJORIBANKS.
The Hon'ble Mr. A. F. G. MOSCARDI.
The Hon'ble Diwan Bahadur R. RAMACHANDRA RAO Avargal.
The Hon'ble Mr. S. SRINIVASA AYYANGAR (Advocate-General).
The Hon'ble Mr. H. G. STOKES, C.I.E.
The Hon'ble Mr. R. B. WOOD.
The Hon'ble Mr. C. P. RAMASWAMI AYYAR.
The Hon'ble Mr. A. SURYANARAYANA RAO PANTULU.
The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO PANTULU Garu.
The Hon'ble Mr. A. S. KRISHNA RAO PANTULU.
The Hon'ble Mr. P. SIVA RAO.
The Hon'ble Mr. B. V. NARASIMHA AYYAR.
The Hon'ble Mr. K. SADASIVA BHAT.
The Hon'ble Mr. K. RAMA AYYANGAR.
The Hon'ble Sri Raja Rao VENKATA KUMARA MAHIPATI SURYA RAO Bahadur, Raja of
Pithapuram.
The Hon'ble B. RAJA RAJESWARA SETUPATI alias MUTTURAMALINGA SETUPATI Avargal,
Raja of Ramnad.
The Hon'ble Mr. B. VENKATAPATI RAJU.
The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR.
The Hon'ble Mr. K. KUMARAN R. M. N. KAVALAPPARA MUPPIL NAYAR.
The Hon'ble Yaqub Hasan Sahib Bahadur.
The Hon'ble Khan Bahadur A. T. G. M. AHMAD TAMBI MARAKKAYAR SAHIB Bahadur.
The Hon'ble Sir FAIRLESS ARBER, Kt.
The Hon'ble Diwan Bahadur K. R. SURYANARAYANAMURTI NAYUDU Garu.

(The President; the Raja of Pithapuram.)

[7TH APRIL 1919.]

The Council re-assembled at 11 a.m. when the discussion on the Budget was taken up

THE BUDGET FOR 1919-1920.

His Excellency the PRESIDENT :—"The business before the Council to-day is the discussion of the budget with reference to rules 30 and 31 of the Financial rules. It is now open to any Honourable Member who has any observations to make to address the Council."

The Hon'ble the RAJA OF PITHAPURAM :—"Your Excellency, most sincerely do I congratulate your Excellency on the manner in which the Budget for the year 1919-1920 is prepared."

"I am glad to find that the provisions made under the heads of Education, Medical Sanitation, Agriculture, Scientific and Miscellaneous Departments are larger than in the previous year. This is a step in the right direction and I hope the Government will increase the allotments in due course."

"One of the most important items is medical relief. While thanking your Excellency's Government for the liberal provision made under this head, I may be allowed to point out that, at present, hospitals meant for women, with lady doctors in charge, are unfortunately very few, and to request the Government to see that as many more hospitals as possible are established. It is hardly necessary for me to say that these hospitals are needed more in this country than in several other countries. I am sure your Excellency's Government and your Excellency in particular will agree with me when I say that there must be one hospital at least in every village."

"I thank the Government for the provision they have made in the budget for the new General Hospital in Cocanada and I hope it will be an accomplished fact ere long."

"It is with great pleasure that I find that progress is being made in the very important work of the investigation of indigenous drugs, and I trust the Government will soon make arrangements for this work being done on a larger scale. The welcome result will be that medicines will be more easily procurable and much more within the reach of the poor than they can at present be."

"Now I come to Education. I am glad that there is a much larger provision than in the last year. It is highly satisfactory that the Government have been paying special attention to primary education. I hope that your Excellency's Government will find it possible to make primary education free before long."

"While acknowledging with thanks the support given by your Excellency's Government to female education, I request that a larger number of schools for girls should be established in the Presidency. In this connexion I may represent to the Government that Cocanada is greatly in need of a high school for girls. At present a number of grown up girls, though willing to receive higher education, hesitate to join the mixed classes in schools and colleges. Of course there are a number of girls reading in the college there at Cocanada, but I am sure many more will be coming forward to receive education if a high school is opened entirely for girls. The existing Government school may be developed into a high school, and as far as possible the teaching staff must consist of ladies. I earnestly request your Excellency's Government to give my proposal an early and sympathetic consideration."

"We are grateful to the Government for having introduced the wholesome system of the periodical medical inspection of students of schools."

"Allow me to thank your Excellency for the sympathetic reply given when my Honourable Friend Mr. A. S. Krishna Rao moved the resolution about the constitution and the functions of the text-book committees. It is but right that a person whose mother tongue is Telugu should be the Chairman of the Telugu Text-Book Committee. Almost all the other members of the committee must be those whose mother tongue is Telugu. If necessary, one European member may be allowed to be there so that the committee may have the benefit of the advice of one experienced in western methods."

"Coming to Industries, I am grateful to the Government for what they have been doing in this direction, and I am sure that much more work will be done in the near future. Thereby you will not only be making things cheaper and placing them within the easy reach of the poor, but you will also be finding work for a large number of labourers. When industrial development proceeds, the Government will have to consider the question of child labour with a view to safeguarding their interests."

"I thank the Government for the provision for a school to be opened in Cocanada and I hope that it will be opened soon."

"I am glad to note that the number of liquor shops is being gradually decreased and I hope that they will be further reduced in course of time."

"In connexion with the Madras Municipal Bill, I request the Government to reconsider the question of maximum house-tax and that of allowing women to serve as members of the corporation where I am sure they will be of great help. When there are ladies willing to serve and the Government is satisfied that they will be useful, the Government may nominate them. As the Government have kindly extended to women the right of voting, they may go a step further taking all the necessary precautions."

"The most pressing need now is to relieve the present distress due to high prices caused by the war and failure of crops. As for the methods it is for the Government to decide. We are most grateful to your Excellency's Government and Your Excellency in particular for the great trouble they have been taking in this connexion. Whenever necessary the orders of the

7TH APRIL 1919.]

(The Raja of Pithapuram.)

Government of India might be obtained. I request your Excellency's Government to do all that is possible to do to relieve the distress irrespective of cost. If necessary, expenditure in other directions may be postponed."

"Allow me, your Excellency, to say a few words as regards two things which are most dear to my heart, namely, orphanages for the helpless children and asylums for the poor, who find it impossible to earn their livelihood through old age, disease or deformity. I consider it the paramount duty of the Government as the guardians of the weak and helpless to protect them, as they deserve your Excellency's sympathy more than others. Even as a father who is more concerned about his disabled child, the first concern for the Government should be how to help these helpless persons. Orphanages and poor asylums may be established at convenient centres and only such as are absolutely helpless should be admitted into them. I know it would cost a good deal to found and maintain these institutions, but their nature is such that your Excellency's Government cannot very well say that the cost is prohibitive. If at all necessary, some other items of expenditure may even be cut down. Somehow or other funds must be found. As for the manner in which it is to be done the Government is the best Judge. The Government may also use their wholesome influence and may invite the co-operation of the public. I feel certain that response will not be meagre. It is the duty of every one of those whom God in His Mercy has placed in affluent circumstances to come to the help of their poor suffering brethren who also are dear to the All Merciful Father. I hope every wealthy person will recognize his duty. But of course, there may be some who live wholly for themselves caring little for the suffering poor; such cases will, I venture to say, be few. Now, Sir, the state of circumstances has been brought to the notice of Government and they may be pleased to deal with this problem as best they could."

"I next come to the question of the depressed classes. The position of the depressed classes is indeed most pitiable. The Government must come to their help by granting to them on favourable terms house-sites in healthy localities. Greater facilities than they have at present for their education must be afforded them, by providing hostels and allowing them to join all schools and colleges maintained or helped by the Government. They have as much right as anybody else to receive education in these institutions. The way in which these poor people are treated by certain sections of the Hindus is most disgraceful. Let us take for instance the case of the Panchama. In spite of the fact that he is also a human being and the child of God as much as any one else, he is treated worse than a beast. His mere touch is pollution and he cannot enter our houses."

"One curious fact is that he suffers like this, as long as he does not leave the fold of the Hindu religion. The moment he renounces this religion which is or ought to be dear and sacred to us all and becomes a Christian or a Muhammadan, we shake hands with him and receive him in our drawing rooms. By so doing we are indirectly treating with contempt our own religion. As long as it continues it will be a standing disgrace to the country and we cannot consistently claim any important political concessions. This sort of treatment must soon come to an end. In this connexion I cannot help observing that but for the sympathy shown by the noble British Government, the lot of these unfortunate people would have been much worse than it is at present. And I offer my most grateful thanks to the Government and the members of the Indian Civil Service, in particular serving in the districts, for their sympathy for these suffering classes of people. It will not be out of place for me to suggest here that preference might be shown to applicants from these depressed classes for pieces of land for cultivation, so that it might be of pecuniary help to them and even raise their status."

"Now, your Excellency, I shall deal with a few points of great interest to the zamindari community which I have the honour to represent. It is a well-known fact that the Madras Estates Land Act needs to be amended. It is admitted by some of the highest authorities that some provisions in the Act are not clear and this leads to any amount of litigation. I understand that the courts of law are finding it difficult to interpret several sections of the Act in a consistent manner. In fairness to the zamindars and their tenants, this difficulty must be removed at as early a date as possible. In the practical working of the Act many difficulties have arisen and I am sure the Government are not unaware of them. There are several cases where the zamindars are unnecessarily put to a lot of expense without a corresponding benefit to the tenant. As the Act stands at present, great injustice is being done to the zamindars in various ways. I may be permitted to say that, in some respects, the very object of that piece of legislation has been frustrated. I am sure that the Government are now alive to most of the difficulties and therefore have been kindly considering the question of amending the Act. I most earnestly request the Government to remedy these evils at a very early date."

"Another grievance of ours is in connexion with the control of village officers. We have been finding it very difficult to make them do their legitimate duties in a satisfactory manner. Several of them pay very little attention to the zamindari work saying that they have been attending to Government work, with the result that the interests of the estates suffer. This is in spite of the fact that they are bound to serve the zamindar also as the latter have been contributing to their salaries. There are several instances where we had to go to the District Collectors for redress. We are finding it difficult to deal with the subordinate officers and mostly District Collectors. If this is the situation now, I am afraid redress is to be got at the hands of District Collectors. It is therefore highly desirable that much larger powers should be given to District Collector. It is therefore highly desirable that much larger powers should be given to the zamindars and the only appellate authority should be the District Collector. I am sure that this will facilitate matters, safeguarding at the same time the interests of all concerned."

(The Raja of Pithapuram; Mr. Venkatapati Raju.)

[7TH APRIL 1919.]

"On behalf of my community I sincerely thank your Excellency for having declared the zamindaris of Vyyur and Doddapanayakanur as impartible estates and I sincerely hope that further applications that may be made for a similar declaration by my brother zamindars will receive the same considerate treatment at the hands of your Excellency's Government.

"In the interests of the country and the Government I consider it highly desirable that as many estates as possible should be kept in tact. The support tendered by the zamindars to the Government in various ways at the time of the war and the large number of charitable institutions that owe their existence to my community are enough to support my statement.

"I also thank your Excellency for the Rajkumar College into which also boys other than the wards of court will be admitted at a lower rate of expenditure than at Newington. I am sure that this institution where the boys are to receive excellent training which will stand them in good stead in their lives afterwards, will greatly benefit the zamindars and the country through them.

"My most earnest request is that your Excellency's Government will not ignore this loyal community and will do all that lies in their power to safeguard and promote its interests."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, I rise with diffidence to offer my observations on the financial side of the administration when the finance member who prepared the budget holds the reins of the Government, but I am confident the discussion will be profitable as your Excellency being a financial expert will dispel our doubts and set right any real defects noticed.

"As the State in India holds several fields of activity, which deeply concern the welfare of the subjects, great interest will be evinced by the people to secure financial reforms both in the manner of obtaining wealth and the mode of disposition. It cannot be denied that there are several financial problems whose propriety and correct principles underlying it are in doubt, in the matter of imposing and shifting the burden of taxation, the incidence of taxation and the real effect on the economic condition of the people; we must scrutinize the budget proposals as the State unlike private individuals should regulate its income by the wants of the State but not limit the wants by the income.

"Sister provinces often speak of our province as benighted and whether that appellation is justified or no, I leave it to the Council to decide, but in financial matters I am afraid Madras cannot boast of its lead. As it is not permissible to us to enter upon criticism of Imperial finance or heads not open to discussion I shall confine myself in pointing out that Madras has been suffering most by contributing an unequal proportion to the cost of the central Government and we are told that the Madras Government through her official representatives, fighting hard in our interests to lighten our burden of contribution and our own representatives made the facts bare of the real injustice which our province is labouring under and in the reform proposals of the Secretary of State and the Viceroy they admitted the existing inequality and hence we should incessantly urge on the attentions of the Central Government to place our Presidency on an equal footing with the other provinces especially as our province is more heavily taxed than any other and our people are comparatively poor, commerce and industry are in a backward condition and efficient banking system to meet the wants of the people is absent. We have every right to claim just and liberal treatment at the hands of higher authorities, as we want fair field and no favour.

"The budget amount of land revenue here is 717 lakhs against 689 of last year, 703 of the previous year. There has been an increase of land revenue item, year after year. In 1902 it is 5 crores and odd now it is over 7 crores. The extension of cultivation or increased irrigation facilities did not keep pace with the increase of revenue. Incidence of land taxation is higher in our Presidency than in any other province, or other civilized countries. In other countries the land taxes have lost the character of rent payments and acquired the feature of pure taxes. Lord Salisbury as Secretary of State for India well said long ago that the Indian Civil Service should understand that land assessment in India is not rent but a tax though signs are not wanting on the part of Government to go back upon that well-recognized principle. The shibboleth of middle ages that the monarch had the proprietary right in the soil is out of date now. Otherwise the State can obtain competitive rent and I am sure there would be an increase of land revenue by 50 per cent. Fortunately once our Government acknowledged the proprietorship of the pattadar in the land and I hope no belittling of that would be attempted by any Provincial Government. Periodical settlements and consequent increase of revenue on old holdings requires modification so as to consider the desirability, justice and equity of taxing land more than the other properties or incomes to meet the common burden. Even applying the principle either of benefit theory, taxation in proportion to the benefit received, or of faculty theory, taxation in proportion to the ability of the taxpayer, or combination of both, the present high rates cannot be justified on the sole ground that it yields considerable revenue and have been long in use. It is not even expedient in the case of persons of small holdings. Though our budget estimate book leaves it blank about the estimated cost of collecting the land revenue and though strong objection has been taken by the finance minister last year for my complaint of high percentage. I am emboldened to repeat it on the strength of the Government of India budget statement that in the whole of India it is 17.642 per cent whereas I find in Madras the charges are more than 20 per cent while the charges in other provinces are far less, ranging from 12 per cent in Burma, 15 per cent in the United Provinces, 16 per cent in Bombay and 19 per cent in the Punjab and Bengal. May we not reasonably ask for the economies to be effected in this direction. I notice that in the matter of divided heads of expenditure, owing to the check of the India Government the increase of cost is less than those heads of expenditure where the Provincial

7TH APRIL 1919.]

(Mr. Venkatapati Raju.)

Government has free head. We naturally complain of lavish expenditure on non-productive objects. The Government of India in their memoranda of 50 years of British rule stated that the periodical settlements of land revenue used to occupy from 4 to 10 years in each district and to cost Rs. 400 per square mile, while they involved considerable harassment to the people but now by reason of care, etc., the resettlement of a district occupies 1 to 3 years and costs Rs. 100 per square mile.

"According to the Government of India, resettlement costs only $\frac{1}{4}$ of the cost of original settlement but in Madras it is sometimes more than the original. It requires scrutiny and clear explanation as the United Provinces spends 5 lakhs and odd for survey and settlement while we spend over 13 lakhs whereas land revenue of both is over 6 crores and the United Provinces realizing more than ours.

"In the matter of stamp revenue with which we have nothing to do, I may be permitted to point out to this Government that under the head of fines and penalties 80,000 are budgeted in Madras whereas according to the Indian budget of 1918-19 which is available and not of 1919-20, Rs. 30,000 only are raised in Bombay, Rs. 40,000 in Bengal, Rs. 22,000 in the United Provinces, Rs. 42,000 in the Punjab, Rs. 11,500 in Burma, Rs. 12,000 in Bihar and Rs. 16,000 in the Central Provinces (1918-19 civil budget) though the complaint holds good even on the present date, I shall be glad to know why we are realizing more than double or treble of the other Presidencies. These are fines and penalties imposed by judicial officers and revenue officers. I do not know whether any different principle is adopted in this Presidency. It requires to be looked into.

"Excise.—It is a melancholy tale unheeded and unrequited in spite of stong professions of sympathy. Let us face the figures. Excise revenue of Madras is 4,58,17,000 against 3 $\frac{1}{2}$ crores of Bombay, 160 lakhs of Bengal, 151 of the United Provinces, 91 of the Punjab, 94 of Burma, 121 of Bihar, 119 of the Central Provinces, and 57 of Assam.

"No other province approaches us in the efficiency of excise administration. The Government rely on the repressive tendency of the high tax on liquors on the consumption, so that the decrease in consumption will be the direct gain to the people in moral and social well being without minding the loss of revenue for such a laudable purpose. But the Government is fully aware that consumption of intoxicants is not liable to material reduction by the present method. Moreover there is lurking I am afraid that the consumption of toddy has been increased. Morever there is lurking suspicion in the official mind that the increase of excise revenue is pari passu with the prosperity or increasing wealth of the drinking public. It is a mistake to suppose that it has any bearing. To drown the sorrow and ward off hunger pangs and to remove utter exhaustion due to heavy work and more often due to the evil habit of drink and facilities and opportunities offered by the benign Government by providing them with drink though at a high cost, and by saving them from the danger of deprivation of this luxury by non-drinking educated Indian idealists, the drink is indulged in by a large number of people.

"Drink is the cause of ruin of several thousands of families. I need not dilate on the drink evil and its terrible consequences. The country will never prosper unless drink is totally prohibited. It is difficult to expect the Government to forgo 16 crores of revenue, of which more than one-fourth is contributed by Madras. We cannot convince the Britishers of the utter futility of hoping for the decrease of consumption by any other method than by complete closure of liquor shops, following Jesus Christ's admonition that one should take heed of drunkenness. We must remember that 'the sight of means to do ill deeds makes ill deeds done.' More than half the earnings of the workmen go to the public house or liquor shop and it is high time that Indians should be warned off the track of sacrificing their health and wealth by inebriation in that India should be warned that more than two crores are raised in our Presidency the 'club and pub.' It is better to notice that more than two crores are raised in our Presidency on account of toddy revenue. The increase from 1917-18 to the budget figure of 1919-20 is about 28 $\frac{1}{2}$ lakhs. In the matter of country spirits there is an increase of 20 lakhs by budgeting the figure at 186 lakhs. These are the two items of about four crores which cost the consumers nearly ten crores and really effect the poorer section of the population. That our Presidency is poor is apparent from the income-tax returns but I am constrained to mention that our Government realizes over Rs. 30,000 on account of penalties while the Bombay Government which gets more than nearly four times of our revenue from income-tax, realizes only 16,000 and so also Bengal which gets three crores but recovers penalties to the extent of only 15,000. Similarly all other provinces realize smaller amount.

"In the matter of forests.—Though our revenue is far less than that of Bombay, the United Provinces and Burma, we raise under the head of fines and forfeitures about two lakhs, whereas Bombay gets 12,000, the United Provinces 16,450, Burma 5,000 only, as we notice in the budget of 1918-19.

"In the matter of magisterial fines, Madras takes the lead with 7 lakhs whereas Bombay is satisfied with 5 lakhs, the United Provinces and the Punjab 4 lakhs, Burma 1 $\frac{1}{2}$ lakhs though Bengal is trying to follow our unenviable lead.

"I may state generally that the Madras Government mulcts people of much larger amounts under the head of fines, forfeiture and penalties generally than any other province, quite disproportionate to the revenues raised by the respective departments. It may be claimed as an efficient work of the departments while the people regard this procedure as being rigid and unympathetic. It is curious that the United Provinces spend 20,000 to collect 54 lakhs of income-tax while we collect 85 lakhs by spending over 68,000 rupees.

"In the matter of forests we spend on establishment nearly 18 lakhs to get the revenue of 48 $\frac{1}{2}$ lakhs, while the United Provinces spend 9 and one-third lakhs to get 61 lakhs. I do not go

(Mr. Venkatapati Raju; the President.) [7TH APRIL 1919.]

further into the costliness of our Provincial administration by the comparative method but hope that the Government will take early steps to appoint a committee of experts unconnected with the departments concerned aided by men of the world, to suggest economic management all round, as the experts acting alone (as Lowell states) tend to take disproportionate views, to get more or less out of touch with the common sense of the rest of the world. Retrenchment and economy in expenditure are quite necessary for a poor province like Madras but in the matter of economizing the service heads though the Government might not have done wrong by design but never did right by mistake. Some bold step should be taken to overhaul the whole machinery and organism. We have to judge of its usefulness by the fruits of its labour; the plenty or penury in which people live and contentment and happiness the masses enjoy. Regarding interest charges the Local Government should have insisted on getting interest on their unpaid balances or at any rate the Provincial Governments should have been saved of paying interest when the amount advanced to them as loan is less than the Provincial balances in the hands of the Government of India. By the way we may suggest when Canada puts in her claim against Germany for war indemnity why not India do the same as it affords great relief to India through the British Government?

"On education we can congratulate the Government on their spending large amounts. All economists agree that no expenditure is more re-productive than that which the State makes for the development of its future citizens."

"United Kingdom, excepting on technical education, spends proportionately less than the other European countries on education. Mr. Fisher is making head way in that direction. It is non-controversial that the education in the elementary mechanical arts is as important as primary education. Private initiative cannot solely be depended upon for pushing on the secondary education, and if it is to be done efficiently the State should undertake it. I may go further and state that the University education is more re-productive than even the elementary education as superior education is a source of wealth to a nation. Professor Plehn states 'it is quite as important if not more important to have highly trained leaders of public action and thought as it is to have a low degree of intelligence widely disseminated.' The University as a centre for research alone is worth many times what it costs. In proportion to the benefits which it confers on the State it is, where run at the general cost, the least expensive part of the whole system. He significantly adds that fees for public education are gradually falling into disuse. American universities have set the example of free tuition."

His Excellency the PRESIDENT:—"I hope the Honourable Gentleman has reached nearly the end of his remarks."

The Hon'ble Mr. B. VENKATAPATI RAJU:—"I shall finish in a few minutes. Even in other countries larger part of the cost is met from general taxes and but a small part from fees and he hopes the remaining fees will fall away. But Madras is most unfortunate in the levy of fees from students. We spent about 107 lakhs from public funds, while getting over 54 lakhs from fees and 44 lakhs from other sources, whereas Bombay gets 29 lakhs, the United Provinces 28 lakhs, the Punjab 25 lakhs, Burma 20 lakhs, Behar 22 lakhs, from fees though Bengal is as bad as and even worse than Madras."

"I hope better counsel would prevail and fees would be reduced ere long; though we may not attain the perfection in the near future that education is made free as of old in Bharata Varsha and in which direction other civilized Governments are now winding their steps."

"The matter of police expenditure is a bugbear for all politicians and it is advancing by leaps and bounds, altogether out of proportion either to the needs or the increase of revenue. India should claim the right to frugality now denied her, for we are spending in India about nine crores on police while spending over six crores only on education. The subject has been discussed threadbare and we wait for a better opportunity to curtail the colossal expenditure on police which passes all reasonable bounds. It is a legitimate grievance that there is over taxation coupled with lavish expenditure which denuded India of its savings which should have greatly helped its industrial expansion."

"The Government has declared that the change in the water-rate proposed in G.O. No. 345, dated 18th July 1918 is not a fiscal one but intended to simplify the system and it is intended to be adopted to provide a great relief to the ryot. But we believe that there would be an increase of revenue of ten lakhs or more, adding additional burden on the people. The Government replied to the question No. 32 of August 1918 about the probable increase of revenue, that they had no information and the question was repeated by No. 99 of November 1918. They referred to the previous answer without frankly stating that they had no information and does not care to know. It is inconceivable that the Government should not have taken steps to ascertain the probable amount and I hope the Government would not impose this additional burden as it works great hardship on the people under the guise of simplification of the system. At page 236 of the Budget Notes under the head water-rate on whole inam and zamindari villages the revenue of Rs. 9,13,000 of 1917-18 increased to Rs. 21,93,000 as budget estimate of 1918-19 and reduced to Rs. 9,05,000 in revised estimate and for the current year budget for Rs. 9,14,000 only. If this has any reference to the aforesaid water-rate not to the change in this head only. If non-insertion of additional revenue in the budget proposals indicates abandonment of this proposal, people feel immensely grateful to your Excellency."

"In the matter of sanitation, rural and urban, and agriculture improvement, co-operation and industrial expansion, larger sums should have been spent during the last three years and better provision should have been made for the current year."

7TH APRIL 1919.] (Mr. Venkatapati Raju; Mr. Ramaswami Ayyar.)

"As the subjects were dealt with recently I do not say anything now except stating that the attitude of this Government has not given much satisfaction and requires change of the angle of vision to confer material benefit on our Presidency."

"The arrangements made by the Government to meet the distressed situation caused by the war, heavy export of food-stuffs, seasonal failure of rains, is most inadequate and even now we have not got the actual census of food-stuffs available in our Presidency so as to induce the Central Government to do something to relieve the situation. The recent food conference with the official majority refused the grouping of the Vizagapatam District with Godavari, Kistna and Guntur and rejected the proposal of removal of inter-district restrictions. No famine-relief measure is undertaken when scarcity rates are prevalent everywhere and no adequate provision even is made in the budget."

"Lastly I would urge that unless the public is taken into confidence and constitutionalism is adopted in the matter of taxation and expenditure the resulting changes in the financial system would be disastrous."

The Hon'ble Mr. C. P. RAMASWAMI AYYAR:—"Your Excellency, perhaps this is the last meeting of the Legislative Council that at all events many of us hope to see before the introduction of the new system gives rise to a new way of the discussion of the budget. I would begin by congratulating the Government on the acceptance of a matter which may appear to be a slight affair but on which is based according to my reading, the well-being of the country, namely the acceptance by the Government of the resolution on administrative panchayats. I hold very strongly the view that unless the political education of the people is built up from below as well as worked down from above simultaneously progress is not feasible. I therefore welcome the intention of the Government to inaugurate legislation on that basis and I hope the legislation will be on right lines which will give an adequate sense of responsibility and which will evoke that response which, I have no doubt, will come when responsibility is conferred."

"Another matter on which I desire to say something prefatory to the particular remarks on the various heads of the budget, to a few of which I shall confine my remarks, is with reference to the general scarcity of crops prevalent in the province. Famine has not been declared, but it has been pointed out clearly that at present the smallest yield for ten years has been outturned and there has been a decrease both in the yield and in the cultivation. I recognise that a remission of Rs. 26 lakhs has been made, but it seems to me that it is up to the Government to recognise—whether the official declaration of famine is made or not—that the times are such that the most energetic steps should be taken for meeting the scarcity and the difficulties due to a combination of high prices and other causes into which I shall not enter, which are at present exerting evil and adverse influences upon the well-being of the country. I hope the Government will not be deterred by mere formal considerations from entering upon a bold policy with reference to the situation."

"I turn now to the question of University and educational affairs. I notice with gratification that the budget estimate of Rs. 2.05 lakhs given in respect of university education includes Rs. 20,000 towards the Tamil lexicon. The question has often been put in this Council and outside it expressing impatience with the slowness of the work on the Tamil lexicon, but I may assure those here and outside that somewhat perfunctory as the labours of the committee were at one time and somewhat hampered as they were by various considerations the work is now well on and well nigh ending, and when it is completed it will prove very valuable as a means of popular education and of establishing the study of the vernaculars on the right scientific lines."

"There is another matter of interest touching the University on which I desire to say something, and that is the provision made of Rs. 1 lakh for a further instalment for the University library buildings. That Rs. 1 lakh completes the promised grant of Rs. 3 lakhs. I am aware of it, but I think the estimate was made in the year 1916 and we are aware how the estimates made even last year have to be revised and radically altered having regard to the altered conditions of to-day in the prices of materials. It seems to me that the estimate in respect of the University library buildings will be found to be inadequate and I am only entering a plea here for a generous treatment in that particular case. With reference to the site of the University buildings, I do not know if I am disclosing any particular secret when I say that the original site of the University library buildings has been found insufficient and unsatisfactory. It is too near the Coom and it is feared that a subsidence of the soil would take place and would largely interfere with the proper building of these buildings. I trust that the Government will bear this in mind and while it is largely a matter for the University to decide yet I am only speaking here on behalf of the University and asking the Government to be liberal in their contribution and not to be particularly strict regarding the allocation of one lakh."

"With reference to the general educational policy, I notice and congratulate the Government upon it, that a large step forward has been taken, and 128 lakhs is budgeted as against 102 lakhs last year. There is no use concealing the fact that many of us feel that the step which has been taken in Bombay ought to have been taken in Madras, that of making it possible for primary education to be extended compulsorily in selected areas at all events. I trust that in the coming year that matter will engage the earnest and strenuous attention of the Government and receive the sympathetic consideration on all hands that it deserves. It is not a controversial subject and it is not my intention to waste the time of the Council by stating a thing which has been restated and accepted times without number."

1022 RESOLUTION RE IMPROVEMENT OF THE ACOUSTIC PROPERTIES OF THE COUNCIL CHAMBER AND FACILITIES FOR THE ATTENDANCE OF REPRESENTATIVES OF VERNACULAR DAILIES.

(Mr. Narasimha Ayyar.)

[3RD APRIL 1919.]

therefore that it is very necessary that the acoustic properties of the hall should be made better and better facilities should be given to the public. I am not an expert in acoustics or in any other branch of physics, nor am I an architect. This committee might include or consult persons who may devise measures by which the acoustic properties may be improved, and further provision for seats for the public might be made. I may suggest that the seats intended for the public may be a little bit nearer; it would improve the acoustic properties. That is only one suggestion. Numerous suggestions may be offered; that is why I have suggested a committee. The suggestion may be made that this hall has been built at a cost of several lakhs of public money, why do you want this alteration which would involve further expenditure, especially when you are likely to have an enlarged assembly? It is possible that some clever acoustic expert may devise means which would remedy the defect with an expenditure of Rs. 100 or Rs. 200. I do not know what remedies may be suggested. The question of cost will certainly have to be taken into consideration; but that, however, will be one of the items to be considered. I do expect that when there is an enlarged Council with 120 members, a new hall will be put up and a promise will be held forth. The question is whether we may not try and see whether the existing state of things cannot be improved, and whether some remedy may not be suggested by experts.

"The next clause is 'greater provision of space and facilities for enabling more vernacular dailies to send their representatives to attend and report the Council's proceedings.' This has got particular reference to the fact which I shall mention to the Council that one of the leading Tamil dailies of Madras applied to the authorities for permission to send a representative to report the Council's proceedings and the answer given was that there was no space for more reporters. I think this is a very unfortunate answer, because it has produced diverse results. Nobody intends to deny the existing reporters the facilities now enjoyed, and the desire of every one is to increase the facility for all papers. At present there is only one vernacular daily which has got its representative here. That is a very unfortunate state of things. It is in the vernacular papers that the proceedings must come earlier. These vernacular papers get the service of Reuter's telegrams and they deserve favourable consideration. I wish only to point out that the grievance is that a larger number of papers which are catering to the public taste and providing them with news of what goes on in the Council should have more facilities given to their representatives to get early, direct and immediate reports of what goes on here when the interest in them is fresh. That is the particular fact on which clause (b) is based; that is, 'greater provision of space and facilities for enabling more vernacular dailies to send their representatives to attend and report the Council's proceedings.' I think without any extraordinary cleverness, it might be possible for the committee and those whom they or the Government may consult to provide more space for more representatives by re-arranging the space now given to the reporters.

"Then I proceed to clause (c), 'facilitating the meeting of non-official members and working in connexion with public business on days when the Council is not sitting.' In this connexion, I may draw the attention of Honourable Members to certain facts. When we had to meet at Ootacamund there is a practice, which has been observed for a pretty long time, of non-official Members meeting prior to the meetings of the Council so that they might arrive at some understanding as to what particular resolution should be pressed and what not, and also consider various other matters which are absolutely essential for the proper working of the Council. Amongst the reasons that go to decrease the interest which the non-official members take in such matters are the difficulties that when we try to meet like that at Ootacamund there is no hall. Here at least we have certain facilities though they are not adequate. There are numerous disadvantages. The Government have all their instructions printed up to date and have information at their disposal to give to non-official members. The question is whether it is not possible for a clerk of the non-official members to be appointed so that he may be a sort of conduit pipe through whom we may communicate with one another and with the Legislative Secretary. There are several advantages in that. At present we find that not infrequently several members put certain questions on the same topic. That is a disadvantage. There are various other disadvantages. We find that on certain matters Honourable Members who wish to put supplemental questions could not put them because they did not send up the original questions. Suppose there is a clerk appointed for the non-official members and he is recognized as the channel through which questions might go to the Secretary, then such members as might entertain a desire to put supplemental questions might communicate with the clerk and say 'Hand up my name for these questions'. That would not only avoid reduplication of questions, but it would enable Honourable Members to join together and come to an understanding on matters in which they are deeply interested; and to get clearer statements from the Government. Then there is the question of the provision of a place, and I think it is not an unconscionable demand on the part of non-officials to ask that some place should be set apart where they could conduct the proceedings on days when the Council does not meet, when they wish to meet together. Some facilities should be afforded to them for that purpose.

"The last clause is 'for the avoidance of reduplication of questions and resolutions at the same meeting and to remove other similar defects in the working of the Council.' There are a number of defects. Several other defects which might occur to Honourable Members and which require redress; and there may be no numerous suggestions coming forward and they have to be dealt with. The proper way of dealing with the question is to appoint a committee to meet

RESOLUTION RE IMPROVEMENT OF THE ACOUSTIC PROPERTIES OF THE COUNCIL CHAMBER AND FACILITIES FOR THE ATTENDANCE OF REPRESENTATIVES OF VERNACULAR DAILIES.

3RD APRIL 1919.]

(Mr. Narasimha Ayyar; Mr. Todhunter; Mr. M. Ramachandra Rao.)

existing difficulties. Unless it consists of officials and non-officials, it cannot do justice to the task. Although I have not stated 'official and non-official members of this Council,' what I mean is a committee of official and non-official members of this Council with power to co-opt others who are likely to give useful information. With these words, I place this resolution for the acceptance of the Council."

The Hon'ble Mr. K. Sadasiva Bhat seconded the resolution.

The Council then adjourned for a short interval.

The Council assembled at 2-45 p.m., when the discussion on the resolution of the Hon'ble Mr. B. V. Narasimha Ayyar regarding the acoustic properties of the Council Chamber was resumed.

The Hon'ble Mr. C. G. TODHUNTER:—"Your Excellency, before going into the question whether a committee should be appointed to deal with the points raised by the Honourable Member's resolution and whether this is the proper time to appoint a committee to examine them, I think it would be well to explain in some detail what has been done and what can be done with reference to each of them.

"Taking in the first place the question of the acoustics of this hall, I think I am right in saying that architectural acoustics have not yet been reduced to an exact science, but depend upon four things, viz., the shape of the hall, the nature of the surface which receives the sound, the delivery of the speaker and the adaptation of the latter to the room.

"As regards the shape of this hall, I think it is generally agreed that the Consulting Architect has done all he could to render it suitable. The only criticism that I have been able to discover is that the voice of speakers is apt to travel away under the arches instead of up into the galleries and the only suggestion that I have been able to find in the files for preventing this is that hot stoves or radiators for the purpose of generating hot air should be placed in a line in front of the gallery, that is to say, behind Your Excellency's chair. It is sufficient to say on this suggestion that the ingenious gentleman who made it evidently had not sat through a Council meeting in April.

"The most important question is the nature of the surface of the room. In a hall, the audience hear three sets of vibrations, those received direct from the source, those diffused by the walls, ceiling, etc., thus producing the sound of resonance, and those regularly reflected by the walls which give the distinct echoes. For a hall to be good from the acoustical point of view, there should be no echo and the resonance should be short enough to reinforce the original sound to which it is due instead of trespassing upon the sound following. Now in this hall we have practically no resonance from the ceiling, which is of fibrous plaster, that is plaster on stretched canvas, with a hollow space behind it. We had at the beginning of things much resonance from the floor, which is of marble, and we have sacrificed or rather hidden a magnificent marble floor in order that we may be able to hear the speeches better. There remain the walls. These are of a hard surface and do reflect a certain amount of sound. But the echo from them has been reduced by hanging curtains round them. It will be further reduced if and when we have a series of paintings beneath the windows and above the curtains, but that I am afraid will not be for some time to come.

"There remains the consideration of the furnishings of the hall, including the audience. According to the formula on the subject, if V is the volume of the room, A its absorbing power when empty and X the absorbing power of the audience, then T, the duration of the resonance, equals $\frac{0.171 \times V}{A+X}$. This formula apparently accounts for the fact that it is easier to speak to a full house than to an empty one, since in the one case the duration of the resonance is short while in the other, one phrase goes echoing on, preventing the next from being heard. This is a very important factor in connexion with the fact that the number of this Council is shortly largely to be increased. If the duration of the resonance is three seconds now with 43 members and say, 20 reporters, it may be only two or even one with a house of 120 members and 50 reporters, and measures which would be satisfactory under present conditions are likely to be very unsatisfactory under those which are to come.

"Coming to the second point, I need hardly assure the Council that nobody wishes to exclude reporters from the meeting nor can any one who has witnessed their struggles for places on the bench be indifferent to their sufferings, especially in this hot weather. In fact, this is the main consideration that militates against the grant of further tickets. In this connexion, I may say that limitation on the numbers admitted is not peculiar to this Council. I notice from a book of reference which the Hon'ble Mr. Ramachandra Rao was kind enough to hand to me in connexion with the last resolution, that even in the House of Commons, when seats have been provided for the leading dailies and provincial papers, there are very few left for news agencies."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"It provides for 60 representatives of the press."

The Hon'ble Mr. C. G. TODHUNTER:—"When we provide for the new Council, perhaps we shall have to do something of that sort."

"The next task which the Honourable Member would assign to his committee is to facilitate the meeting of non-official members when the Council is not sitting and to arrange generally for expediting their work. Here, I am afraid, he is setting his committee rather a hard task."

(Mr. Ramaswami Ayyar.)

[7TH APRIL 1919.]

"There is another matter in connexion with University politics on which I will detain the House for a minute or two. The University recently determined upon a diploma in economics and you will find that at present we are able to meet the cost of the University Professorship out of the normal recurring grants. But I foresee that in future not only the development of the University diploma in economics but a degree in economics will be started and when it is started we will have to come to the Government for help. It seems to me that the inculcation of proper economic theories as part of not only specialised but general liberal education is a primary duty of the University and I trust the Government will recognise the importance, the urgency and paramountcy of it. Last year, I find that my predecessor in this Council emphasised the necessity for drawing a sympathetic distinction between grants-in-aid to aided institutions and grants given to Government institutions. I would repeat that plea and point out that when we find that the expenditure on Government schools which in 1918 and 1919 was 31 lakhs and 40 lakhs is now 46½ lakhs, whilst not demurring to that or cavilling at that, I would urge that the claims of aided education are far more paramount than those of a few Government institutions. I notice that in the matter of opening new elementary schools and the strengthening of existing elementary schools a large increase has been made. I would only say that in starting new elementary schools it would not be lost sight of that there is necessity to reorganise the mode of instruction in the schools as much as to increase the number of schools. It has been felt and it has been increasingly demanded that instruction in hygiene and sanitation and instruction in practical matters has to be introduced in these schools if they are to fulfil their purpose. Mere instruction in the three R's for a limited number of years to persons who cannot take adequate advantage of the instruction and who will probably very soon forget what they have learnt when they go to the fields cannot be regarded as a *sine qua non* of education or the end to be kept in view. On the other hand practical training in the things that matter should be part of the ideal programme of study. It seems to me that not only schools managed by the Department of Public Instruction, but all the aided institutions in respect of which its impact can be felt will make this one of the matters to be kept in view.

"In common with the other speakers who have preceded me I congratulate the Government upon the grants, which I consider entirely inadequate, for the investigation of the indigenous drugs. I do not desire to revive the controversy in this house, but a large number of persons feel that in the adequate investigation of the indigenous drugs and in the reorganisation of medicine in this country along scientific lines and not on empirical lines a great deal should be done and I hope the Government would not be deterred by experts, who are apt to be narrow and one-sided, in their final determination on this matter.

"In another department, namely that of co-operative credit, I have few words to say. I notice that there is an increase of two Assistant Registrars and 14 Inspectors. But whatever may be the departures taken in the matter of the personnel of the department, I see—I am not mentioning it in any carping spirit of criticism—I see that for some time past no big departures in the matter of co-operative credit have been taken by the Government. It may perhaps be objected to what I say that this is a matter of imperial concern, it is a matter of imperial policy. Whatever that may be, there is such a large amount of initiative left to the local administration that it ought, I think, to be borne in mind that not only in the relieving of agricultural indebtedness a bolder departure should be made but the inauguration of new industrial plant, cottage industrial plant, ought to be the idea to be kept in view in further departures. In this connexion it seems to me that even to the provincial administration there is a large scope of activity left which they ought not to fail to avail themselves of.

"There is another matter also to which I think attention ought to be paid, and that is the inauguration of what may be called a real industrial policy. I notice, and many of us have noticed with satisfaction, that the Government of Madras have taken very large departures in the matter of introduction of industrial ventures and I have noticed in the budget that such industrial ventures have been started in many parts of the Presidency. But it seems to me that sufficient attention has not been paid to the necessity that there is for enabling persons to be sent out by means of scholarships to be trained in foreign countries where particular industries may be carefully studied on the spot. I am not forgetting that it would not do merely to give scholarships for a person to go and come back and remain helpless and subsist into a clerk in the Government Secretariat. I have in my mind a particular person who specialised as a glass expert and who has come back from Japan and become a clerk somewhere. It is not that kind of policy that I advocate. Take for instance the question of the improvement of the sugar industry. It seems to me that it would be a very good thing if scholarships were given to persons to go to Java and Mauritius to study the conditions of the industry there and study how the particular scientific departures are made in those places for the purpose of investigating the industry there. It has been estimated that the introduction of new and better sugarcane has culminated and resulted in a gain of 20 per cent a year. The bulletin issued by the Chairman of the Sugar Committee, Dr. Barber, pleads for sugar experts and engineers in this line. There is a great field for sending out people to places where scientific methods of manufacture are resorted to in order that they may come back and benefit our country.

"I now come to the subject of sanitation. I desire especially to speak on one or two matters, namely the grant of 1 lakh to the corporation for sanitation and 5 lakhs for drainage and water-supply. I do not find the Honourable Member for the corporation here, but I think as a member of the corporation it is my duty to point out that the Corporation expects and demands from the Government very large and generous support in the programme to which it has been subjected not by its own volition but a programme to which it has been committed by the decision of the Government. It would be frivolous for me to repeat that line of Kipling

7TH APRIL 1919.] (Mr. Ramaswami Ayyar; Mr. Suryanarayanamurti Nayudu.)

in which he says that he nearly built a City drain. It is no use inaugurating that work unless you are determined to put it through. If the Government thought that the sanitary requirements of Madras demanded a bold and generous policy in the matter of increased staff and equipment necessary for putting in hand the new inauguration of the water-supply and drainage systems, it would not do for the Government to say, 'you have taken the responsibility and you must tax yourselves, we shall give this grant and no more'. The prices of materials have increased and the resources at the disposal of the corporation are notoriously low and it is up to the Government, having started the programme, to help the corporation to make the best it can out of the restricted programme to which the corporation has committed itself. I trust that the Government will introduce and inaugurate a much more generous policy than has hitherto characterised their treatment of the Madras Corporation.

"The last matter on which I shall dwell is with reference to a subject which has often come up before this Council, namely the prospects and pay of Judicial officers. In answer to questions 53 and 54 we find that the Government state they cannot make a definite statement on the matter. Surely it is open to us to say that the Government have had enough opportunity to make up their mind. They have sufficient materials to make up their minds and the time has come when the pay and prospects of the very hard worked judiciary ought to be viewed with sympathy and consideration by the Government who, I am sure, are alive to their particular difficulties and I daresay are sympathetically disposed to them. Red tape and routine may save us from mistakes but a large forward policy cannot work on mere red tape and routine.

"In concluding these remarks let me congratulate the Government upon the many large departures that they have taken with reference to the sanitary and educational matters, and let us hope this is only the beginning of a new era in which cordial co-operation will be demanded and got from the people who pay taxes and the people who pay taxes will also be in a position to demand that the taxes paid by them shall be disposed of in the particular ways that they desire."

The Hon'ble Diwan Bahadur K. SURYANARAYANAMURTI NAYUDU:—"Your Excellency, I would like to make a few observations on this occasion. Before doing so I deem it a duty to congratulate the finance member on the budget presented for this year which is progressive in character and indicates the advent of normal conditions.

"The war that convulsed the world for more than four years is happily at an end and this is the first budget after it. It would be wrong to expect a more progressive budget, however much one might wish for it, taking the present conditions and imperial interests into account. As it is, we are thankful to the Government of India for permitting the Local Government to reduce its opening balance by 74 lakhs, thus enabling the Local Government to spend the same for the benefit of our Province. The war had created most acute conditions and it should be the first endeavour of this Government to relieve those conditions as early as possible. There is a great economic distress in the country. The foremost of those conditions is the abnormal rise in prices especially of the necessities of life. The restoration to normal conditions should be the first endeavour of the Government. I am glad an attempt has already been made to tackle this problem and I hope a systematic course of action based on a sifting economic inquiry into the conditions at present obtaining in the Province will be adopted very soon. I am afraid the large amount of 37 lakhs by way of giving increase of salaries to Government servants below Rs. 50 which I do not object to, is, however, not meeting the situation as there is hardly a section that is not affected by the rise in prices. I quite realise that it is not an easy matter unless the Government of India gives the Provincial Government a free hand to deal with the situation. On the 17th of last month your Excellency's Government convened a conference at which certain resolutions were come to. I hope they will be given effect to immediately. I would even venture to suggest that the State should take up the control of food-stuffs, and if necessary sell them at reduced rates to the masses, treating it as a question of relief.

"Next in importance I would place before Your Excellency's Government, is the diffusion of elementary education as broadly as possible. I note with pleasure that 16 lakhs in excess of last year's budget are to be spent on education this year, but I respectfully submit that the expenditure on elementary education is not adequate. In the present state of the country and as introductory to its industrial development the widest possible diffusion of elementary education, if necessary, even to the prejudice of higher education, should be, I think, the proper line for the Government to adopt. Further, new conditions of franchise are coming into existence and an enlightened electorate is a necessity.

"If there is one subject on which there is unanimity of opinion it is the great need to make the country industrially strong and self contained. As the Right Hon'ble the Secretary of State for India and His Excellency the Viceroy have pointed out so often, the war had shown the helplessness of India and her weakness to sufficiently help the mother country owing to her hopeless industrial backwardness. Therefore the only hope for the country lies in the development of industries. The report of the Industries Commission has been published and I hope very soon their recommendations will be put into practice. Last year I suggested that a beginning might be made in advance by attaching mechanical schools to the existing Public Works Department Workshops in different places. I am thankful an attempt has been made to take paid apprentices into the workshops and train them. The mechanical school to be established at Ootacanda I hope will come into existence very soon. From the reports in papers it looks as if the Secretary of State for India is not likely to inaugurate the scheme for

(Mr. Suryanarayanamurti Nayudu ; Mr. Siva Rao.)

[7TH APRIL 1919.]

industrial development for another year yet to come. It is regrettable that we are thus one year behind other countries which took up the matter soon after the war. I earnestly request Your Excellency's Government to make a start however in advance. For instance I suggest that a few industrial technical schools in different places of the country may be opened as adjuncts to Government schools or colleges. The cost cannot be much and a beginning might be made. The problem of agricultural development is also a pressing need. Last year we have had a bad time of it owing to failure of seasonable rains and the consequent poor crops. The difficulties of transport both by land and water made matters worse. I am glad 20 lakhs have been allotted this year for the improvement and repair of trunk roads. My last year's suggestion for the removal of silt in canals I beg to recommend again. The drains in the Godavari and the Kistna deltas will have to be improved by an allotment covering a period of some years as most of them are in a bad condition to the serious detriment of the crops.

"The Cocanada Port Conservancy Board is in a state of financial embarrassment. This year has been even worse than last year when I brought it to the notice of Your Excellency's Government. The ordinary expenditure of the Board could not be met without having recourse to sell one of its barges although the landing and shipping dues were raised 100 per cent. Cocanada is an important commercial centre and its port is one of the safest on the coast. I think it is not too much if I expect Your Excellency's Government to come to its aid by giving a free grant until at least normal conditions prevail both in trade and sea transport. This is a matter we people in the Godavari district feel strongly about and I hope Your Excellency's Government will give an early and sympathetic consideration.

"I am thankful to Your Excellency's Government for making a provision in the budget for the construction of a building for the hospital in Cocanada and I hope the work will be commenced soon as the present building which Your Excellency has recently seen is not only inadequate but most unsuitable.

"This province has been paying to the India Government a much higher proportion of revenue than any other province. Therefore Your Excellency's Government should try to reduce the amount so that better help can be given to education, sanitation and medical relief in our province."

The Hon'ble Mr. P. SIVA RAO:—"Your Excellency, the dreadful world-war has after all come to an end though we are still suffering from its after-effects. Though actual hostilities have come to an end, the period of demobilisation is certain to entail a very heavy strain on Indian finances—our budget is still a 'caution' or 'economy' budget as it used to be before. Our finances have not yet attained their normal equilibrium. For the first time we have been permitted to draw on our accumulated balances to the extent of about 75 lakhs, one half of which has gone towards the grant of war allowances on a liberal scale to the Government servants drawing Rs. 50 and below. I wish something might be done to give relief to the servants of the local boards. As Your Excellency is aware, most of the local bodies cannot distribute grants of war allowance in the same liberal manner in which the Government have done. I only make this humble suggestion that the Government may make grants to local bodies to enable them to grant relief to the servants in their employ on the lines laid down by the Government.

"The prices have risen beyond all bounds. They are worse than the worst famine prices. We earnestly look to a satisfactory solution of the whole matter as the result of the recent conference. The situation demands most vigilant attention on the part of the Government. Urgent steps should be taken to relieve the distress caused by the prevalence of these high prices and to minimise unemployment wherever it is found to exist.

"By reason of the failure of the last two monsoons, agricultural conditions are not favourable in fourteen districts of the Presidency. We note signs of acute famine in them. Remissions and suspensions sanctioned last year on that account have brought about a fall of about 25 lakhs under the head of land revenue receipts in the revised estimate of the same year. The total land revenue provided for in the last budget (1918-19) is about 708.86 lakhs, while the revised estimate provides only for 678.64 showing a decrease of about 30 lakhs. The figure of 710.47 lakhs inserted in the present budget is based on the assumption that the seasonal conditions will be better during the present year. I for my part cannot foresee any improvement of the present conditions during the current year and I wish the Government had taken less credit under that head.

"The amount of 2 lakhs provided for famine relief is hardly adequate for the purpose. The sum of 8 lakhs meant for the advance of loans to cultivators during the current year is hardly sufficient. Considering all these adverse circumstances, the budget is on the whole satisfactory.

"The Government of India in their letter No. 3084 F., dated 22nd November 1918, regarding the principles on which the budget estimates should be prepared, instructed that additional expenditure may now be reasonably incurred on the following objects: (a) the extension of education in directions where it has been specially hampered by war economies; (b) the development of industries; (c) the repair of actual damage which the financial stringency of the last three years has caused to public institutions and services; (d) purposes which though not immediately remunerative will secure an improved and not greatly deferred return to the State or the country at large, such as capital outlay on the development of forests, agricultural experiments and the like; (e) expenditure in connexion with the relief of distress and the like in consequence of the present agricultural situation whether in the form of famine relief or advances should be duly provided for. We shall see how far these instructions have been followed in the framing of the present budget.

7TH APRIL 1919.]

(Mr. Siva Rao.)

"Among the urgent reforms of the country, the expansion of primary education and the development of industries rank the foremost. The total expenditure under the head of education in the budget estimate of 1918-19 was 112.98 lakhs, in the revised estimate for the same year it was Rs. 168 lakhs, in the budget estimate for the current year, it is 128.98 lakhs. It is satisfactory to note that there has thus been an increased provision of about 20 lakhs under this head out of which 6 lakhs will be devoted to the expansion of primary education, for the opening of 1,170 new elementary schools, for strengthening the staff of 562 schools and for opening higher standards in 300 existing schools. The allotment, gratifying as it is, does not satisfy the real requirements of the country. The Government of India in their circular No. 750, Home, dated 4th September 1918, propounded a scheme of primary education which had for its object the doubling of the number of pupils in the primary schools in the course of ten years and the cost of which should be borne by the India Government and the Provincial Government and the local bodies in three equal shares. We are not aware in what stage the scheme now is and there is no explanation why it has not been hitherto given effect to. In the same connexion, I wish to impress on the Government the imperative necessity of placing even the secondary education within the easy reach of all and as a step in that direction liberal scholarships and free student-ships should be granted to poor but deserving students in the schools. I cannot but regret the recent unfortunate decision of the Government in the matter. I wish that the recommendation of the Educational Conference of 1916 had been carried out in the same matter. I hope that better counsels will prevail even now.

"The next subject of paramount importance to our country is that of industries. The Indian Industries Commission have sent up their report. The Commission found that India is rich in raw materials and in industrial possibilities, but poor in manufacturing accomplishment. They laid down that in future Government must play a very active part in the industrial development of the country. To undertake that part they should be provided with adequate administrative equipment and also armed with reliable scientific and technical advice. They recommended a better exploitation of the forests and fisheries and proposed the introduction of labour-saving machinery. They urged a special survey of the coal situation in India and directed our attention to devising more economic methods of using wood fuel. The Government were enjoined to undertake a thorough hydro-graphic survey in order to determine the places which offer possibilities for the establishment of hydro-electric installations. They also recommended measures designed to improve the efficiency of the Indian artisan and to induce the educated Indian to take part in industrial enterprise. They advocated universal education supplemented by a system of special education, with practical training in the workshops, in the technical and industrial schools dotted all over the country. They also indicated the organization of industrial banks all over the country. They anticipated their proposals would involve a recurring cost of 86 lakhs and an initial capital expenditure of 150 lakhs for the whole of India. The provision made under the head of development of industries in recent years stands as follows:—

	LAKHS.
1915-16..	1.89
1916-17..	2.41
1917-18..	5.67
Revised estimate for 1918-19	8.16
Present budget, 1919-20	12.62

"The only industry to which any attention has hitherto been paid is fisheries and soap. It is hoped that the Government will hereafter pursue a vigorous policy of industrial expansion in this Presidency.

"As regards the capital outlay on the development of forests, the present budget makes no provision whatever. The officer deputed to examine the commercial possibilities of the forests has been discontinued. The question of proposed local extraction of sandalwood oil has not been seriously taken up. The recent triennial meeting of the Forestry Board at Dehra Dun indicates the future policy regarding forests in India. Here is an account of it that appeared in the *Madras Mail* dated the 5th instant. 'The discussion at the meeting discloses that in the immense forests of India there is a wealth untold, a revenue that will always be expanding, when that from the other sources is reaching its limit. It is a source that will have to be worked judiciously but of this, there are sufficient indications in the policy outlined in the same discussion—a policy of education, research, judicious exploitation and prudent commercialism. Judicious exploitation includes the provision of a staff of forest engineers, experts in sylvi-culture and commercial advisors.' The Forest Department will have to be regarded, the *Madras Mail* suggests, as one of the re-productive departments of the Government and the financing of its requirements will have to be undertaken on that basis and not as hitherto on the basis that it is a non-productive department. It is earnestly hoped that the Government will carry out the policy outlined in the same meeting.

"Before I close, I wish to refer to the provision under the head of minor sanitary grants for the present year. The allotment of 7 lakhs made under that head includes one lakh given to the Madras Corporation and also one lakh sanctioned for the improvement of the sanitary condition of the pilgrim centres, leaving a sum of five lakhs for the requirements of the whole of this Presidency, which is grossly inadequate for the purpose. The amounts applied for by the various local bodies in the Presidency amount to about 26 lakhs. I may also draw attention to the grants made for the improvement of the condition of the important roads in the Presidency. A sum of 20 lakhs was distributed to local boards for the said purpose during the last year and six lakhs more are allotted for the current year. There is no reason whatever as to why the local boards alone should have the sole benefit of the grant and why the municipalities which contain a portion of these important roads within their limits should not come in also for a share.

(Mr. Ahmad Tumbi Marakkayar; the Raja of Ramnad.) [7TH APRIL 1919.]

source of constant danger to the public health of the town, and I therefore hope that the Government will, as soon as circumstances allow, make sufficient provision to give effect to the recommendations of the Committee in that respect also.

It is very unfortunate that the financial circumstances of Government prevent them from giving effect to another recommendation of the Pilgrim Committee, i.e., to make provision for sewage scheme at Negapatam at the earliest possible moment. The want of such sewage scheme at Negapatam and Nagore was brought to the notice of this Council by me on former occasions, but owing to war, the scheme had to be dropped. Now that the war is over I hope the Government will soon take up the idea of equipping Negapatam municipality with proper drainage scheme, the absence of which is badly felt by the people of the town, more especially after the water-works system has been introduced.

One other important point about which I have been pressing Government for a long time, is the necessity of providing accommodations for the Indian officers of the Government in the mufassal towns. I am sorry my requests have not had the required attention of the Government. Though their brethren at Metropolis are provided with suitable dwellings, the Indian officers of the Government in the mufassal are left to wander through the streets in search of suitable accommodation. My proposal is therefore, that the Government should set apart a sum of money annually for the purpose of erecting buildings to accommodate the Indian officers in the mufassal till the needs of all the important towns are satisfied. During the pressure of the war this suggestion may not have the attention of the Government at all, but when we return to the piping times of peace, I think the Government may see that their servants in the mufassal are comfortably lodged as their brethren in the Metropolis.

Lastly I would be failing in my duty if I do not say a word or two in connexion with the rise in the prices of food-stuffs and the consequent sufferings of thousands of poor people. In this connexion it is a matter for satisfaction that in many of the important towns the local bodies are trying to minimize the inconvenience as far as possible by buying food-stuffs and selling them to the poor at normal prices. Several of the municipalities are handicapped for want of funds to follow suit, and in such cases, I request Government to finance such bodies, or allow the local bodies to borrow money from the Bank of Madras, to carry on the retail sale of food-stuffs at cost price.

Finally, if this is the last session of this Council I should like to take this opportunity of expressing to Government on behalf of my community, our sincere gratitude for the good we receive and the benefit we enjoy at their hands, and for the kindness and courtesy invariably shown to the Mussalman representatives in the Council.

The Hon'ble the RAJA OF RAMNAD:—"Your Excellency, the year under review is quite an eventful one; and the one foremost event on which every one may congratulate himself is the termination of the world-wide war. As I said in previous years, the great cause for which Great Britain and her Allies waged war, has triumphed, and we earnestly wish that the labours of the Peace Conference now sitting in France will result in a lasting peace and glory to humanity. We cannot let slip this opportunity without expressing our deep sentiments of loyalty to our august Sovereign who had undergone great personal sacrifices and inconveniences, not to mention the recent domestic bereavement he had sustained during the course of this protracted war. His Majesty's ideal that, 'righteousness exalteth a nation' has alone brought out England and her Allies triumphant in the monstrous struggle that swept over the land for a period of over four years, and that with a well prepared and powerful enemy, whose barbarous and inhuman conduct, History will depict in letters of blood for coming generations to know.

While the conclusion of the war is a matter for congratulation, other matters, which seriously concern the well-being of the people and which seriously concern us, are indeed very grave. That 6 million people should have died in India of influenza in one year, is not a matter which even an indifferent man can learn without horror and dismay. I shall deal with that question more fully when I examine the provision made for medical relief and sanitation. Then again comes the difficulty of rise in the prices of food-stuffs and other commodities, and this also I will discuss more fully below.

The closing balance for the year, according to the revised estimate, is 196.09 lakhs. But it is mentioned that the excess expenditure of no less than 75.25 lakhs of rupees over the receipts will be met from balances, which will reduce the closing balance to 120.84 lakhs for 1919-20. This is not very encouraging. But I don't claim to be an expert at figures, and therefore, I don't wish to say more. I leave that to my more experienced colleagues of this Council to point out to the Government how their drafting amount from the closing balance of the previous year, more or less for normal expenditure, is neither desirable nor conducive to progressive administration.

Excise Revenue is, no doubt, going up by leaps and bounds, and this department seems to be the goose that lays the golden egg. There is a considerable fall in the land revenue for the year by 13½ lakhs, and what is worse is that there should be a fall to the extent of 14.95 lakhs in forest revenue. In a recent issue of *Justice*, we find an interesting article on the development of forest revenue, and I invite the serious attention of the Government to that highly paying source of revenue. In excise, I am afraid, we cannot expect a greater income in coming years. I have not the slightest doubt that sooner or later, we shall be able to reach the utmost limit. It is true, sir, that while the revenue under excise is growing, the consumption of liquor is gradually coming down. Consumption of country spirits and toddy has, from 1913-14, gone down by 100,000 proof gallons and 6,950,000 gallons respectively, while the revenue has increased for the same period by 92½ lakhs. One can well appreciate

7TH APRIL 1919.]

(The Raja of Ramnad.)

the endeavour on the part of Government to reduce consumption of liquor as much as possible. But while such an endeavour may satisfy those of the temperance movement, it must be a matter of some concern to a financier when he notices a rapid decrease in the consumption, from a revenue point of view. For the purpose of expenditure you rely on this growing revenue; when the consumption decreases, the revenue also must correspondingly decrease. Therefore, I should personally think that it is a wrong policy to rely on this source of revenue as anything permanent and then to determine the expenditure. Not that I don't appreciate the reduction in the consumption of liquor or the growing revenue under that head; but what I wish to lay stress upon is, that the Government should tap other sources, especially forest revenue, so that they may make good any possible deficit in receipt in the coming years. Here I may urge for a greater attention being given by Government to the sandalwood industry which, I have every reason to believe, is a highly paying concern.

Under 24-A. Medicine, I regret to observe that only a small addition of 10 lakh is provided under the revised estimate. As I said above, some 6 millions of people have died of Influenza, and I do not know what the share of this Presidency is in that national disaster. But so far as I understand, there is not a single house which has not been sorely affected by this scourge. And yet, the provision made for medicine is so low. Sanitation in rural parts is highly unsatisfactory; and yet, when the Hon'ble Mr. Venkatapathi Raju, only at the last meeting of this Council, moved for the appointment of a central committee for investigating the sanitary needs of villages, the Honourable Member in charge whittled down his proposal as impracticable in his own humorous style, though no assurance of any kind was given as to what the Government proposed to do instead. It is most unfortunate that there should be an unspent balance from Provincial grants made to local boards and municipalities to the tune of 65.10 lakhs. I have no particulars at present to find out which local board or municipality is the delinquent. But whatever that is, the fact remains that such a large amount has been left unspent. Their inaction in this respect seems to be the only possible justification for Government not making more allotment for sanitation. The Hon'ble Mr. Rajagopala Achariyar said only at the last meeting that the appointment of non-official President for district and taluk boards should be made with great caution, as men with requisite qualifications are rarely available. May I ask him whether he was aware of the fact that the official presidents of district and taluk boards, in whose capacity he seems to have extraordinary faith, were or must have been, necessarily responsible for this most unsatisfactory state of rural sanitation, though having under their control a very large share of 25.91 lakhs of the minor sanitary grants yet remaining unspent. This does not really reflect very great credit on the existing presidents of district and taluk boards, whoever they may be. This only negatives the apprehension that these boards must lack efficiency under non-official control. There is a fear, sir, that there is a likelihood of the recrudescence of Influenza for the third time. This is indeed a very grave matter which must engage the serious attention of the Government. The most appalling mortality during its visitation on the last two occasions must be remembered, and every endeavour should be made to arrest its further appearance. From a letter sent to the press by the Health Officer of Calcutta, we find that the entire labour class working in a mill at Calcutta was kept free from the attack of Influenza by being made to take a few drops of cinnamon oil every day during the prevalence of the epidemic. If that is found to be an effective remedy, would it at all be a difficult matter for the Government to introduce similar measures in affected areas? Whatever may be the cost, I submit, such remedial measures must be undertaken as a people in districts and villages are really panic-stricken over this impending calamity. It is a matter for congratulation that Lord Pentland, who left our shores only a few days back, had formed a Health Association for the Presidency of Madras and Southern India. Much would depend, sir, on the support that is given to this movement by the Government and by the selection of persons in the mufassal for carrying out its object. A board for each district, and preferably for each taluk, independent of the district and taluk board or municipality, periodically visiting villages, having a programme for sanitary works and carrying them out one after another, giving preference, of course, to the most urgent among them, after getting grants either from the district boards or from the Government for the purpose, can alone, I think, attend to this most urgent need effectively.

Coming to the present economic distress, opinion is very strongly divided on the necessity for the control of food-stuffs. There is one section of people who think that control has contributed more to the existing distress, while there are others who think that, but for such control, matters would have gone worse. I don't profess for a moment to be able to decide which of them is right. But I appeal to the Government to try their best to remove one apprehension that the control by Government is solely calculated to benefit certain merchants whom they wish to patronize. The control should at no time be considered to be exercised for the benefit of any single individual, but solely for the benefit of the people in general. It is to this aspect of the question that I invite the serious attention of the Government. There is a widespread feeling that the measures taken by Government are totally inadequate to the gravity of the situation. Of course, the Government had recently a conference with the leading merchants and public men regarding the measures to be adopted to alleviate the distress. The composition of the District Emergency Committees is not at all satisfactory. These committees, I believe, are intended to use influence with the merchants and middle-men to sell grains and other commodities at a reasonable price without much profiteering. Imagine a committee appointed for the Ramnad district, which does not consist of men like the Marakkayar of Mandapam, the Zamindar of Devakottai, the Hon'ble Mr. Annamalai Chettiyar, the Zamindar of Palayampatti, the representatives of the Sivaganga Zamindari, the Zamindar of Seithur, other leading members of the

(The Raja of Ramnad.)

[7TH APRIL 1919.]

Nattukottai Chetti community and my humble self. Can any useful work be expected from such a committee? I have heard from my friends that in other districts also, the composition of these committees is not at all satisfactory. When the distress was very acute last year, I was able to prevail on the merchants at Ramnad to sell paddy at 9 measures per rupee when nowhere in this Presidency more than 6 measures per rupee could be got. I was also successful in inducing cloth merchants to sell cloths at prices fixed by me. In the case of cloths of inferior texture used largely by the poor class, the price fixed was less than the cost price, and yet the merchants readily agreed to this to avert disturbance; thus very serious looting and disturbance was averted. I had to put special lights at my cost in the bazaar streets to prevent stone-throwing and looting. The Collector of the district knew all about this. You want those who had done some such work to advise you on the present situation. Some among the favoured few, who are selected to serve in each and every committee in season and out of season, and a few merchants, who make enormous profit, can never give the Government any disinterested advice in the matter of meeting the present situation. No conference, which was largely attended by such men, can ever command the confidence of the people. In the adjacent and most flourishing Native State of Mysore, the Government has taken several steps to combat this evil arising out of failure of monsoon or other causes, and I cannot do better than invite the attention of the Government to the very able statement made by the Acting Diwan Mr. A. R. Banerjee, not many days ago in the Mysore Legislative Assembly on the steps taken by that Government in this matter.

"The difficulties experienced by the public in the matter of railway journey, have been brought to the notice of the Government times without number, and though we are fully aware that the demand of the Army Department had really crippled the facilities of the Railway Department to run more trains and provide more waggons for traffic, yet the fact that railway fares have been very considerably increased, makes one feel the two positions irreconcilable. There is a decrease in train service, but there is an increase in the railway fare, and the reason given out is that it was intended to prevent people from travelling. But from statistics, we find that more people had travelled paying this increased fare than when the standard rate was in force. So, in spite of providing waggons and other materials to the Army Department, the railway companies have made enormous profits, while the travelling public have suffered untold miseries. I am aware that the powers of the local Government are somewhat limited; but all the same, I piously hope that they will make necessary representations to the Government of India in the matter.

"Sir, a simple resolution moved on my behalf by my friend, the Hon'ble Mr. A. S. Krishna Rao, asking for an allotment of Rs. 1,50,000 for granting scholarships to deserving poor students, was negatived in this Council by the official votes, and the remarks of the Director of Public Instruction made then only compels me to observe that both the Government and the head of the Education Department do not seem to be fully aware of the great difficulties that deserving students coming of humble families experience in the matter of prosecuting their studies. However, I wish to raise this question before long, and I am sure of convincing the Government on that occasion,—should I have an occasion of doing so in this Council again—as to the importance of making such a provision for scholarships. The decision of the Madras Government, arrived at with their characteristic originality, not to extend the term of the Council for a year more, while other Governments have decided to do so, calls for the observation that I have just made.

"The additional allotment of 9.6 lakhs made in the Budget Estimate under 19-A, Law and Justice, I see, does not provide for improving the scales of salary of officers of the Judicial Department even within the coming year. The late Hon'ble Mr. Gillman, in replying to a resolution moved by the Hon'ble Mr. Ranga Achariyar, assured him in this Council that the matter would be taken up almost immediately, and he regretted the delay that had inevitably happened in submitting the scheme to the Government of India. If I am not mistaken, it is more than two years since Mr. Gillman regretted the delay. To an interpellation asked by me in this Council last year on the same subject, the Government promised that it would be attended to expeditiously, and we now see that no provision has been made even in this year's budget, for the reorganization of the Judicial Department. The Government have said in unmistakable terms that they highly value the great work done by the service, and that they recognize the necessity to give them increased emoluments; in spite of that feeling and assurance, that nothing should have been done is, I submit, a matter very much to be regretted.

"Coming to Police, I must, along with some of my friends in this Council, complain of increased expenditure. I don't complain of increased expenditure, because so much money is spent, but because it had not in any way increased the efficiency of the service. According to the Budget Estimate for 1919-20, 136.51 lakhs, or nearly 16 lakhs including war allowances over to increase of efficiency. The want of it, is manifest from the figures furnished by Government. I showed on a previous occasion how crimes had increased while the percentage of the recovery of properties had systematically fallen. But the late Mr. Gillman on the last occasion said that increase of crime was due more to economic distress, and it did not therefore reflect on the efficiency of the staff. If that is so, may I just endeavour to show how that observation is incorrect? In the Administration Report of the Police of the Madras Presidency for the year 1917, we find, under recoveries of properties a fall from 20.7 to 19.9 per cent; but, for the same period, in Mysore the percentage of recovery of properties is 35.1, while in the State of Pudukkottai it is 21. I now ask the Government if economic distress did not prevail in these

(The Raja of Ramnad; the President.)

[7TH APRIL 1919.]

Native States, and if, as we know, it did exist, why then should the percentage of recovery be greater in the two adjacent Native States than we find in this Presidency of Madras? Under Police Orders, not more than two Superintendents of Police can be Indians. I certainly think that the time has come when the Government must take a forward move in this matter. We have three Indian Collectors and five or six Indian District Judges. It can't be contended for a moment that the position of a District Superintendent of Police carries with it more responsibilities or requires any extraordinary efficiency more than what is required for a Collector or a District Judge. The Government have favourably commented on the distinguished services rendered by Diwan Bahadur Parankusam Nayudu during the looting scare in Madras and by Mr. C. Karunakara Nayar in the recent Kamuthi riots, and yet this order, restricting the Indians to two, still remains unaltered. We know how badly the affairs relating to the Madras trouble were handled and what share the District Superintendent of Police there had in it. The Madras and Kamuthi incidents, compared with that of Madras, lead one to think that efficiency is more an individual quality rather than the preserve of any particular class or community.

"Sir, leaders of public opinion have been for a long time agitating for the discontinuance of recruiting Deputy Tahsildars from the ranks of low-paid clerks. The practice of direct recruitment now adopted by Government is indeed praiseworthy and a move in the right direction. But the recruitment of Deputy Tahsildars, more or less as a substitution for the direct recruitment of Deputy Collectors, is not a system which we can accept with equanimity. There ought to be a direct recruitment of Deputy Collectors as well as direct recruitment of Deputy Tahsildars. One for the other is absolutely unsatisfactory, and I request the Government to kindly consider this suggestion. I submit in this connexion that selection on competition basis must necessarily produce a more satisfactory result.

"It is somewhat gratifying to see that Government is showing greater sympathy in recent times for industrial development. But here again, I should sound a note of warning that Government should do its utmost to remove the apprehension in the minds of the public that there are a few men whom alone they wish to encourage by placing unnecessary limitations in the matter of issuing certificates and granting permits. Whatever step the Government may take towards the development of any industry, it should be for the welfare of the entire masses, and not for the benefit of any particular individual. It is only when such a feeling is created among the people that the Government can really expect the willing co-operation of all the leading men in the Presidency.

"As the term of the Council is coming to a close, I may be permitted to make a few remarks as to our relationship in this Council, with the members of Government. Now that the reforms are on the anvil, I should say that the greatest reform that is most urgently needed is the creation of opportunities for the development of mutual trust and good-will. It is indeed an unseemly sight to see the non-official members in this Council crossing swords with officials like plaintiffs and defendants in Law Courts. As I understand, we are here to bring to the notice of the Government defects which we notice and which may not ordinarily come to their knowledge, in order to get them rectified in the best interests of the administration. We are actuated by no bad motive, and we are not here to criticise the Government. But all the same, there is a fear that our attitude is often-times mistaken, and he who is frank and out-spoken is made to feel that he can enjoy no more the good-will of the Government. It is the removal of this state of feeling that is more urgently needed than any other reform, if the government of this country should be carried on, on smooth and efficient lines. It is true that resolutions brought by non-official members cannot one and all be accepted, for they may in themselves be conflicting. But either to doubt their intentions or to think that they are actuated by considerations other than of public good, or to make them a laughing-stock by humorous attacks, being armed with facts and figures collected by the Secretariat, is not, I submit, a feature which any man of self-respect can, in the long run, stand without considerable uneasiness of mind and despondency. I hope this unpleasant feature of Council life will soon disappear, and the Legislative Councils will serve to establish better understanding and good-will."

His Excellency the PRESIDENT:—"I hope the Honourable Member is at the end of his remarks. He is going beyond the budget, and he has overstepped his time."

The Hon'ble the RAJA OF RAMNAD:—"In the matter of nominations by the Government I beg to invite the attention of the Government to a speech delivered by His Excellency the late Sir John Anderson at the Ceylon Legislative Council, where he referred to the order of the Colonial office deprecating the practice of appointing to the Legislative Council, the same person term after term for securing interests of minorities."

His Excellency the PRESIDENT:—"I really think that is not a matter concerned with the budget. That particular subject does not arise out of the budget discussion."

The Hon'ble the RAJA OF RAMNAD:—"It is the practice of this Council to offer remarks on matters of general public interest on this occasion. I am coming to the end of my remarks. Now that our term of office is coming to a close, I hope Your Excellency will give us some indulgence."

His Excellency the PRESIDENT:—"I am quite aware of it. I am afraid that the Honourable Member has already reached the limit."

The Hon'ble the RAJA OF RAMNAD:—"I have one word more before I resume my seat, and that is to thank the Government for the establishment of the Rajkumar College, solely for the benefit of the zamindars' children. As I have been repeatedly saying in this Council and

(The Raja of Ramnad ; Sir Fairless Barber ;
Mr. Suryanarayana Rao.)

[7TH APRIL 1919.

outside, the ultimate success of it will depend on its constitution and on the lines on which it is worked. I again appeal to the Government to take more non-officials,—not only zamindars, but other public men also—in the government of the institution to make it attractive, useful and popular.

"The *Mohini* payments to the religious institutions is a matter on which we have not been able to get any information from the Government. The Hon'ble Mr. K. V. Rangaswami Ayyangar wanted some information in the Imperial Legislative Council, and the answer given there was that it was a matter which concerned the Provincial Governments. But when myself and the Hon'ble Mr. Annamalai Chettiyar asked questions in this Council, the reply given was that the Government had no information. I leave it to you, sir, to decide whether it is anything fair that we should be given such cut and dry answer. If the information was not available with you, it was available with your Collectors of districts, and if you had only the will to furnish us with the information, there was surely the way.

"I have nothing more to add except to wind up my speech on this occasion with a full Sovereign will have a glorious and long reign, and that His Majesty our august receiving new reforms at an early date, willingly given by a great King who has always the welfare of his Indian subjects at heart."

The Hon'ble Sir FAIRLESS BARBER :—“ Your Excellency, I have a few words to say, but will not detain the Council long. During the year I have attended three meetings. I have come to learn that we are not representatives of communities in water-tight compartments, but that we are dependent on each other and that our progress and the advancement of the country cannot be maintained unless we work together. I hope it is not out of place for me to point out on what line it is most important in my opinion that we should work together. It is in improving the condition of the masses.

"A few days ago my Hon'ble friend, Mr. Thonger accused the non-official debaters of frequently putting the cart before the horse. I think this criticism is neither inept nor unjust, but I am not sure he is quite fair in laying the blame entirely on the shoulders of our legal friends, for none of us, not even Your Excellency's Government, can be wholly acquitted of that charge."

"We discuss resolutions, pass them or reject them, for the betterment of the Presidency, but in doing so it seems to me we are choosing or rejecting the colour the horse that is going to draw it has been foaled. Looking round me I see that the colour we shall paint our cart

"Looking round we can find squalor and poverty when the conditions that make for poverty do not exist. There is plenty of work for every one, and now no one need go poorly clad or hungry. As an employer of labour I know that often a rise of wages does not mean an increase of work and better living for the labourer. The tendency is the other way, for with a higher wage the labourer works fewer days to earn his food, and beyond that he has no ambition. Public opinion in the matter of taking holidays may have something to do with this. In Malabar I should be surprised if people worked for more than half the days of the year, but I believe there is more in it than this, and that there are physical causes, for this apathy or lethargy, call it what you will, that in many cases characterises the labouring class.

"Your Excellency, the influenza epidemic is fresh in our memory."

"Your Excellency, the influenza epidemic is fresh in our memories. Under the abnormal conditions caused by the war there was not a hope of giving adequate medical relief to the people, but were we much better off under normal conditions?"

"What I would urge, sir, is medical research into the diseases that are known to sap the energy of the people and liberal grants-in-aid to any institution, organizations, or individuals that may arrange for doctors, hospitals and dispensaries to combat these diseases.

"Leaving aside all fallacies that have been so fervently expressed at these meetings, it is safe to assume that neither industrial nor agricultural advancement can come properly unless we have an energetic mass of people anxious to get on. Scientific advice, agricultural research, encouragement of industrial enterprise, are of little use unless the people are healthy and fit to take advantage of them, so it would seem that the first step is to create the requisite energy and then it will not be hard to find how that energy can best be expended."

The Hon'ble Mr. A. SURYANARAYANA RAO :—“ We must first express our gratitude to the Government for the amendments introduced in the Financial Rules with the object of affording us a better opportunity this year for discussing the figures of the budget estimates before they have taken such final shape as to render it very difficult to alter them. The budget figures are in themselves a very fascinating and alluring study but they very easily elude the grasp, and we find our way difficult in treading our path through the tangled maze of these bewitching and bewildering figures. Any assistance therefore which gives us a firmer hold on them will be most welcome and greatly appreciated.

• “After the stress and pressure of four years’ rigid economy necessitated by war conditions, we had hoped that when the first budget would be shaped after the war, the hoarded balances of the past would be utilized in such a way as to provide abundantly for such schemes of material advancement, ensuring the welfare of the people, as have been cherished in the past but which could not be touched owing to the stringency of the financial situation. The expenditure budgeted for this year necessitated a draft upon our balances as the only means of meeting it and it was therefore permitted by the Government of India. We have thus provided for an expenditure of not less than 74 lakhs in excess of the revenue of the year 1919-1920 reducing our balance by about 129.19 lakhs. The grant of war allowances to Government servants on

(Mr. Suryanarayana Rao.)

7TH APRIL 1919.]

pay of Rs. 50 and under, thus entails an expenditure of 37 lakhs and 26 lakhs go towards grants to local bodies towards repairs to trunk roads which have been damaged owing to the exceptional traffic brought about by the restrictions on the railway. The above two items are in a way due to war conditions. We regret the necessity which has compelled us to fall back upon our balances for meeting this cost but by no means do we grudge the expenditure itself. We should have been fortunate if the Government of India had taken the above burden on itself and made some suitable grant to us to meet the extra cost but they have only pointed towards our balances to make good the expenditure and we have therefore thus made the first inroad upon them. The third item of expenditure is due to a large additional provision for education, 16 lakhs more than that for the current year. We have to express our immense satisfaction at the provision thus made for education though at the risk of reducing our balances. The Government hopes that with the restoration of peace conditions and with a normal rainfall, the present high prices of the necessaries of life may vanish and the temporary war allowances may then be withdrawn. They also think that the exceptional grants to local bodies are not recurring and could be omitted in future years. But we on this side of the house may be pardoned if we do not share the optimism of the Government in these directions and give expression to our own misgivings in the matter. It does not look as though the high prices of the necessaries of life will so far come down as to facilitate the discontinuance of the war allowances in the near future. Prices, cost of living and expenditure, when once they begin to mount up, they do so without let or hindrance, and exhibit a natural tendency to retain the height which they once attain and except with the aid of extraordinary remedies, they cannot be dislodged from their high level. The present situation in the country brought about by the scarcity of foodstuffs and other necessities of life, and their high prices, is extremely grave and serious and alarming especially in the Vizagapatam district. The forecast is gloomy and the more so, as the people apprehend, from the astronomical forecast of the Hindus for the next six years. It would seem that the more prudent course would have been to curtail our expenditure in other directions so as to make provision for these extra war allowance for some continuous period. We cannot persist in a policy of falling back upon our balances as they very soon exhaust themselves by such continuous pressure upon them by unusual demands. The experience felt by some of the local bodies in this connexion appears to be a sure guide. For instance some of the municipalities, notably Vizagapatam and Vizianagram, the largest in my district, are unable to meet this extra cost of providing war allowance to their employees for want of funds and their situation is very uncomfortable, owing to the clamour of their servants demanding the grant of the allowance which all other employees are getting and their own inability to provide the same. The general economic condition of the people is one of poverty and distress and cost of living has risen to a point beyond which it is impossible to bear. We may have very soon to revise the scales of pay and possibly consolidate these allowances, if we are to afford the ordinary bare necessities of life to these subordinates. Very soon the need for some curtailment of the top heavy expenditure we are incurring may be felt and the rearrangement and readjustment which will then have to be made appears to be far more difficult than at present.

“As regards the grant to local bodies for the repairs of the trunk roads it has already been remarked above, that it would have been far better if this burden was not thrown upon us. But even as it is the distribution of the 20 lakhs has been very uneven. I am however glad that Vizagapatam District Board has been given its due share, and it only remains for the board to utilize the same promptly.

utilize the same promptly.

“ On the credit side our budget presents this year some interesting features, notably the large increase under the heads of excise and income-tax. It has been claimed that though the conditions warrant a more liberal estimate, the excise revenue has been estimated with caution at the figure noted in the budget. The excise revenue and the history of its enormous growth from year to year in spite of the reduction in the number of shops, restrictions as to their location and heavy taxation, present some of the most difficult problems for solution in the interest of the moral and physical well-being of the people. The figures simply stagger our imagination and baffle our judgment by their mysterious logic. The policy of the Government has been to raise the maximum revenue with the minimum consumption. The consumption remains stationary and even exhibits a tendency towards diminution but the revenue goes up by leaps and bounds. This is accounted for by the benefits received from the high prices of food-stuffs, by the agricultural producers and the wage-earner, who have contributed to the swelling of the excise revenue. This abnormal increase in excise revenue is not unoften taken as indicative of the prosperity of the people, inducing them to revel in this baneful luxury. A little reflection however will show how unfounded such an assumption is and that this morbid growth of excise revenue only points to a diseased moral condition of the people bearing the impress of poverty and misery on its very face. The evil is so deep-rooted, that even the hard earned wages of daily labour are sacrificed at the expense of all legitimate expenditure, for the sake of indulging in this vice. The poverty, misery, and squalor of the ordinary labourers are well known and it is as a refuge from such misery, owing to ignorance and folly, that the labourer takes to drink and finds himself ruined in the end becoming a slave to it. While in advanced countries like the United States of America and some of the Indian States schemes are devised for total prohibition and put in execution, to ensure the moral well-being of the people, we find ourselves utterly helpless to alleviate the condition of our people. The only remedy to minimise the evils as far as possible seems to be to reduce the quantity manufactured and not merely to trust to the good sense of the people and increased taxation to keep consumption at a stationary limit. It looks almost like an inexplicable paradox to say that with

(Mr. Suryanarayana Rao.)

[7TH APRIL 1919.]

famine, squalor and misery facing the masses, there should be an abnormal increase in this branch of the revenue calculated upon the high prices and high wages earned by them. The phenomenon is curious and can only be explained on the basis of the strong temptation created by the supply to which the ignorant masses easily fall a prey.

"The increase in the income-tax was naturally expected as Act VII of 1918 introduced stricter methods. Nobody grudges now to pay the income-tax but everybody feels the hardship of its administration. It is no doubt irksome to pay taxes however easy one's circumstances are. We very often find touring officers excusing themselves from the payment of their professional taxes in municipalities for they discover when the tax is demanded that they resided only for 59 days within the municipal limits and the discomfited municipality has to write off the amount. The merchant, lawyer and the professional man are compelled to produce their accounts and when produced they are not believed but the confidential report alone in most cases is acted upon by the assessing officers. But how often do the officials themselves pay the tax upon their hoarded savings of the past years? No notice as far as I know is served upon the officials to submit statements, and the tax is deducted out of their salaries alone in the ordinary course. Their savings and balances may escape assessment unless any official chooses to tax himself or through his superior officer. I wish I were mistaken in the above view. The income-tax administration has been felt as sore burden and loud complaints have been made from different quarters. It is needless to recapitulate them here as they are well known. Suffice it to say that there is much to be achieved by way of improvement and the bringing in of enhanced revenues alone should not be deemed to be the test of good administration in this branch.

"Your Excellency passing to the subjects of Education, Sanitation and Medical relief which are ever dear to our hearts, I may be permitted to make a few observations. The treatment that these subjects generally receive at our hands is that of poor relations at the feast. This year the reproach has been removed in so far as Education is concerned and the provision made for Education is liberal. The Government have thus earned the thanks of the people. We have long expected that the Government would take upon themselves the task of mass education as a State duty and introduce free and compulsory elementary education. The efforts so far made have not fructified and the deliberations of the Elementary Education Conference have not been made public and we are yet as far from the goal as before. Other Presidencies have been solving the problem one by one and we are lagging behind. The Government measure promised to be introduced, has not yet seen the light of day. Any attempt to solve the problem by dribblets, would only occasion extra expenditure and cannot produce the desired result. We hope that ere long the Government will see their way to embark upon this long delayed and overdue reform. Another feature of this year's budget is the creation of four new Inspectors' circles and the increase of inspecting staff. An adequate inspecting staff is certainly a necessity but it seems rather cumbersome to have too much inspection. In the natural order of things the responsibility for sound education rests with the teachers and the functions of the inspecting staff should be confined to supervision and co-ordination of educational work among the various institutions. It sometimes happens that individual tastes and theories differ with succeeding officers and the institutions under their command often find themselves embarrassed and unable to adapt themselves to varying methods in rapid succession. It may not therefore be unreasonable to urge that the imparting of education should be left in the hands of competent teachers and as little interfered with as is consistent with the objects of inspection above named. Elementary education is as a rule in the hands of a low-paid and ill-educated class of teachers whose main object in life is, rather to make a living for themselves than being imbued with any high ideals of education. They often supplement their small emoluments by undertaking the duties of the Village Branch Postmaster and the professional document writer of the village. These pre-occupations engage their time and mind considerably, and the educational work of the school becomes a secondary matter with them. This state of things is remedied in part in some places but still I venture to think that the generality of the observations holds good. In the present budget, provision is made for increasing the salaries of the Elementary teachers, but this increment in these hard conditions of life, can go but a little way towards improving their status or attracting a better class of men for the service. May we not hope that with the advancing ideals of education, a large number of institutions may be developed commencing from the lowest stage, imparting education of a high order and laying the foundation for future national progress.

"Another closely allied topic on which I wish to say a few words is the medical inspection of school children. I venture to think that the provision made in the budget is inadequate for this object, but it serves only as a start, as an earnest of the efforts that will be made hereafter in this direction. Time after time, this subject has been pressed upon the attention of the Government but no systematic work could be undertaken on account of various causes. Now that a beginning is going to be made, we hope that the matter will be systematically pursued so as to lead to healthy results in the school life of our children. The Local Boards and Municipalities, I apprehend, are unable to undertake this duty or find funds for the same, considering the limited and slender character of their resources and the numerous calls upon their finances. The Government alone should therefore undertake the duty and bear the cost.

"Another subject which is dear to my heart is the development of industrial education. I have often pressed in this Council the supreme need that exists for making a real and earnest endeavour to impart sound industrial education. The progress made so far has been very slow and not very remarkable considering the needs of the situation or the results achieved. The

(Mr. Suryanarayana Rao.)

[7TH APRIL 1919.]

figures in the latest administration reports show that the total number of pupils receiving technical and industrial education is 5,063 of whom 1,421 were pursuing art education, 534 technical education in Engineering subjects and telegraphy and 1,764 industrial education (including agriculture) and 1,344 commercial education. With prospects of industrial advancement before us, the need for sound industrial education cannot be too often reiterated or too strongly emphasised. Given proper facilities and encouragement, we are sure that the tide of education will turn towards industrial pursuits and there will no longer be any pressure on the learned professions or discontented and disappointed failures in life. The material prosperity of the country will be ensured. After all, in any country, agriculture, industries and trade mark the progress of the nation, and these are the mainstay of the material prosperity of the country. It is only unfortunately in this country, that much valuable time is lost in developing policies and shaping theories which naturally lead to unconscionable delays and utter indecision as to which development should precede the other. We find ourselves ground down under the theories as to our fitness which are formed without trying and proving us. 'Advance and never retrace' should be the watch words of our progress in the future. Unless the work of reconstruction is begun in right earnest, we are sure to find ourselves nowhere in the coming struggle among the nations of the world for industrial and commercial supremacy. India can never remain content with merely producing raw material for feeding the industries of war, the regretted in the past that the Department of Industries, owing to the pre-occupation of war, the difficulty of importing suitable machinery from abroad, could not adequately undertake its proper work. Now that the war is over, we are entitled to expect some handsome work from the department for the benefit of the country. Coming to a small item, I may be pardoned for referring once more this year to the question of opening a weaving school in the Vizagapatam district. When I moved the resolution on the subject last year, hopes were held out that as soon as the war conditions are over and a suitable expert is obtained, our claims will be duly considered. I reiterate the request now, because the war is over and in expectation of the fulfilment of the hopes held out last year. Hundreds of weaving families from the Vizagapatam and Ganjam districts have migrated to Calcutta and other places in search of work and livelihood and several have been thrown out of employment owing to the difficulty of procuring yarn. The peripatetic weaving party at Ichchapuram in the Ganjam district has been doing some little useful work but this is hardly sufficient to meet the demands of the situation. We cannot too often urge upon the attention of the Government the need for stimulating indigenous enterprise and capital in starting and working indigenous industries.

"The next subject I wish to touch is Sanitation. Of late years the public health has not been very satisfactory and epidemics have been breaking out in too frequent and rapid succession and the situation demands careful study and watchfulness. Of the municipalities only 26 have a protected system of water-supply and the district boards have yet to embark on large schemes of protected water-supply in areas under their charge. There are only a very few municipalities outside the cities who have the services of health officers and in the case of my own municipality I can bear witness to the honest efforts made and the failure to obtain the services of any health officer. Neither the Sanitary Commissioner nor the Principal of the Medical College could recommend any officer and our municipality is compelled for want of such officer to remain without the services of a health officer. We have passed through a period of plague and influenza and smallpox has given us considerable trouble. It may not be out of place to request that every municipality should have its own health officer with qualifications suited to its requirements. The Government are willing to contribute towards the pay of the health officers, but the difficulty is in procuring them. It is also absolutely essential that to look after the moral health and sanitation, there should be a health officer for select districts or groups of districts.

"Lastly I wish to say a few words on the question of medical relief, and I have done. The question of adequate medical relief to the people pushed its attention on the public mind in the recent influenza season. Everywhere the cry was heard that medical relief was wanting and people died by hundreds. The death toll in the world counted by the fell disease is enormous. For a population of nearly 45 millions in the Presidency there are about 707 hospitals and dispensaries working, out of which 510 are maintained by local funds, 80 by private agencies and the rest by Government, railway and other agencies. The inadequacy of the medical relief afforded has been consequently brought to the notice of the Government and repeated prayers have been made to give some encouragement to the ayurvedic and unani systems. The Government have turned a deaf ear to the latter request and no encouragement whatever was given to the indigenous system. We are proud to own however that these systems have done their part well and given succour and relief in the severe influenza epidemic and saved a number of lives which would otherwise have been lost for want of proper medical treatment. The system has stood the test of time and achieved some remarkable results as inquiries will easily show. It is indeed a pity that the Government acting under the advice of the Allopathic doctors should not appraise these systems at their true worth and give them a fair trial and encouragement. A large percentage of the people still have recourse to these systems and the Government cannot afford to belittle their importance or ignore their efficiency and soundness.

"The question of training a sufficient number of qualified practitioners is as important as the affording of relief, for the two are intertwined with one another. At present there is only one College and there are four schools. In the College according to the latest figures 473 pupils are receiving instruction and in the four schools 662 are studying. We know from experience that several applications are rejected for want of suitable accommodation and other causes and the demand for medical education is rapidly increasing. We hope that to meet this increasing pressure, other schools will be opened and one or two of the existing schools will be raised to

(Mr. Suryanarayana Rao ; Mr. Rama Ayyangar.) [7TH APRIL 1919.

the status of a College. The claims of the medical school of Vizagapatam to be raised to the dignity and status of a College have been frequently urged before the Government and the institution has acquitted itself well as its history would show. The need for a College in the northern districts is apparent and Your Excellency at your recent visit to Vizagapatam also gave out hopes that the question would be favourably viewed, and we hope that no time will be lost in raising this institution to a College at the earliest opportunity even before the Vizagapatam harbour is constructed.

"In conclusion, I beg leave to state that though the budget taken as a whole is satisfactory, in parts it is disappointing and we cannot continue increasing our expenditure on the chances of finding revenues from slippery and unstable sources, which would involve hardship on the people. The land revenue is always unstable owing to the fluctuations of the seasons but the resettlements are always bringing in increased revenues. This has been felt to be a great hardship by the large mass of the agricultural population but the same policy is continued by the Government without heed of its deleterious effect on the economic condition of the people. The country is unable to tide over a single year of scarcity and the prosperity and contentment spelled out of the increment in the excise revenue or from other figures can never be real. We therefore earnestly implore the Government not to shut its eyes to the real gravity of the situation but to take adequate notice of the existing economic condition and begin to build its finance on the solid foundation of a sound land revenue policy and gradual but sure agricultural and industrial development guided by the principles of mutual co-operation, confidence and trust.

"Before I sit down I appeal to Your Excellency's Government to make a strong representation to the Imperial Government and see that the settlement of finances between the two Governments is made on an equitable and satisfactory basis and that the recommendations made in the Montague-Chelmsford report are not accepted as they are highly prejudicial to our Presidency and cripple our resources very largely and we are left poor in spite of our large income."

The Hon'ble Mr. K. RAMA AYYANGAR :—"Your Excellency, we are now at the close of my second period of the Legislative term, as per the singular announcement of this Government. It is therefore proper to take a retrospect of the financial aspects of this Government. We are on the eve of impending reforms and a careful study is needed for our future guidance.

"I made the following statements in my last budget speech. We know that the budget is prepared assuming normal conditions. I said—

(1) I have no doubt that we have budgeted for much less than we could receive.
(2) We have placed more money under heads which would not consume them; we spent more monies on other heads, without the Finance Committee or this Council, which has the right to consider these statements, having had previous occasion to judge of the nature of the expenditure.

(3) The Government spent not only at their sweet will and pleasure monies which have been budgeted unnecessarily as shown above, but they also had thought fit to reserve 10 lakhs of rupees under the head Miscellaneous 32-E, for distribution as they pleased.

(4) It is under these circumstances painful to notice that there is every attempt made to prevent the non-official Members exercising the very small powers conferred on them under the existing rules."

"Your Excellency, we have only to look at the revised budget of receipt and expenditure to see how far these statements have been substantially correct. Under receipts we see that in spite of a fall of 16 lakhs of rupees under the head Land Revenue caused by the abnormal conditions and of 9 lakhs under the head Forest caused by an arrangement entered into after the budget by the Government with the Munitions Board to the great detriment of the interests of this province and a fall of almost 5½ lakhs of rupees under the head Income-tax caused again by a later resolution of the Government of India not to assess people below Rs. 2,000 per annum and of about 22, 69 and 50 thousands of rupees under the heads Interest, Courts of Law and Education respectively, the total budget exceeds the budget for the last year by about 5 lakhs and the closing balance for the year that has just now passed is about 8 lakhs more in the revised estimate in spite of special expenditure on war allowances and through communications, affected by the reduction in the railway traffic, of about 33 lakhs. The arrangement relating to the forest produce referred to above seems patently unsatisfactory as the revenue estimated is too much below those of 1917-18 and 1916-17, which are respectively 54 and 45 lakhs. I am sure that the revised estimate of receipts will, when the actual figures are received, be shown to be an under-estimate.

"Under the head of Expenditure the revised budget shows that after deducting war allowances and contributions towards communications referred to above there has been a budget for 24 lakhs more than was needed mainly under the heads Education, Miscellaneous, in which about 8½ lakhs out of about 14 remains unspent, Irrigation—Major Works—Working expenses, and Civil Works in charge of Public Works officers.

"Thus if normal conditions are assumed, we had budgeted for less to the tune of 52 lakhs and put down money under the Expenditure heads to the extent of about 3½ lakhs so that about a crore of rupees has not been estimated properly in the budget. My impression is that persistently this policy is pursued. I must object to this and point out that it is essential that we budget more accurately and keep a reserve of about 50 lakhs as balance over and above the required closing balance to meet contingencies. If we had budgeted properly for receipts, the abnormal increase of receipts under some heads will be balanced by similar loss under others.

"The budget would have been, all the same, not disappointing. If similarly we had put down money for expenditure more accurately any small increase in one or other head may be met by

7TH APRIL 1919.]

(Mr. Rama Ayyangar.)

the deficiency in the others. A provision of 13 lakhs under the head Miscellaneous, besides a similar provision for miscellaneous purposes under each head, is sure to mar a budget and this item which has been introduced within the last two or three years must be put an end to as outside the range of budgeting.

"When thus, large surpluses are expected both by increase in receipts and decrease in expenditure steps are taken in the middle of the year to spend them in the way the Government pleases without giving the Council or the Finance Committee an opportunity to consider such supplementary budgeting or the method of distributing the amounts so budgeted. About 33 lakhs have been so spent on war allowances for some departments excluding others, and on communications without duly considering the claims of all the districts. The order that 20 lakhs of money will be given to boards ready to spend within the official year and distribution on that assumption is, to say the least, curious and mischievous, and has not failed to place many district boards at a disadvantage and no amount of subsequent action can rectify the mistake committed. Why not wait to distribute after calling a meeting of the Council or after the February meeting of this year?"

"The Executive, it is assumed, is unerring in its acts and the Council is not used as it ought to be under the rules, even in matters of financial distribution, which ought properly to go to the head "Unallotted Expenditure." I submit that the Finance Member must put an end to this state of affairs as early as possible if the province is to be administered efficiently and without mistake.

"I have next to deal with another aspect of the budget, as this aspect becomes highly important in connexion with the reforms that have been proposed and are expected to come into force. The expenditure side of the budget deserves close scrutiny to enable properly to appreciate the needs of each head as this Government has not tried even during the time of the war to distinguish between the essential and the non-essential portions of expenditure under the heads Land Revenue, Forest, Police and Civil Works in charge of Public Works officers and similar other heads while they have limited the expenditure to the lowest possible minimum, under the heads Courts of Law, Education, Medical and Sanitation, Agricultural and Scientific and Miscellaneous departments and Civil Works in charge of Civil officers. My submission is that due regard to the relative necessities of the increase of expenditure under each head has not been given.

"We know that when the provincial Financial Settlement was arrived at in 1910-11, the expenditure of this province was calculated on an average of the previous ten years; that allowance was made for additional expenditure on the Police Department anticipated on the introduction of the schemes recommended by the Police Commission and that a sum of Rs. 7.10 lakhs was allowed for additional district charges proposed to be created and that the final figure inclusive of an extra allowance was put at about 565 lakhs and a contribution of about 18 lakhs was arranged to be made by this Government to the Government of India. The year that was taken to arrive at this settlement was 1908-09 and the income of that year was 582.15 lakhs. We have now according to the revised estimate of 1918-19 an income of about 850 lakhs inclusive of assignments from the Government of India. This gives an increase over that year, of about 268 lakhs giving an average increase of about 26½ lakhs per annum.

"The expenditure on the other hand has risen from 561 lakhs in 1908-09 to 854 in 1918-19 giving an increase of about 293 lakhs inclusive of our drawings on our balances. Of this about 42½ lakhs is given by the Imperial Government for specific purposes. Thus we have 28.28 lakhs earmarked for Education and 6.35 lakhs for Sanitation and 7.85 lakhs for new district charges so that practically we have spent about 250 lakhs from our resources. Of this about 42 lakhs more for Education, about 5 lakhs more for the heads Medical and Sanitation over and above the Imperial grant, about 20 lakhs for Agriculture and Scientific and Miscellaneous departments and about three lakhs for Civil Works in charge of Civil officers besides the 20 lakhs recently added towards grants to improve main communications making a total of 70 lakhs were spent on objects of utility to the people. About eight lakhs over and above the expenditure of 1908-09 was spent on Minor Works and Navigation so that a total of 78 lakhs may be accounted for under that head. But a portion of this amount which is not less than 10 lakhs is non-recurring in nature and cannot be treated as allotted to these heads. It is thus to be seen that out of an increased income of 293 lakhs there remains a balance of 173 lakhs which is now being spent under other heads whose full scope of expenditure was settled after a full investigation only in 1910-11, at about 434 lakhs, for we find that the heads referred to above were contributing to the expenditure to the extent of 135 lakhs out of a total of 561 lakhs in 1903-09. This gives an abnormal increase of expenditure under these heads of about 40 per cent while Excise and Stamps whose expenditure is divided equally with the Government of India, show only an increase of about 14 per cent. I have been contending that even during the time of the war the expenditure under these heads has not been kept within bounds and had been permitted to increase to an objectionable extent. It is therefore essential that the expenditure under these heads is carefully scrutinized before it is accepted as necessary for them. Every aspect tends to show that they may be with advantage curtailed. The figures for the other provinces particularly the United Provinces situated almost similar to ours prove the same. In Land Revenue the expenditure has increased in our province by about 35 per cent, while in the United Provinces it has risen only by 14½ per cent. Under the head Police our expenditure has increased by 45 per cent while in the United Provinces it has risen only 25 per cent. These and other questions that can be observed by an examination of the figures will convince one that this Government has been quite partial to some heads of expenditure.

(Mr. Rama Ayyangar ; Mr. Sadasiva Bhat.) [7TH APRIL 1919.]

"Your Excellency, it is a matter for regret that in our province we have done little or nothing to the provincial service for a very long time. The recent Public Service Commission started to give that service better prospects had finished its report long back. The Imperial Service brought later within its scope have already benefited by it. The Indian Civil Service, the Indian Medical Service and the Police officer, of the Imperial Service have been given better prospects in anticipation. The Indian Civil Service Officers had special concessions shown to them as soon as the war broke out to compensate for restrictions on leave. The number of posts thrown open to that service has by far increased since 1896 and yet the Provincial Service whose interests were meant to be improved by the Commission stagnates in the same position except that one or two special posts conferred on them did not materially affect the number thrown open to them. The present is a very convenient time to better their prospects and add to the listed posts also. It has been conceded times without number that the members of that service are exceptionally capable. It is proper that the Government should immediately take up their case and improve their prospects. The common feeling is that the Imperial Services get what they want both as emoluments from the Government and all kind of intelligent work from the Provincial Service officers, but that the latter are forgotten when it is a question of improvement in prospects. This reproach must be removed. At least a few additional district charges in all possible departments must be immediately thrown open to them. That will act as an incentive to brilliant young men joining that Service.

"The Land Revenue Settlement policy has been radically altered, Your Excellency, during your régime as Revenue Member. The calculation of costs of cultivation and the consideration of the economic condition of the area settled have been made on haphazard and objectionable basis. However necessary such policy was during the war, I request that Your Excellency may leave definite instructions before you lay down the reins of your office that the more sympathetic old method may prevail and that the tendency of the Government even against the reports of the officers investigating and the spirit of the Government of India resolution on Land Revenue policy, may be put an end to."

The Hon'ble Mr. K. SADASIVA BHAT :—"I wish to say a few words on one or two questions affecting the two districts I represent here. I shall first refer to the bad season. The budget estimate for the year which had been framed on the basis of normal conditions had to be revised and the revised estimate showed a decrease of about 16 lakhs due as was explained in the Draft Financial Statement—to an increase of remission, on account of the unfavourable conditions in 15 districts including South Kanara and suspension of collections till the next year in five districts—the largest amount of suspension being 1.95 lakhs in South Kanara. In the discussion of the Financial Statement in this Council, no objection was taken to these figures; in fact no reference was made to them, but I regret to learn that the Government have since ordered jamabandi to be completed in South Kanara as if there is no remission at all in South Kanara and there is to be suspension only to the extent of about Rs. 18,000 in certain individual villages. These orders have come as a painful surprise on the district. When I moved a resolution on the question of remissions, the Hon'ble Mr. Couchman replying on behalf of Government stated that there was no doubt failure and distress and that remissions would be granted. Till the harvesting of the crops was over, Mr. Vibert was the Collector, and he had gone over the whole district during these months of distress and had seen the things for himself. When the Hon'ble Mr. Buckley was on tour in that district about the harvesting time, the District Association waited upon him and begged him to see the extent of the calamity himself. I understood he too was satisfied that there has been a general failure of the first crop—the only crop which is assessed and from which the assessment has to be paid in South Kanara. It was after the harvesting operations were over that the Government accepted the principle of granting remissions in South Kanara—not under the ordinary rules but as a general calamity, inserting the figures referred to by me in the Draft Financial Statement. This was in February last. What happened since then to persuade the Government to change their mind I fail to understand. If it were any recent report of the present Collector of the district on the outturn of the first crop, I must remark that it is extremely unfair. The crop has been off the land several months previously, and I fail to see what materials the Collector could have had to make any report on to vary the conclusion of officers who examined the question when the crop was being harvested. I am also surprised to see that suspension is to be in certain individual villages. I wish the Government to state how they were able to make this distinction between some villages and others. If it were due to the fact that applications were received from those villages, may I remind the Government that the principle on which they agreed to grant was on a general average and not on individual applications? I assure Your Excellency's Government that the orders of the Government in variation of their original figures have created great hardship and keen disappointment. I appeal to Your Excellency's Government again to grant the remissions and suspensions originally contemplated at least in the collection of the May kists.

"Another point I wish to refer is the question of railway extension in Malabar and South Kanara. I am anxious that the Government should not shelve these projects at the stages in which they are, merely on the ground that materials for constructing those lines will not be available for some time. Even if the materials are available, the Government are not in a position to start construction at once. With each of these projects there are some details to be worked out to bring the papers to completion stage and before construction can be undertaken. I request Your Excellency's Government to push the completion of these preliminaries. With the Hassan-Mangalore railway project, for example, there was an offer by the Mysore Darbar

7TH APRIL 1919.]

(Mr. Sadasiva Bhat ; Mr. Yaqub Hasan.)

to consider the question whether they will agree to construct their portion of the line if the Government or the South Kanara District Board will bring the line to the frontier. The Darbar has been vigorously working at their scheme of railways to the Malnad tracts above South Kanara and it will be advantageous to both parties if we can persuade the Railway Board to come to some agreement or decision with the Mysore Darbar on this question which has long been hanging fire though finally reported on by the Special Engineer Mr. Richards more than two years ago.

"I wish to urge also that somehow the development of the natural resources of South Kanara does not receive due attention at the hands of Government. This is probably due to the fact that as a rule there are not many high officers at the capital who have seen considerable service in that district, or who have given any thought to that subject. Our heavy rainfall, all running to waste, our numerous rivers, waterfalls and backwaters, our extensive but inaccessible forests, our vast areas of hillside and waste land at the disposal of Government from sea level up to 3,000 feet—I feel that Government may do well to consider all these conditions and work out a scheme for utilizing this excess rainfall, for turning our streams and backwaters to be more useful as means of communication and for purposes of irrigation of lands now left uncultivated and make the immense quantities of forest produce and timber, now valueless on the spot, available on the coast.

"I have very little to say on the budget itself. I congratulate Your Excellency on being able to make an increased provision for education and sanitation and that Your Excellency has been able to afford extended relief to the poorer subordinates of Government. We cannot be certain that next year conditions will be better and prices easier."

The Hon'ble YAQUB HASAN SAHIB Bahadur :—"Your Excellency, this is the third budget that this Council is discussing at the end of its three years' course. It is a matter of great satisfaction that the war and the uncertainty about its duration do no longer enter into our calculations in such serious affairs of life as budget making. Though war is happily ended, its after effects will continue to embarrass the country's finances for a long time to come. The Provincial Government is however saved the necessity of making both ends meet as far as the effects of war are concerned. The only sources of revenue which the local Government shares equally with the Imperial Government have not been affected adversely. On the other hand, revenues under land, stamps, excise, income-tax and major irrigation works have gone on steadily growing. There will however be a loss of 10 lakhs in the income-tax receipt on account of the relief given to a large number of people whose income is below Rs. 2,000 a year. The Government of India will however make up our share of the loss by a grant from Imperial revenues. The Government of India deserves the grateful thanks of this Province for the consideration shown to persons of small incomes at the time when the high prices of necessities have made life miserable for this class of people.

"It is not a good augury for the future that the first year after the war should begin with a deficit. There was a surplus of 48.70 lakhs in 1917-18 but the small surplus (3.34) budgeted for last year turned into a small deficit of 4.99. In the current year it is anticipated that the deficit will be as much as 75.25 lakhs. I am glad no attempt has been made to avoid this by curtailing expenditure under such useful heads as education and sanitation. The closing balance alone will be affected which (12,084 lakhs) will still stand as high as it was in 1908-09, when there was a surplus of 20.0 lakhs. We had deficit in the first three war years (52.99, 65.44 and 14 lakhs respectively) and the closing balance in the last two of these three years was a little above 110 lakhs. The position is therefore, in spite of the deficit, quite satisfactory for which Your Excellency has our congratulations.

"I do not look upon the growth of excise revenue with satisfaction. This is filthy revenue and I hope a day will soon come when these figures are entirely wiped off our budget estimates. The United States of America have recently set up an example which behoves all civilized governments to follow.

"I have been thanking the Government year after year for their efforts in the past and in anticipation of further efforts in the future on behalf of Muhammadan education, but I feel that I cannot this year consistently with my self-respect give credit to Your Excellency's Government for wise utilization of the country's resources in this direction. The Government College for Muhammadans is simply superfluous and all the money to be spent in buildings, equipment and library in order to make it conform to the conditions of affiliation as pointed out and undertaken by the Director of Public Instruction in the last senate meeting will be sheer waste considering the fact that within a few furlongs of Umdah Bagh exists the most up-to-date Government institution of the Presidency College. All that was needed was to admit in the latter college a larger proportion of Muslim students than was hitherto the case. All this money which will run to the tune of some lakhs by the time the college is completed, would have yielded better returns in the production of Muslim graduates if it was partly spent in scholarships and partly in helping the community in raising their private educational institutions to a higher status and a better degree of efficiency.

"We had been budgeting a sum for the last two years for a Muhammadan Secondary school at Trichinopoly, but that school has not yet come into existence. I would like to know who is responsible for this delay.

"I am glad provision has been made for a training school for Muhammadan women at Trichinopoly. I wish Government had adopted my suggestion and budgeted a sum of money for providing suitable buildings for the Georgetown secondary school and the elementary schools that Government maintain for Muhammadans in this city. Still I hope Government will give

(Mr. Yaqub Hasan.)

[7TH APRIL 1919.]

their attention to this subject and purchase building sites and get building plans made, so that a provision may be made in the next year's budget for putting the scheme into execution.

"I am glad half a lakh is provided for establishing a medical school for women at Madras, my resolution about which, the Government were pleased to accept last year. I wish Government had made a provision also for one medical school for men, preferably in the ceded districts, the urgent need of which has been recognized by Government. Nothing appears to have been done last year (for which no report is yet published) in the matter of establishing additional women and children's dispensaries towards which the Government in accepting my resolution in February 1917, had promised to take all practicable steps. The dearth of qualified medical women is no doubt responsible for this. I hope it may be possible to do something in this direction in the ensuing year. Now that officers are returning to civil duty from military service, it should be possible to extend medical relief more largely. The appointment of travelling sub-assistant surgeons is a desirable innovation which I hope will prove successful enough to make it a permanent feature of the programme of medical relief in this Presidency. While on this subject, a word on the reorganization of medical services may not perhaps be out of place. The manner in which the inquiry is being conducted in camera by a committee has naturally aroused public suspicion as to the bona fides of the Government and it is necessary that that suspicion be allayed by taking the public into the confidence of the Government.

"It is a matter of satisfaction that the agricultural department is being expanded and reorganized. The increase of budgeted expenditure to the extent of nearly 50 per cent is not at all in excess of the needs of the department. Experiments in Cambodia cotton should have, by this time, advanced at least one step further than the initial stage. Now that a suitable site has been provided, it is hoped the department will be able to show some progress this year. The commercial community as well as the cotton mill industry keenly look forward to developments in this line. Provision of only Rs. 10,000 for the development of silk industry is wholly inadequate. The department has asked for a well-trained specialist to run a fully-equipped silk station at Kollegal and I hope the specialist will be appointed in the course of this year. The revival of indigo industry appears to be doomed to end in failure with the end of the war.

"With a view to retain the services of Mr. Innes as Director of Industries I moved a resolution in the February meeting that his salary be increased beyond the figure laid down in the original estimates. I was pleased to see that Government increased the amount still further in the revised estimate. It has caused a great disappointment to me and to the public, both Indian and European, to see that the experiences that Mr. Innes had gained in the course of some years are lost to the department at a time when some tangible result was expected to come out of them. There will always be the fear of such contingency arising as long as Indian Civil Service men continue to be placed in charge of this department. It is high time that Directors and Assistant Directors are recruited from business and industrial circles. No provision has been made for the establishment of a technological institute in connexion with the Calicut Soap factory. The teaching side has not been established yet to this industry and yet the Government persist in carrying on the manufacture of soap on a large commercial scale even after the industry has become firmly established in this Presidency. The retirement of Sir Frederick Nicholson should have been availed of for bringing the fisheries under the control of the Director of Industries. Instead of promoting in the usual course the Assistant Director of Fisheries who happens to be a highly efficient hand, to the Director's post, a European gentleman has been pitch-forked into the place who had lesser claim to it. My resolution for the provision of a lump sum for a commercial museum was disallowed at the February meeting on the plea of irrelevancy although it could properly come under the head of miscellaneous and scientific department. The attitude of the Government in respect of the resolution I have moved at this meeting makes me hope that something will be done towards this object this year, notwithstanding there being no specific provision for it in the budget. The control imposed on tanning industry has been removed as far as skins are concerned and it will be removed on 1st July next in the case of hides also. The huge surplus stocks of hides that Government have in the United Kingdom have depressed the market of tanned hides and productions are being restricted to avoid a grave situation. It is too soon to foresee whether this industry will again attain the pre-war position after the disturbing factors of post-war creation have disappeared.

"Mr. Innes has submitted to the Government of India proposals for preventing the adulteration of hides which have been drawn up with the help and approval of the trade and the Government's decision concerning the same is anxiously awaited.

"I am still of the opinion that the control of civil supplies has produced a result contrary to the object for which the department was created. Government did not rise equal to the occasion when there was a crying need for action in the matter of regulating civil supplies. To insist on keeping up this belated department after the need for it has gone and after the war has ended, does not appear to me to be a sound policy. The fact that expenditure in this department is met from Imperial revenues was no doubt the principal reason for the non-official indifference to this subject.

"I omitted to mention under the education head that I had wished that the Government had adopted my suggestion and budgeted a sum of money for providing suitable buildings for a Muhammadan secondary school in Georgetown and the elementary school for Muhammadans which the Government are maintaining. I trust that some steps will be taken in the matter of selecting suitable sites and drawing up plans, etc., for these buildings so that at least next year when a suggestion is made for a provision under this head it may not be said that there is no estimate to go upon."

At this stage the Council adjourned for a short interval.

7TH APRIL 1919.] (Mr. M. Ramachandra Rao; Sir. Fairless Barber; the President.)

The Council re-assembled after the interval at 3 p.m.

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"Your Excellency, before offering a few remarks on the budget I may be permitted to refer to one or two remarks made by my Honourable Friends who have preceded me. One of these is that of the Hon'ble Sir Fairless Barber who stated that the members of his community desired the co-operation of the Indian Members of this Council and that all of us are intent on the same purpose of the improvement of the masses. Your Excellency, we fully reciprocate that sentiment. During the last few years during which the Minto-Morley reforms have been in operation several resolutions have been brought forward in this Council which I venture to think—and in fact almost the whole work of this Council from our point of view—has been devoted to the purpose of improving the condition of the masses, improving their economic position and affording them better educational facilities. In fact if my Honourable Friend will look into the headings and the general trend of the resolutions brought forward, generally our aim has been in the direction of producing that improvement which the Hon'ble Sir Fairless Barber so much desires. My complaint is that those members who represent the commercial and industrial interests in this Council, the European members, have not been so anxious to co-operate with us in this task of reconstruction. I should like to ask him to point to a single instance in which any resolution has been brought forward in this Council for the betterment of the masses or any suggestion made to us in the Council or elsewhere to co-operate with us to produce the results which both of us desire. I am tempted to make these remarks, Your Excellency, because the Honourable Member has stated that much of our work is something like putting the cart before the horse and he endorsed the statement of the Hon'ble Mr. Thonger to that effect, in this Council, which he made a few days ago. In fact I have not correctly understood the Hon'ble Sir Fairless Barber, but Your Excellency, that is the impression which his remarks have left upon me."

The Hon'ble Sir FAIRLESS BARBER :—"If I might explain, I said that the Hon'ble Mr. Thonger's remarks were not inapt and unjust, but I thought it was not fair to lay the whole blame on our legal friends."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"I am thankful to the Hon'ble Sir Fairless Barber for coming to our rescue and exonerating us from the whole blame for this state of things. He says that the blame for the present condition of things is distributable in portion to the Government and in portion to us and a portion is allocated to himself and other members. That is a fair distribution, and I am prepared to take it in that way. Your Excellency, I do not wish to pursue the matter further. If my friend or any representative of the European community in this Council is anxious to co-operate with us for the betterment of the masses, I may tell him that the only way in which to do that is to vote with us, say on the question of compulsory elementary education or on the question of improving the condition of the depressed classes or on the question of improving the condition of rural sanitation. I may mention one hundred other subjects which were brought up and ventilated before this Council in the last few years. So much for my Honourable Friend Sir Fairless Barber."

"The Hon'ble the Raja of Ramnad referred to the feeling of disappointment in connexion with the work of this Council. Your Excellency, I fear that not only myself but several Honourable Members of the Council have somewhat the same feelings in regard to the net results of our work in this Council. Your Excellency, the point is that the main reason for this state of things is the system under which we are working in this Council, and one of these is the question of the official block in this Council. I am tempted to quote in this connexion the remarks made by the Marquis of Crewe in the House of Lords when the Minto-Morley reforms were under discussion where he pointed out the evils of being in a perpetual minority in a deliberative or legislative assembly such as this. The Marquis of Crewe said as follows :—"The noble Lord said last night that after all there was no great hardship in being in a perpetual minority and he pointed to those benches as illustrating the possibility of being in that position and yet surviving. Well my Lord, appearances are sometimes deceptive; we may maintain a calm joviality, but the noble Lord will guess, if he does not know, the effect on our general character, our tempers and our minds, of living in a state of being perpetually outvoted. I am speaking quite seriously when I say that if the noble Lord opposite had shared our fate, during the ten years before we came into office, he would know the truth of what I am saying. Most of us towards the end of those ten years were beginning to lose interest in public life, and began to think it might be well to turn our attention to the cultivation of our gardens."

"Your Excellency, some of us do feel that the work in this Council has tried our temper and has had some effect upon our general desire to appreciate the efforts of the Government and altogether there is no concealing the fact that this state of things under which we are perpetually outvoted in this Council has given us a sense of despair and despondency. I think the blame is due to some extent to the Hon'ble Sir Fairless Barber and his friends for they could have made our minority in this Council, if they co-operated with us, into a majority."

His Excellency the PRESIDENT :—"I hoped to hear the Honourable Member on the budget; but two-thirds of his time is already exhausted."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"I have only five minutes. Much has been said on the budget already by my Honourable Friends and I do not wish to say much on it. I have tried to use these occasions not for the discussion of the budget but for telling the Council what we feel on some of these important subjects. I may recall the observation of one of the Finance Members that the budget day is a day when everybody speaks on everything but the budget. Once a year we are let off to tell Your Excellency's Government what we feel without the restrictions of debate and without being pulled up under the rules of procedure."

1024 **RESOLUTION RE IMPROVEMENT OF THE ACOUSTIC PROPERTIES OF THE COUNCIL CHAMBER AND FACILITIES FOR THE ATTENDANCE OF REPRESENTATIVES OF VERNACULAR DAILIES.**

(Mr. Todhunter; Mr. Venkatapati Raju; Mr. Krishna Rao; the President.) [3RD APRIL 1919.]

To facilitate the meeting of Honourable Members, it is necessary first of all to catch your members. Now most of the Honourable Members are busy men and they all generally arrange to arrive here only a day or two before the meeting and to leave on the evening of the day on which it closes, and I venture to doubt whether under the present conditions, it would be easy to arrange for many meetings when the Council is not sitting.

"As regards facilitating the work of Honourable Members, we have a library for them which, I understand, is not very largely used. Nor do I gather that the Legislative Department have had many or even any requests for assistance in other respects. So long therefore as the Honourable Members do not utilise the facilities which are available to them, I venture to doubt the necessity for appointing a committee to devise for them further facilities. If any specific request for help is received, we shall be prepared to consider it.

"The last of the Honourable Member's objects is one which I am sure will commend itself to all Honourable Members and that is the avoidance of re-duplication of questions and resolutions. But this, I would submit, is hardly a question for a mixed committee. It seems to me to be a question for the Honourable non-official Members to deal with themselves.

"To sum up, Your Excellency, it seems to me that a large part of this resolution should be dealt with by the non-official members themselves without the assistance of officials and that as to the rest, while there is no doubt that a careful enquiry will have to be made as to the necessities in respect of lobbies, reporters' galleries, committee rooms and all the paraphernalia of Parliamentary Government before the reform proposals come into effect, it would be a mistake to make radical changes in these respects for the purposes of a Council which has only a short time to live in its present form, and it would be premature to examine the question for the purposes of the new Council pending a decision as to its strength and the settlement of details as to its functions. I must therefore oppose the resolution on the ground that it is partly unnecessary and partly premature.

The Hon'ble Mr. B. VENKATAPATI RAJU:—"Your Excellency, I agree with the Hon'ble Mr. Todhunter that with reference to the last two clauses (c) and (d), it would have been far better if they had not been included in this resolution, because the non-official Members of the Council can themselves manage to secure their object without extraneous help. As to the other points, making additional provision for vernacular reporters and also making better provision for the audience to hear us better, I do not think there is any use in leaving that matter in the hands of officials and non-officials because the non-officials have nothing to do with it, because it is not a matter of policy but it is a matter of engineering skill. The help of some expert in engineering is needed and not at all that of non-officials however eminent they may be. For that purpose I would request the Hon'ble Mr. Narasimha Ayyar to omit clauses (c) and (d) and also to omit the combination of officials and non-officials for the purpose of accommodating seats, which things may be left to the Government to do by taking proper advice from experts and making such arrangements as are possible for the audience to hear us instead of making them disappear on the ground that they do not hear us. We do not want any assistance from non-officials in the matter; we are laymen; we do not know anything about them."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, I think that in view of the discussion which has taken place, it is necessary that before this resolution is put to the Council, an amendment is effected. With this object in view I would suggest an amendment which will, I have no doubt, meet with the acceptance of the Honourable Mover. As pointed out by the Hon'ble Mr. Venkatapati Raju, we need not ask for the things mentioned in clauses (c) and (d). So far as those two points are concerned, it is essentially for the non-official Members how best they can communicate with one another without duplicating questions and the deletion of clauses (c) and (d). I would also further amend the resolution as it is not necessary for a committee to be appointed in respect of the objects mentioned in clauses (a) and (b) and as the Government may take up the task and arrange for the speeches being better heard and for enabling more vernacular dailies to send their representatives. I will read the resolution measures (a) for speeches made in the Council being better heard, especially by the public in the balconies of the Council; (b) for greater provision of space and facilities for enabling more vernacular dailies to send their representatives to attend and report the Council's proceedings. The portion for the appointment of a committee and the word 'recommend' are deleted and clauses (c) and (d) are also omitted, so that we definitely suggest that the Government may devise measures for the purpose of improving the hall. I do not think that so far as this portion of the resolution is concerned, the Hon'ble Mr. Todhunter has stated anything against it. He only said that he would wait and see how the enlarged Council develops. It is quite possible in this hall to make the necessary changes. The hall is big enough to accommodate 150. It only requires some adjustment. I do not think it requires the formal introduction of a Bill in the Parliament."

His Excellency the PRESIDENT:—"Will the Honourable Member put the amendment in writing?"

RESOLUTIONS RE IMPROVEMENT OF THE ACOUSTIC PROPERTIES OF THE COUNCIL CHAMBER AND FACILITIES FOR THE ATTENDANCE OF REPRESENTATIVES OF VERNACULAR DAILIES AND RAILWAY FACILITIES FOR THE TRANSPORT OF PIECE-GOODS.

3RD APRIL 1919.] (Mr. Narasimha Ayyar; Mr. Todhunter; the President; Sir Francis Spring; Mr. Rama Ayyangar.)

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I request information. I was not able to follow the Hon'ble Mr. Todhunter. If the Legislative Department is applied to for help, would the Government consider the kind of help we want? I want help in the way of appointing a clerk in the Legislative Department. Would the Government agree to it?"

The Hon'ble Mr. C. G. TODHUNTER:—"No request for assistance has hitherto been made. If any request for assistance is made, it will be considered."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"That covers the question of appointing a clerk. I accept the amendment proposed by the Hon'ble Mr. A. S. Krishna Rao."

His Excellency the PRESIDENT:—"The amendment reads thus:—
'This Council recommends to His Excellency in Council to devise measures (a) for speeches made in the Council being better heard, especially by the public in the balconies of the Council; (b) for greater provision of space and facilities for enabling more vernacular dailies to send their representatives to attend and report the Council's proceedings.'

The Hon'ble Mr. C. G. TODHUNTER:—"I am afraid, Your Excellency, I cannot accept the amendment. The point in issue is whether the defects are so bad as to render it necessary to take immediate measures in anticipation of the measures that we are bound to take a year or two hence. This Council Chamber has served us since Lord Morley's reforms came into force. I do not think that there is any such crying evil as to call for immediate remedy. At the same time, may I point out that the whole question of acoustics has been gone into with great care? I have here a large file on the subject which shows that various suggestions, such as the stretching of piano wires across the ceiling, have been examined and given up. It is not as if the committee would have to inquire into a matter that has not been examined."

The Hon'ble Sir FRANCIS SPRING:—"Just now, Sir, as I was coming in from lunch, as I arrived at the bottom of the hall I saw that the Hon'ble Mr. Todhunter was speaking, so I halted and tried whether I could hear him. Just beyond the benches I could not hear him. As regards the Hon'ble Mr. Venkatapati Raju I can never hear a solitary word of his and the same is the case with regard to one or two gentlemen opposite. But I can hear the words of Members on this side rather better. The acoustic properties of the Chamber are as bad as they can possibly be. I do not think putting up curtains or laying matting on the floor has made any appreciable difference. A good deal has been said of an acoustic expert. But I do not believe that there is such a person. Things can only be set right by experiment. It is for the Hon'ble Mr. Hutton to tell us what experiment might be tried. What I have in my mind in connexion with the enlarged Council is, that we must have galleries all round, sloping galleries one behind the other. That will probably break up the echo and stop that inconvenience and at the same time will leave much more space for the reporters. The middle space will be available for the enlarged Council. I do not think it would be wise for Government to plunge into an expense of Rs. 40,000 or Rs. 50,000 on the inexperienced advice that I could offer. I think the Hon'ble Mr. Hutton might experiment with a few bamboo mattings. My own belief is that in some such way the acoustics could be set right.

"Another inconvenience may be referred to, the terrific glare from the white walls. For the last five years I have asked successive Secretaries about this though not the present Secretary. I refer particularly to the glare of the sun off the polished white walls of the outside court. It is a serious inconvenience under which Members suffer but can be remedied easily and cheaply."

The Hon'ble Mr. C. G. TODHUNTER:—"I am a layman in this matter and I am prepared to bow to the high authority of Sir Francis Spring. If he considers that experiments can easily be made at a small cost to improve the existing acoustic properties of the Chamber I am quite prepared to agree to their being made on the lines which he has suggested. In these circumstances, I accept the resolution as amended."

The resolution as amended was accepted.

RESOLUTION RE RAILWAY FACILITIES FOR THE TRANSPORT OF PIECE-GOODS.

The Hon'ble Mr. K. RAMA AYYANGAR:—"On the assurance given by the Hon'ble Mr. Campbell that he will inquire into the specific grievances brought to his notice, I do not want to press the resolution No. VII."

The resolution was not pressed. The resolution ran thus—

"VII. This Council recommends to His Excellency the Governor in Council that steps be taken to provide sufficient accommodation by railways to transport piece-goods, other clothes and yarn to the mufassal stations from Madras and relieve the situation caused to the cloth dealers by want of the same."

(Mr. M. Ramachandra Rao; Mr. Chidambaranatha Mudaliyar.) [7TH APRIL 1919.]

"Two other remarks which I intended to make relate to the financial position of this Presidency. In this connexion I have a complaint to make. We have tried for opportunities in this Council to ventilate our grievances in connexion with the scheme of financial devolution which has been adumbrated in the Joint Report, which shows that this province, if these proposals are accepted, ought to contribute a sum of 428 lakhs as contribution for the expenditure of the Imperial Government. I gave notice of a resolution, and several Honourable Members similarly gave notice of resolutions, but unfortunately discussion on that matter was not permitted. Perhaps Honourable Members are already aware of the state of things which, if this scheme is to be accepted, would be the result. The Province of Madras would have to contribute 128 lakhs and the net surplus that will be left to us if this scheme is sanctioned would be 63 lakhs. The figures given for the other provinces are as follows: Bombay would have a net surplus of 13 lakhs, Bengal 10 lakhs, the United Provinces 48 lakhs, the Punjab 32 lakhs, Burma 21 lakhs, Bihar and Orissa 6 lakhs, the Central Provinces 5 lakhs, Assam 3 lakhs. So that the contribution from Madras will be the heaviest, and it is assumed in this distribution that the gross provincial expenditure is 840 lakhs. The point that I would like to press most insistently upon Your Excellency's Government is that we as trustees of the future people of this Presidency ought to secure from the Imperial Government a fair and adequate share of the revenues raised in this province for the purpose of provincial expenditure. I contend that this scheme is entirely unjust and altogether inadequate to meet the needs of this province. I am even prepared to say that if this scheme of financial devolution is the one that should accompany the scheme of constitutional reforms, I think the result will be that we shall have no finance at the back of the constitutional reforms. Your Excellency, we have only to look at the figures in the Financial Statement.

"I join my Honourable Friends who have preceded me in offering our felicitations to Your Excellency's Government and to the Finance Member for the very ample provision that has been made for expenditure on education, sanitation and all the various services in this Presidency. But after all we have to recognise this fact that it is really a deficit budget. Our income is 848 lakhs and our expenditure is 918 lakhs and the deficit is, as the Honourable Member will see, 70 lakhs; I am afraid, Your Excellency, that if this budget had been sent up by any district board, I am sure that the Hon'ble Mr. Rajagopala Achariyar would at once have rejected it or at once returned it for amendment so as to balance the ordinary normal revenues with the ordinary normal expenditure. I recognise at the same time that a portion of this expenditure is due to the large expenditure on war allowance, but nevertheless I contend, Your Excellency, that the financial position of this Presidency will only be bettered when we have adequate revenues for the usual expenditure in this province.

"Your Excellency in bringing these remarks to a close I should like to add a word or two to what my Honourable Friend Mr. Rama Ayyangar has said in support of the claim of the Provincial Service in this province. I need not make any lengthy reference, for the points in connexion with these services have been discussed at great length for the last five or six years. The general position is that in 1886 when the Public Service Commission sat for the first time the number of officers employed in the Provincial Executive Service was 61; to-day it is 148 and about 50 people are employed on acting appointments so that we have about 240 men in the Executive Service or nearly as many as in the Provincial Judicial Service. The number of superior appointments which are open to these 300 men are four District Judgeships, three Collectorships, the post of Secretary to the Revenue Board, one Under-Secretaryship and one Secretaryship under the Government. I do not wish to include in this category of superior appointments, fifteen Sub-Collectorships which are listed for that service. Your Excellency, we do not know what shape the question of recruitment for the public services is likely to take, but I would suggest that in order to remove discontent in the service the only way is to temporarily list some more superior posts to this branch until such time as those are able, by being recruited under new conditions, to take their place as District Judges. I do not think such a course would in any way be unjust to the members of the Indian Civil Service who are now in service. There have been three new districts recently and there have been a number of new appointments added to the Indian Civil Service cadre, and I think Your Excellency's Government will do them justice if some temporary listing takes place in order to remove the discontent which undoubtedly now prevails in that service.

"In bringing my remarks to a close I wish to reiterate what I said last year in making an appeal to the members of Indian Civil Service to make these constitutional reforms a success by co-operating in working out these reforms and placing themselves at the head of the best national forces in this country and drawing out co-operation from all parts of the country in making this great change a reality."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"Your Excellency, in making a few observations on the budget, as usual, I wish to draw particular attention to the very inadequate provision made in the revised estimate for this year with regard to the abnormal agricultural situation and also the very high estimate that has been made for the next year, for I feel that according to the estimate given by the Director of Civil Supplies while in 1917-18 under paddy alone there were 10 million odd acres, in 1918-19 there have been 1 million acres less of cultivated land, so that about one-eleventh of the cultivated land under paddy has decreased. The provision under remission, in the revised estimate amounts, according to the reply to my interpellation, under all cultivations, comes to Rs. 25 lakhs. Under paddy alone on ryotwari tenure lands there is a demand of 600 and odd lakhs and about Rs. 25 lakhs are provided for all remissions whereas in paddy alone there is a

[7TH APRIL 1919.] (Mr. Chidambaranatha Mudaliyar.)

decrease in cultivation by one-eleventh. Why I wish to draw particular attention to this matter is to show the extremely inadequate provision made under the head of remissions in the districts which have suffered by the abnormally bad season during the year 1918-19. There is in addition to this fall in the cultivation a fall in the yield of the crop so much so that I particularly wish to place before the Government that the provision under remission appears to be extremely low, extremely inadequate and absolutely insufficient to meet even in any degree the actual difficulties of the land-owning public.

"Your Excellency, it seems to me that such abnormal bad years should give us certain lessons both to devise certain immediate remedies and to devise standing remedies. I suggested in a resolution of mine that particularly in such abnormal bad years as the last it is better that we do not proceed entirely upon the official estimate of the whole situation, but it would be advisable both in the interest of the State and in the interest of the people to have a committee composed of both officials and non-officials to make an inquiry into the situation and to make their own recommendations. But under some pretext or other that resolution has not had a chance of being discussed in the Council, though I am pretty certain that the discussion of it may not have had much by way of practical results. Anyhow I wish to lay before the Council that when the landholders form about 90 per cent of the people of this Presidency some more care ought to be taken of their difficulties and their hardships and some real and substantial provision must be made in the budget estimate to meet particularly such an abnormally bad situation as we find ourselves face to face with in the present year.

"The Madras Ryotwari Landholders' Association proposed that there should be a provision of at least 50 lakhs under remissions. I would certainly go much further. From the figures that I have already quoted, it must have gone even much higher, and the provision under remission must have been far more substantial if it is to meet in any degree the actual difficulties of the landholding population at the present moment. Even now I do not think that it is too late if only the Government had the will to do it and to go a little further to make actual inquiries in the suffering districts and come to the rescue of the people in a more substantial manner.

"As for the permanent lessons that you may draw from such a bad year as this one, the most important lesson seems to me to help particularly in dry districts in the sinking of more wells by the Government and the advancing of loans under the Agricultural Loans Act and doing it also through the means of the co-operative societies which certainly would ensure both the position of the Government and the position of the landholders a great deal better than they are at present; co-operative societies can be depended upon, looking at the fact that they are at present almost entirely under Government supervision and control, to make these grants, according to the needs, in a wider and ampler way to the particular localities than is now being done through the means of local revenue officials. The cost of getting these loans will be much less, and the co-operative society in a particular rural tract will have a good idea of the actual character of the man who applies for loans and the Government will have ample security for the money they advance through these societies for the purpose of loans.

"Another point that I wish to draw the particular attention of the Government to is that the area under food-grains is decreasing. That is a matter which in my opinion requires special attention. While the area under paddy has risen to some extent, the area under the other dry food-crops has decreased considerably. It may be that the commercial crops are taking the place of these food-crops to some extent, but it appears to me that this is a matter which requires special examination by the Government to arrive at conclusions which would be really satisfactory, particularly in bad years like the one we have had, so that there may not be any substantial fall in the quantity of food-crops in the province. I would even go further and advocate a small duty on the export of non-food-grains if the Government can see their way to agree with the suggestion so that in bad years the public of this province may not have the necessity of expecting their supply from other provinces.

"Another matter that I wish to invite the special attention of the Government to is the repair of survey stones and the abnormal cost which is being charged under the name of such repairs. It is often keenly felt to be a very heavy burden upon the villagers. During the last eight years I find that the amount that comes under revenue for the time and labour of the staff has more than quadrupled. In 1912-13 it was Rs. 24,000; in 1919-20 the amount budgeted for comes to 1.12 lakhs. Your Excellency, I think it is a very serious matter and it is being very keenly felt by the public at large. I wish the Government would make a thorough examination of the whole question and see if this rise which is being constantly kept up year after year cannot be checked and some steps devised so that this source of trouble and burden to the landholder may not go up as it has done during the last eight years.

"Your Excellency, I hope Your Excellency's Government have in their most careful consideration the question of giving the Secretary of State as regards the Kannambadi reservoir the particular results that he desired of this year, and the best way to give that is what its effect will be on the lands under the Cauvery irrigation if the Kannambadi reservoir were to be completed. I find that the Secretary of State has referred to the Madras Government the question of making a report as to how its effect will be observed, during this year. I earnestly trust that the Madras Government will, as they have always done, most earnestly try to do their best in the matter of reporting the true state of affairs and the situation of the Cauvery irrigation during the last year.

(Mr. Chidambaranatha Mudaliyar; Mr. Narasimha Ayyar.) [7TH APRIL 1919.]

"Your Excellency, I am glad that an attempt is being made to introduce irrigation panchayats. There is one suggestion that I wish to make before I close my remarks, that is the lesser the number of panchayats in villages are, the better would it be in the interests of the public. If for each aspect of life there should be a different panchayat, there should be an irrigation panchayat, a revenue panchayat, a litigation panchayat—if in that way there should be a number of panchayats it would not work well in the rural parts. What I would suggest is that the number of panchayats should be as few as possible in these rural areas and let the different Acts give them different powers so that there would be a few bodies invested with different sets of powers. That in my opinion would work well in these rural areas. With these few remarks I earnestly trust Your Excellency's Government would attempt to do their best in the matter of giving relief to the land holding public, particularly in such an abnormally bad season as we have seen in the last year."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"Your Excellency, three years ago in this hall we had a series of speeches from non-official members which were characterised by Sir P. S. Sivaswami Ayyar in his reply as a gloomy foreboding characteristic of all bodies on the eve of dissolution. The gloomy foreboding referred to matters which have again been dealt with in the remarks of the Hon'ble the Raja of Ramnad and the Hon'ble Mr. Ramachandra Rao just now. That is the very little extent to which the co-operation between the officials and non-officials in this Council seemed to go and the doubtful utility of any efforts being made in this direction. Honourable Members one after another deplored the great slaughter, the perpetual slaughter of non-official resolutions however constructive they might be and the heavy giant-like use of the official block which leaves no chance for these resolutions to survive. The question now is have these forebodings been justified or has the answer given by Sir P. S. Sivaswami Ayyar been justified? He hoped that things were getting on for the better and that there was very little justification for these forebodings. I am afraid, Your Excellency, that from my experience of these three years it is impossible to say that our forebodings have been without justification. I notice that what was then said could justly be repeated and has been justly repeated now. It may be pointed out that in a few directions something like an advance has been made or promised. For instance in the all-important matter as to the part which the non-officials take in dealing with the budget it may be pointed out that an advance has been made. Non-official members were consulted this year at an earlier stage than on former occasions and they have greater chance of moulding the shape of the financial statement and the budget to a greater extent than in previous years. But that is all in appearance. When we look at the way in which resolutions were treated at the last meeting and compare it with the way in which they were treated previously, I think it would require a strong microscope to discover any difference. I think there may be an apparent difference of treatment but the result is the same. You may change the form of the institution but if the spirit that inhabits it is the same the result is, the working of the particular institution would still remain the same. That seems to be the state of things in regard to this institution. I shall only express again the hope that soon there may be scope for a real and substantial change both in the spirit and the form in the nature of our work."

"I shall pass on to consider other matters. Taking up the budget, the first thing that comes to my mind is about the totals shown there. I join my voice with that of the Honourable Members who have preceded me and pointed out that the totals available for expenditure in this province are too small when compared with what in justice and equity we should have. We wish to strengthen the hands of Your Excellency's Government in again putting forward the demand that the Madras Presidency should not be called upon to bear such an unequal and heavy share of the burden of Indian administration and more of the revenues raised in the province should be left to be utilized for the numerous needs of the public of the Province. I know that some justifications have been attempted. For instance in the Montagu-Chelmsford report the justification is put forward that the matter is historical, it has been there all along. I consider that a historical explanation really means no explanation. For instance, it could have been very well said in defence of the rotten boroughs which the Act of 1832 did away with in the United Kingdom that they were historically justified. Historical justification means a statement of fact, which may mean the statement of a grievance. Your Excellency's Government has the strong and united support of the representatives of the public in this Council and also the unanimous voice of the public in this Presidency in this matter."

"I shall proceed to take up the head of Excise and offer just a few remarks on it. We notice from the budget that there is an increase in the consumption of country spirits and it is also pointed out that there is an increase in the consumption of toddy. This is simultaneous with the remarkable advance made in the United States of America. In the budget however we do not find any serious expression of regret at this increased consumption. High wages and other facts are mentioned as if this is a fact which can be passed by with indifference. I really think that what goes on in the West has to be looked at for the purpose of deriving enlightenment here. The day has long gone by when the Government could state that a few faddists, presumably Brahmans, in their antipathy to drink would, if placed in charge of the excise policy, create grievous discomfort to the drinking classes and therefore any reform on the lines of total prohibition would savour of bigotry in a statesman. Those days are gone. In America which cannot be accused of Brahmanism or any caste prejudice against drink, we find that the total prohibition policy has gone on purely on statesmanship and on the ground of the greatest good of the greatest number. I think that Your Excellency's Government will, even at the risk of losing some of these valuable lakhs or even crores of the revenue that we see in the

[7TH APRIL 1919.]

(Mr. Narasimha Ayyar.)

budget under the head 'excise', seriously undertake a revision of policy in this matter subject to what the Government of India may have to say until our financial autonomy is established. I hope that a departure in this direction will ere long be embarked on by Your Excellency's Government."

"I shall proceed to the head of forests. Under the head of forests I notice there is some increase of expenditure on additional temporary staff, and that leads me to the other question, namely, as to what extra benefit this forest department is rendering to the public. It may be remembered that when the Forest Committee's report was published, it was hailed with acclamation by the public as heralding the dawn of a new era and the Government realized the extent of oppression and dissatisfaction existing in the villages which came in close contact with the forest subordinates. Forest panchayats were being looked for and just when a few were started, the public acclaimed them with great joy. But since then not only do we find that the progress of the forest panchayats has been slow but some unfortunate pronouncements have been made in this hall which seemed to suggest that the Government did not endorse the views of the Forest Committee. That statement was a statement made by some members of the Government that the picture of extortion and oppression by forest subordinates was overdrawn in that Committee's report. I can give my personal testimony to the fact that it is certainly not overdrawn and if any Honourable Member would like to have that verified, I would ask him to follow the worthy example of Mr. Horne, and go with me, and he would see widespread prevalence of oppression and corruption. I wish to point out that more of these forest panchayats are wanted, and it is necessary to increase their number. You can try and have special officers. The district forest officers not having much time, the Government should not hesitate to go in for an additional staff and they will have the hearty support of the Honourable Members of this Council."

"I come next to the police. I notice that there has been a steady increase of expenditure. I notice also that the Hon'ble Mr. Davidson said yesterday that more police stations were wanted and he asked, 'you complain of the expenditure on the police but you are the gentlemen who want more police stations.' My answer to that is brief. One is by no means contradictory of the other. You can have more police stations and yet not increase the total expenditure, because it may be possible to cut down the expenditure in other directions. That is very largely the opinion of non-officials, that the expenditure at the top has been increased in a manner not warranted by public opinion or sound principles of police administration and that the expenditure in the lower ranks of the department is not incurred in the way in which the public would like it to be incurred. There is absolutely no contradiction in the way in which this Council has rejected the proposal for increasing the number of police stations. In any case this Council has rejected the proposal for increasing the number of police stations. What I say is in spite of the fact that there are not as many police stations as are wanted we find an increase in the expenditure. What is the justification? Can it be said that the public are creating too much trouble and cannot be managed without such an amount of expenditure? Let us compare for instance Bengal with this Presidency. The expenditure in both the provinces is the same. Yet it cannot be said that the police in Bengal have only the same work as they have here. On the other hand I may point out that in this Presidency we had a remarkable illustration of the extent to which the people are prepared to co-operate with the Government and render such assistance to the police as may be necessary. For instance, yesterday, the ever-memorable Satyagraha day, we had over one lakh of people marching on, wave after wave, a whole sea of faces marching towards the Triplicane beach. There was not a single police constable there and the people on account of the feeling about the Rowlett legislation were fasting, and all the conditions were unfavourable to the maintenance of law and order, and yet we had not even one solitary instance of throwing brick bats. What does it prove? It proves most emphatically that in this Presidency we have an extent of orderliness and peacefulness which is totally unlike what you have in Bengal, and which warrants the reduction of the expenditure and does not warrant this steady increase in police expenditure. I think it may fairly be assumed that the non-officials who have been urging retrenchment in the police expenditure have a solid foundation for their resolution. I do not know what exactly will be the reply by the Honourable Member on behalf of the Government, but I wish to point out that there is at present peacefulness and an increasing realization not only on the part of the leaders but also of the people of their responsibility and vast numbers of people are showing their eminent fitness for the future privileges to be entrusted to them and to take their share in the self-government that has been long promised and that has been long due. Therefore the expenditure on police will, I hope, be reduced."

"I must thank the Government for accepting my resolution about co-operation. The whole movement was started in order to meet the depressing effect of poverty in the land. The effect of poverty was noticed in the recent years and also in the current year when famine conditions have been prevalent in so many areas and have resulted in a remarkably acute situation. The people find that the prices are worse than previous famine prices and so many families which never thought of begging have been reduced to beggary. Yet we find the fringe of this evil has not been touched by the co-operative societies. The object of the co-operative movement was to assuage this. No doubt during the last fifteen years we have had about 3,000 societies, but what is this 3,000 societies amidst the 52,000 villages we have? To touch even the fringe of this evil we must have one society for each village or at least two villages. Let us take the rate of progress. During the last fifteen years we have had 3,000 societies. At that rate it will take several generations before we touch the fringe of this evil. Are we to contemplate this

(Mr. Narasimha Ayyar; Mr. Krishna Rao.) [7TH APRIL 1919.]

with any sense of self-complacency? Certainly the resolution put forward yesterday has come none too soon. Therefore I think Honourable Members are fully entitled to look forward to Your Excellency's Government taking as early action as possible on that accepted resolution and trying to fill the Presidency with a large number of societies. What I mean is this. Formerly the Assistant Registrars made it a very important part of their work to start new societies. Nowadays the starting of societies is the last portion of the work they think of. There is practical discouragement and they do not care for it. There is some sense in consolidating the foundation before proceeding faster but I hope that that criticism will disappear and I hope they will realize that they have not touched even the fringe of this evil and the Assistant Registrars must be as brisk now as they were years ago in starting new societies and not only in taking care that those which have been started are properly looked after.

"I shall close with a word on education. Honourable Members who preceded me have talked about free compulsory education. I believe that the Government must be realizing that the hour is drawing nigh when no Government which claims to be a civilized Government can neglect the provision of free compulsory education. With the increased franchise we are introducing everywhere, free and compulsory education is absolutely necessary and for the proposals for industrial development which Your Excellency's Government have put forward, free compulsory education is equally necessary. With reference to this I wish only to point out that on a previous occasion we had to refer to the deplorable delay in taking steps in this direction. I think the Government have some Bill on this subject. I do not know in what state it is. It is the desire of Honourable Members here that the Government should see their way to hurry up the sanction of the Government of India by reminders and see that the Bill is pushed forward which will enable large leading places like Madras, Madurai or Salem to start a scheme in the course of twelve months. Certainly it would not be considered impossible and although there is no provision in the budget for any step being taken, I hope that the Government realize the importance of it and if they do so, the non-official members will give them all support.

"One more word about Panchama education. Your Excellency may remember that on a previous occasion we had a resolution that free boarding schools may be started for the benefit of the depressed classes. The Government were labouring under a difficulty which appeared to be imaginary; that is, as to who are the depressed classes. I believe it is not necessary to repeat the argument. The public has discussed the matter threadbare. In the case of the Panchamas there is no difficulty in knowing who they are, and if the Government start institutions at an early date to give relief to these classes by starting free boarding schools they would be doing what the public is anxiously looking forward to. The Hon'ble the Raja of Pittapuram said that so long as we keep this class in a condition of servility we are unfit for political privileges. I do not know who he is but it is necessary to say that this Provincial Government or the public are unfit, but it appears to me that there is a serious clog in the wheel of political development when we keep a large class of people immersed in the dark depths of ignorance and I am quite sure that what the Hon'ble the Raja of Pittapuram meant was that this serious obstacle to the development of the country must be removed by the Government and the people also should co-operate by taking steps in that direction. We are looking forward to the Government co-operating in this matter. Your Excellency has only to look to our proceedings to find that the non-official members are practically unanimous in putting forward a claim on behalf of the Panchamas for the sake of general progress. I hope Your Excellency's Government will find it possible to further this great national object and Your Excellency's Government will have the support not only of this Council—I think the Hon'ble Mr. Ramaswami Ayyar is hardly right in supposing that it is a settled fact that this Council is going to expire to-day—but also of its successors. Your Excellency's Government may rest assured of the solid support of non-officials in any steps for helping the Panchama classes."

The Hon'ble Mr. A. S. KRISHNA RAO:—"Your Excellency, while I fully appreciate the care and skill with which the budget has been prepared and the willingness and the earnestness with which increased provision has been made for education, I do not consider it necessary to offer any special congratulations on the budget which has now been placed before us. I shall make a few remarks on the financial conditions of the province with the full hope and belief that on that subject there will not be any disagreement between the Government and the people and that both will do their best to improve the condition of this province. Your Excellency has been associated with the administration of this Presidency in various departments from the 7th December 1882, when Your Excellency landed in India, and during the last 36 or 37 years the experience gained about the work of the various departments and about the conditions of the province must enable us to hope that before Your Excellency hands over charge of the exalted office of Governor of the province and later on of the office of Finance Member of the province, some definite steps will be taken to place the material condition of this province on a more satisfactory basis than it is at present. I shall refer to a few facts which will unmistakably show that there has not been such improvement in the material condition as there could have been and that the economic condition of the agriculturists is far from satisfactory.

"I shall first refer to the figures relating to land revenue, which will clearly show that more land revenue is being realized in this province than in any other major province in India. It will be found that according to the budget for 1919-20 the land revenue in this Presidency is 717.50 lakhs, in Bombay it is 555.4 lakhs, in Bengal 285.4, in the United Provinces 267.72. Whether we judge of the land revenue with reference to the extent of the assessed area or with

7TH APRIL 1919.]

(Mr. Krishna Rao.)

reference to the extent of the cultivated area in each province or with reference to the population, it is quite clear that the incidence of land revenue is much higher here than in the case of other provinces, save Bombay where also it is fairly high.

"Having so far referred to the figures relating to land revenue, I am now tempted to refer to the figures of the Registration department, because they have a bearing mostly upon the condition of the people of the agricultural classes. The income of the Registration department has some bearing on the material condition of the people because it largely represents transactions by which transfers of land are effected and also transactions by which loans are contracted on the security of property. It will be found that so far as the income from the Registration department is concerned, more is realized in this province than in any other province in India. It will be found that according to the budget for 1919-20 so far as Madras is concerned it is 27.10 lakhs, in Bombay it is 11.50 or less than half of Madras, in Bengal it is 19.00, in the United Provinces 7.55. I refer to these figures because they give us an indication of the material conditions of the people of this province as also the extent of indebtedness which may exist so far as this province is concerned.

"Having referred the Council to certain figures affecting chiefly land, it will be necessary for me to point out that there has not been very much scope for the development of commerce and industries and trade in various directions; and if there are any figures which by comparative study would enable us to understand the condition of this province in that respect, it is the figures relating to income-tax. How do we stand so far as that is concerned? It will be found so far as the excess profits duty levied according to the budget for 1919-20 is concerned, that in Madras it is 25 lakhs, whereas in Bombay they have budgeted for 425 lakhs in the place of 25 in Madras; Bengal 625 lakhs, the United Provinces 25, just the same as here. When we consider the figures for the super-tax it will be found that the difference is appalling—

	LAKHS.
Madras	18.50
Bombay	53.75
Bengal	50.00
The United Provinces	11.73

"Even so far as the ordinary income-tax is concerned the figures are as follows:—

	LAKHS.
Madras	77.00
Bombay	244.90
Bengal	277.50

"What do these figures show? Do they not show that much more is realized from the land in this presidency than in other provinces and that it has not been possible to realize income from other sources to any appreciable extent? Will it not show that there has not been sufficient scope for the development of this province in the matter of trade and industry and other directions which will bring in additional income-tax and that we have been compelled to resort for the bulk of our revenue to land, though it is our duty to improve trade and commerce and improve the condition of this presidency in other respects? It is at the same time our duty to consider and see whether we have not been realizing more in the shape of land revenue than we ought to. May I, in this connexion, remind the Council that attempts made during the last five or six years to mitigate the rigor and harshness of the land revenue demand have been wholly unsuccessful. Resolutions were moved suggesting remission of assessment when the total outturn of crop was less than one-third of the normal crop. Resolutions were moved suggesting that there should be a remission when a portion of the field has not been subdivided. Resolutions were moved suggesting an inquiry as to the working of the rules of remission of assessment. What has been the result? The result has uniformly been that the Government, naturally afraid that the acceptance of these resolutions even in a modified form might reduce the land revenue, opposed the resolutions and they were rejected. Again let us consider the various attempts that were made in connexion with the progress of the resettlement of various districts in the presidency. The same results attended our efforts in that direction. Again we tried to induce the Government to have an economic inquiry into the condition of the agriculturists in certain typical villages in this presidency. In April last year a resolution was accepted by this Council, but they have not yet carried out an investigation.

"I am mentioning these things to show that while it is certain that so far as this presidency is concerned, much more is realized from land than other provinces and while it is certain that we have not been able to get income from various other sources owing to trade and commerce not flourishing here to the same extent as in Bombay or Bengal, we have not succeeded in inducing the Government to adopt a more liberal attitude in dealing with the assessment of land revenue.

"I would next point out that apart from the fact that we have found it necessary to realize from the land much more than probably the land can bear, we have not been fortunate enough in getting an adequate share from the Imperial revenue for various useful purposes. It is a matter for extreme regret that in the distribution of Imperial grants for railways or for productive irrigation works or for protective irrigation works, the allotment made so far as this province is concerned is much less than what it should have been. It will be found that for the year 1919-20 according to the budget presented in the Imperial Legislative Council in March last out of a total sum of 2,388.57 lakhs for State railways and for open lines the allotment which has been made so far as this province is concerned comes only to 121.77 lakhs. Similarly

(Mr. Krishna Rao.)

[7TH APRIL 1919.]

in the case of construction of lines, there has been provided 76.22 lakhs; but it has not been found necessary to provide anything so far as the lines here are concerned. I do not wish within the limited time at my disposal to refer to the discussion here when representations were made to the Government of India for taking various lines suggested on the Imperial programme; but the result has been exceedingly disappointing. Now turning our attention to productive irrigation works, out of a total sum of 65 lakhs provided for 1919-21, the total allotment made so far as this presidency is concerned is 2.66 lakhs only for the Godavari and Krishna delta systems and a sum of 2 lakhs for some other projects. It is clear therefore that a provision of about 4 lakhs out of a total allotment of 65 lakhs for a major province like Madras where there are various schemes which can be taken up is certainly an unsatisfactory feature of the budget. I shall now turn my attention to the protective irrigation works which are carried on under the famine grant. Fifty-three lakhs are allotted for the whole of India and the share of Madras is only 1.62. These figures will show that while the material condition is not as satisfactory as it should be and while we find it necessary to get more from land than we ought to get, even in the matter of Imperial grants we have not been fortunate in getting as much as we ought to.

The next point I must naturally dwell upon is the large proportion of the revenue we contribute to the Imperial exchequer. It has become proverbial that owing to the policy adopted by the Madras Government in accumulating surplus balances, the Government of India thought that Madras was in a flourishing condition; and when the previous financial settlement of Madras was made, it placed us in a very unfavourable position with the result that we are contributing to the Imperial Government a larger share than other provinces. It will be found that when the change was introduced in the provincial settlement on the 1st March 1911, the member from Madras protested as loudly as he could against the ungenerous treatment accorded to Madras and even asked if the Government of India was going to put a premium on extravagance and waste by taking advantage of the accumulated balances of the Madras Government which was due to the careful and economic working of the Madras Government. We have been anxiously expecting that a time would come when we would arrive at a better state of things. Resolutions were moved; and it was suggested that after the war was over we could make out a case for a revision of the settlement. We were told that proposals for the adjustment of the financial relations between the Imperial and the Local Government were under contemplation. It is exceedingly disappointing that the proposals formulated in the scheme of Constitutional Reforms propounded by responsible statesmen have placed Madras in a disadvantageous position. They suggest that the gross provincial revenues calculated on the budget estimate for 1917-18 should be taken into account, that the gross provincial expenditure should be deducted and that the province should contribute 87 per cent of the balance. This method of calculation is very disadvantageous and unfavourable to Madras and how do these respected authors try to justify it? This is what they say:—

“We recognize, of course, that the objection will be taken that some provinces even under this plan will bear a very much heavier proportion of the cost of the Indian Government than others. Madras and the United Provinces will be paying 47.4 per cent and 41.1 per cent of their remaining revenues to the Government of India, while Bengal and Bombay are paying only 10.1 per cent and 9.6 per cent, respectively. Our answer is that the objection is one that applies to existing inequalities, which we admit, that our scheme fails for the present to remove.”

“Your Excellency, may I point out that it would have been far more reasonable, just and equitable if these learned authors had tried to base the proportion on the gross revenues of the province. Then only there would have been any incentive for any province to develop its revenues and resources; for otherwise a province would think of pushing on the expenditure with the hope that it would be placed on a better footing. We have been aiming at financial provincial autonomy. We have been expecting financial independence so far as the local Government is concerned. If this financial independence is crippled by the imposition of such conditions, if the proportion is based not upon the gross revenue but upon the gross surplus, I venture to suggest that it would be an undesirable principle to introduce. It is the duty of this Council, not only of this Council but of this Government, to make a very emphatic protest and a very strong protest against this obviously inequitable and unfair proposal which has been enunciated so far as this presidency is concerned. I have not the slightest doubt that if there is any matter on which we can agree, it is this.

“Connected with this, I am inclined to think that we must keep a watchful eye over the expenditure in this province. With the necessities of time and the development of work in the various departments, it has become necessary not only to increase the staff and to open new openings and new activities but also to think of increasing the salaries and allowances in various departments. One who ventures to go through the service lists will be struck by the manner in which the expenditure has been increased in the cost of administration so far as the higher officers are concerned, whereas very little or no attention is paid to those lower down in the service. I have mentioned it on various previous occasions, and I venture to repeat it again. I am anxious to repeat it because a press communiqué was published in the papers yesterday stating that on the recommendations of the Public Services Commission some communications will be made by the Government of India to the Secretary of State. We are all aware that even the recommendations of the Public Service Commission would add to the expenditure by 88 lakhs or nearly 1 crore by some process of calculation. Not being satisfied with that, the learned authors of Constitutional Reforms suggest a further increase of expenditure. Your Excellency's Government are aware that Indians generally and some officials in various places, were struck by the increasing cost of the proposals made by the Public Services Commission and

[7TH APRIL 1919.]

(Mr. Krishna Rao; the President).

that protests were made from various quarters. One would be struck at the manner in which they would like to go further in the matter of pay and pensions. They go further than the Public Services Commission in paragraphs 319 and 320. I would therefore place for the consideration of the Government whether it is not now time for the proposals being examined as carefully as possible with the object of keeping the expenditure within reasonable limits. Nobody suggests that the expenditure ought not to be increased wherever it is absolutely necessary and wherever it is of a productive character. But when there are very costly schemes for increasing the staff of the administration, I would suggest that you must keep a very careful and watchful eye over the work of the various departments to see whether it is necessary to have this increase in the higher grades and whether it is not possible to do anything in the lower grades. What will the world think when, while we have provided about 37 lakhs for giving war allowance to various officers, we have not been able to accept the modest resolution of the Hon'ble Mr. Sadashiva Bhat advocating war allowances to village officials? I do not know why my Hon'ble Friend Mr. Siva Rao having given notice of a resolution to give travelling allowances to village officials thought it necessary to drop it. We have been able to do bare justice in the case of persons who are drawing small salaries, but still we see before our eyes proposals which would increase the cost of the administration by 80 to 100 lakhs. Therefore it is the imperative duty of the Government to examine the proposals when they are received from the Government of India and see in what respects there may be curtailment, though nobody says that wherever it is reasonable there should not be an increase.

“I am particularly tempted to make these remarks, Your Excellency, for one or two reasons, because I think that when one is not at the end of his career other considerations might prevail. Your Excellency, in the course of a few months, might hand over the charge of the Finance Department, and Your Excellency might not have much regard either to the possible objections of the Government of India or the susceptibilities of the members of the Indian Civil Service. The only standpoint from which I appeal to Your Excellency's Government to look at it is what is best in the interests of the country and whether the country can bear any substantial increase in the cost of the administration. That is the only standpoint from which I want Your Excellency's Government to look at this question. Your Excellency will be in charge of the Financial Department for some time to come; and if, from the communication published in the press, the proposals of the Public Services Commission are to be communicated in the near future these proposals should be scanned and criticised irrespective of possible objections or susceptibilities of the Government of India or the members of the Indian Civil Service. That is my special request. That is why I have attempted to make these remarks because Your Excellency's tenure of office is coming to a close, and human nature being what it is, there is absolutely no necessity for the susceptibilities of others having any part to play in the consideration of this question. That is what I feel. I consider it my duty to place that aspect before the Council.

“These are the remarks which I have considered fit to make on this occasion, because if the promised reforms are to be of any real value to the people, if they are really to place the people on a better footing, the first important point on which we should concentrate our vision is to improve the financial and material condition of the province. Suppose the financial condition is not improved and suppose we get the devolution of responsibilities to the Indian Minister, what is it he can do? It is absolutely nothing. The whole basis of the scheme of reform must depend upon financial autonomy in all its phases and complete independence of outside control in that respect. I therefore consider it necessary that as there cannot be any difference of opinion between the Government and the people on this important matter we should do our best to further the cause of this Presidency in all possible directions.

“There are two other matters on which I wish to trouble the Council. On the question of mass education several of my Honourable Friends have addressed the Council. I wish to point out that notwithstanding the improvements effected we have a very wide field to cover in the matter of mass education or primary education. Even in 1917-18 we had about 175 villages with a population of 2,000; 1,312 villages with a population of between 2,000 and 5,000; 3,836 villages with a population of between 500 and 1,000; 5,000 villages with a population of between 200 and 500, and 16,902 villages with less than 200 not provided with schools. On the whole 24,470 villages are still unprovided with schools. In the matter of literacy we find that we have still to bring into the schools about 67 per cent of boys of school-going age. I only mention it to show that notwithstanding the progress which I must say has been made during the last seven or eight years, still there is a wide field to cover in the matter of improving the mass education.”

His Excellency the PRESIDENT:—“I must ask the Honourable Member to be as brief as he can. He has already taken 25 minutes.”

The Hon'ble Mr. A. S. KRISHNA RAO:—“I shall wind up in two or three minutes. If we are to have any further expansion of primary education, the time has come when you must take an early opportunity of introducing compulsory primary education. That has been referred to by other members and I need not detain the Council on it.

“The only other question on which I intend to make a remark is as regards medical relief because I know Your Excellency has been taking considerable interest in it. Your Excellency has been doing as much as can be done in the matter of providing additional medical relief in this Presidency and has been fairly liberal in the matter of making grants. But may I point out that we expect Your Excellency to go to the hearts of the people to a larger extent by giving encouragement to the indigenous systems of medicine? Your Excellency has been very liberal in encouraging additional hospitals and for making provision for additional affording facilities for opening additional hospitals and for making provision for additional

(Mr. Krishna Rao ; Mr. Littlehales ; Mr. Siva Rao.) [7TH APRIL 1919.]

sub-assistant surgeons under the allopathic system. But during the last few years various attempts have been made in this Council to induce the Government to take the further step of encouraging the indigenous systems; and at a certain stage Your Excellency showed a sympathetic attitude and got an officer appointed to investigate the drugs of the indigenous systems. May I hope, before Your Excellency closes your term of office, something will be done in a substantial manner to encourage these systems? It is after all for the sake of the people of the country that these institutions for medical relief are started; and when the people are resorting to these indigenous systems is it not reasonable and just that these systems should be encouraged and placed on a satisfactory footing? I would point out that a bolder attempt should be made to complete the investigation of Dr. Koman and then to give a definite allotment for the purpose of medical relief and medical education in the indigenous systems."

The Hon'ble Mr. R. LITTLEHAILES:—"Your Excellency, I think it will tend towards brevity if I take in the first instance the subject which has been touched upon by a large number of Honourable Members who have spoken to-day on the budget, and that is the subject of elementary education. We have been asked that it should be made compulsory, we have been asked that it should be made free, and that we should do a great deal more than we are doing now towards the extension of elementary education. So far as compulsory and free education is concerned, a very important part of the chapter on primary education found in the progress of education for the period 1912 to 1917 in the Quinquennial Review by the Government of India relates thereto. Towards the end of chapter 9 it will be found that in 1911-12 Sir Harcourt Butler hinted that the introduction of measures of compulsion in local legislatures would be the natural course. Subsequently, a Bill was introduced in the Bombay Presidency and that Bill was passed into law, and steps have been taken in various other presidencies with regard to compulsory education. With regard to free education we have according to our regulations provision for all those pupils who belong to the backward castes or classes being allowed free education right up to the eighth standard in elementary schools under public management. So that there is no restriction upon members of the depressed classes getting free education. Also it can never be said that the rules make it impossible for anyone being deprived of primary education on the ground of poverty even those who do not belong to the backward classes; the amount that they have to pay is very small. The average fee paid throughout India is only 147 annas per pupil per annum. So that any child has merely to pay something over one anna per mensem in order to receive elementary education. The Honourable Member representing the Ceded Districts, I think, asked in connexion with the expansion of elementary education as to what had happened to the Government of India resolution of 1913."

The Hon'ble Mr. P. SIVA RAO:—"I was referring to the circular of August 1918."

The Hon'ble Mr. R. LITTLEHAILES (continuing):—"I beg his pardon, I missed what the Honourable Member said; I thought it was 1913. But with regard to the expansion I may point out again that the Government of India have laid down two lines of progress. On the one hand Bills are being introduced permitting the adoption of compulsion, and on the other hand the Government of India and the Local Governments have combined to allocate just as much funds for the purpose of education, largely elementary education as it is possible to find during the time of financial strain. As the financial strain is relieved, more funds will be available and greater expansion will be possible."

"The Hon'ble the Raja of Pithapuram desired that particular attention should be paid to the extension of education for girls, and he brought to the notice of Your Excellency that Cocanada should have a high school. I may mention that Cocanada is already noted as one of the towns in which we shall introduce a high school for girls as soon as we can manage to get funds and teachers are available."

"The Hon'ble Mr. Yaqub Hasan touched upon Muhammadan education. I was rather surprised, Your Excellency, to find that he considered that the Muhammadan College in Madras was superfluous and that the Presidency College suffices for the purpose of educating Muhammadans. It is an attitude, Sir, which is rather different from what the Honourable Member expressed on a previous occasion."

"He desired to know what had happened to the provision for instituting a Government Muhammadan school at Trichinopoly. It was the intention of this department to take over the management of the aided school for Muhammadans in Trichinopoly and proceedings were going on in that respect, but the negotiations have, I regret to say, fallen through with the result that the department has now to turn its attention to the institution of another Muhammadan school at Trichinopoly itself. The provision of buildings for Muhammadan schools is noted and will receive attention as funds become available."

"Some Honourable Members desired a very much larger provision made on account of scholarships. The budget indicates a very considerable increase within recent years in the provision under scholarships. The budget provision for the current year is 1.93 lakhs; the provision last year was 1.70 lakhs, and the accounts of the year previous to that show 1.66 lakhs, which indicates that there is a gradual increase in scholarships and the need for offering encouragement and making provision for the higher education of the poorer classes who are men of distinct ability is not being lost sight of."

"Medical inspection of schools has an allotment of Rs. 14,000 in the budget, and if further allotment is required I have no doubt it will receive due consideration, but at present I am awaiting the reports which have been called for as to the means of various institutions and

[7TH APRIL 1919.]

(Mr. Littlehales ; Mr. Wood.)

various local bodies which are going to carry out the wishes of the Government which have been already expressed in the Government order on this subject of the medical inspection of boys in schools and colleges."

"I may now turn, Sir, to the subject of grants-in-aid. The Honourable Member who represents our University has scarcely appreciated the meaning of the figures under grants-in-aid as compared with the figures under 'Government schools—General,' and he quoted that the provision for grants-in-aid was 43.16 lakhs, and under 'Government schools—General' it was 46.67 lakhs. I should just like to invite his attention to the fact that under 'Government schools—General' are included institutions which are under public management, that is, not only schools under Government management but also schools under municipal management and the management of local boards. As a matter of fact out of this total of 46.67 lakhs, the amount which is allocated for 'Government schools—Proper' is 5.67 lakhs and the balance of 41 lakhs is money distributed to local boards and municipalities for the maintenance of their schools. The increase under grants-in-aid has been very considerable. It has increased from 33.52 lakhs in the accounts for 1917-18 to 38.74 lakhs in last year's budget and in the current year to 43.16 lakhs. There has been an increase of 10 lakhs in three years under the head grants-in-aid, which is a very large increase, and I hope it will meet the wishes of the managers of institutions which are maintained under the grant-in-aid system."

"There are two more points that I might mention. The first is in connexion with University education for which 1 lakh is provided. The Honourable Member for the University desired a further provision to be made in future years. I do not think that he is aware that the University has at present already at its disposal 6.25 lakhs for building purposes which includes this 1 lakh. That is the accumulated balance of the grants of various years which have not yet been spent and which are still available for the University. If the estimates for the buildings are increased beyond the resources of the University, the question will be reconsidered, but at present I do not think the University has any urgent need for an additional allotment for building purposes."

"Similarly with regard to the expansion of economics and economic work in the University. The University has decided that it can afford to pay for its University professor out of its own funds and the case of any further expansion can well be considered when it has been decided by the University to launch out upon this further expansion."

"Finally, Sir, there has been a desire shown for the attachment of technical and agricultural departments to elementary schools. That raises a very wide question. It raises a question which has been discussed to some extent in the report of the Industrial Commission and it raises a question as to how far there should be overlapping of ordinary elementary education with vocational training and then further overlapping to the exclusion of ordinary elementary education in favour of purely industrial training. At this stage of the budget I cannot enter into that general question, but I may say that this department is always lending a sympathetic hand to any manner of vocational training so far as it is possible to introduce it in elementary schools in order that the pupils may turn out to be men who have received some practical training."

The Hon'ble Mr. R. B. WOOD:—"Your Excellency, I have only a few words to say in answer to the remarks of the Hon'ble Mr. Venkatapati Raju and the Hon'ble Mr. Narasimha Ayyar on the question of total prohibition in this Presidency. We have taken considerable steps in this direction of enforcing temperance in the way of reducing shops. In the past ten years I may bring to the notice of the Council that the number of arrack shops has been reduced from 10,000 to 6,600 since 1908; and the number of toddy shops has been reduced from 17,000 to 11,000. The decrease in both has been 66 to 66 per cent. It is possible that we have reached in many places the limits beyond which further reduction of shops is not safe. It must be remembered that some ten or twelve years ago the number of shops then in existence in the districts was fixed as the number that was required and a further reduction from 5 to 10 per cent was also allowed to Collectors as the limit beyond which they should not reduce. Then the members of the preventive staff to check illicit distillation and illicit toddy drinking were fixed, based upon the number of shops then existing and the areas which the preventive staff could superintend. Now the number of shops having decreased since then by 66 per cent, the preventive staff has got a far larger area to control than was intended at the time of formation, and in places there are dangerous signs that illicit distillation and illicit drinking is increasing and in places we can control. Every step that you take towards further prohibition is a step in the direction of uncontrolled drinking which brings far more evil in its train than drinking within controlled limits. The Hon'ble Mr. Narasimha Ayyar referred to the example of the United States in introducing total prohibition, and he might also have alluded to the case of Russia which in the beginning of the war introduced total prohibition. We have seen the result in Russia, and although one cannot say that it was entirely due to total prohibition, I do not think there can be any question that what has happened there supports what has been said by the Liquor Control Board in England, that the prohibition of drink to the manual worker is not fair and it always results in extreme dissatisfaction and also in bodily discomfort. It is all very well for members who do their work in their study or office, who are engaged in mental work and not manual work, to say that drink is a vice. If any of them were ever engaged in manual work in the fields, then I have no doubt their opinion will very soon change. I may mention that the Liquor Control Board at Home have issued several interesting publications and in one of them they point out that to prevent drunkenness and illicit practices it is necessary to have a steady supply of drink to the workers. They find that when drink became

(Mr. Wood; Mr. Rajagopala Achariyar; Mr. Ramachandra Rao.) [7TH APRIL 1919.]

limited and the output of beer and spirits decreased by over 50 per cent in 1916-17 and the distribution of beer and spirits to the different towns and villages in the country became spasmodic and not sufficient for the demand of the labouring classes, one thing that happened was that the people made a rush to drink when it was available and there were far more cases of drunkenness than before when they could get a satisfactory and steady supply.

"I have already found that a similar sort of thing is happening in districts where I have had a certain amount of experience. When the number of shops has been unduly decreased and a labourer has to walk four or five miles before he can get a bottle of toddy he is not going to be satisfied with moderate drinking. In the first place his thirst has increased, and in the second place it is not worth walking five miles up and five miles back to have only one bottle and he must have something more. The result is that by decreasing the number of shops too much you have an increase of drunkenness and further you get your shops overcrowded and an overcrowded shop is a far greater nuisance to the locality and affords greater incentive to drinking than small shops where the only people that go are the people of the locality. I only mention these considerations to point out that to jump at total prohibition would be a very dangerous course which no Government can think of pursuing.

"As for America let me say one or two words. In the United States there have been several States already which had total prohibition and most people who have travelled through those States will tell you that, although you have paper prohibition, you have not got it in practice, and that the American very soon learnt how to evade the laws made. In other words you get illicit drinking which is understood by every-one in the State.

"The question of revenue I entirely leave on one side. I presume when Honourable Members carry out total prohibition they will show how to make up the Rs. 300 or Rs. 400 lakhs which the Government will lose."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Your Excellency, I would with Your Excellency's leave just say one word with regard to the question of elementary education with special reference to Panchamas and other backward classes, about which the Hon'ble Mr. Narasimha Ayyar has made an eloquent appeal, his point of view being that, unless we make education compulsory, we will never be able effectively to reach these backward classes. I do not propose just now to go into the question as to whether compulsion is feasible or advisable, but there is one aspect of it which, I think, I might mention for the consideration of the Council. That is, at present so far as the Panchamas are concerned, the difficulty is not so much the need to put compulsion upon them to go to schools, but there is a very large bulk of elementary schools maintained out of public funds which shut them out. We all know the theory that no boy can be refused admission in a Government school or an aided school merely on the ground of his caste. That is the theory laid down so long ago as 1854, sixty-five years ago by the Court of Directors, and from time to time this theory was enunciated by the Secretary of State, once in 1863 and subsequently on different occasions. The Government have very recently been faced with continuous complaints that notwithstanding all that, the Panchamas are not being admitted in schools maintained out of public funds. When I say schools maintained out of public funds, I mean not merely Government schools which are quite a small number, but I mean municipal and local fund schools. The schools specially maintained for the Panchamas are so very few that they really do not attack the problem of education. We felt bound to make an inquiry, and orders were sent out to all local bodies to say how many schools were being maintained out of public funds and how many of them were really open to Panchamas."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"Or whether they have Panchama pupils in these schools. That is a quite different question. I should like to know whether the Honourable Member has any information on the question whether in any particular Panchama schools which may be open to them they do not come in. That is a matter of general importance to municipalities and boards because as a matter of fact these schools are open to them, but they do not come."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"Theoretically they may be open, but as a matter of fact this inquiry was made of the local bodies. The Honourable Member would see the reference to the local bodies and all their replies. They are going to be published and placed on the editors' table. The local bodies were directed to investigate and report in how many schools under public management which were not specially intended for Panchamas such boys were taken and if they were not admitted the reasons which lead to their exclusion. We find that out of a total of 8,157 schools under public management only 609 are really open to Panchamas and the reasons given to our inquiry as to why other schools which in some cases resulted in the withdrawal of their children from the schools or a threat to do so if the schools admitted Panchamas, and the location of schools in aghaharams, chavadis and temples, the objection of the owners of houses which are rented for the schools and the unsympathetic attitude of the landlords towards the education of the Panchamas and the ingrained reluctance on the part of Panchamas to assert their claims where they conflict with traditional usage and with class customs. It is a matter for the Council to consider whether this state of affairs in which out of 8,157 schools under public management only 609 are in fact open to a section of the population—between 16 and 20 per cent—whether that state of affairs can at all be justified. I am not here finding fault with anybody, but I am simply mentioning

7TH APRIL 1919.]

(Mr. Rajagopala Achariyar; Mr. Narasimha Ayyar.)

to you a grave evil which does exist with the object of enlisting the sympathy of Honourable Members here and also of the wider public outside and the sympathy of all local bodies. I am sure that all of us are agreed that it is not possible to defend or justify the state of affairs under which, in spite of the heavy and increasing expenditure of public funds, a large section of the population is practically excluded from participation of the benefit which that expenditure is intended to confer. It is true that we have a provision for special schools for Panchamas in several places, but the Council will, I have no doubt, agree with me that the provision is possible only in a very limited number of cases and it can only afford a partial remedy and one which it is not desirable to perpetuate or accept as the final solution of the problem. The Government are now issuing orders impressing upon all local bodies the obligation which rests upon them to gradually but persistently strive and remove the disabilities to which the Panchamas are now subjected. I mention this particular serious evil, because the occasion has arisen and I want, before we finally dissolve, to make this appeal from my place in this Council chamber to local bodies all over the province to take this thing in hand. We are issuing orders to them and the whole correspondence will be published—the reference to all local bodies and their replies—so that the public will be in a position to see the real state of affairs. You may do anything in regard to free or compulsory education. I do not object to that. But whatever you may do, if you are going to have special schools for special classes on a large scale, it will mean a tremendous reduplication of educational institutions. It is to prevent that reduplication that this appeal is made. I trust that this order of the Government which is under issue and this appeal I have made will elicit the sympathy of local bodies all over the province and induce them to make determined efforts to admit Panchama children into the regular schools. Some of these difficulties are things which I know the local bodies may not be able to set right. For instance the unsympathetic attitude of the higher classes, what can a local body do for it? But local bodies can in other directions do something; if a school is in an unsuitable locality it is open to the local body to change it to another locality and insist upon Panchama students being admitted. The order will be issued and my only object now is to say that I consider this matter is a very urgent matter; this is a matter which we can do without legislation and without any very great change of system. In order to accomplish this we would need the sympathy and support not only of Honourable Members here but of the members of local bodies, and I trust that this appeal of mine will not have been made in vain and that in a few years we shall be in a position to say that every public school is not only theoretically open but in reality open to these backward classes. I have nothing further to say in regard to education."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I hope that this is not the only thing that the Government intend to do for the benefit of the Panchamas. There are a great many other things."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR:—"I thought the most pressing problem was to allow them into the schools, to throw open all public schools to them. That is an important point."

"Then on the subject of local bodies I would just refer to the premier local body on behalf of which the Hon'ble Mr. Ramaswami Ayyar has made a very strong appeal. So far as I could gather, he seems to think that this drainage and water-supply scheme is a thing that was all done by the Government and pushed upon the local body and it is one of the grounds on which he has claimed that that body should receive sympathetic consideration in the matter of financing of what is called the restricted programme with which alone we are now concerned. We are not carrying out the big programme. I am not aware that there was any particular pressure brought to bear upon the Corporation to accept any programme. I think they were very glad to have the town sewered and to have good drinking water. The cost of the restricted scheme is Rs. 124 lakhs for which the Corporation has up till now received 75 lakhs, 25 lakhs from the Imperial Government's grant and 50 lakhs from Provincial grants. Seventy-five lakhs of the general tax-payer's money has been given to the Corporation of Madras for their drainage and water works. In addition we have recommended to the Government of India a grant to them in continuation of another Rs. 12 lakhs—to allow us to grant another 12 lakhs which will give in all 87 lakhs. In other words the Corporation works costing 127 lakhs will in the end be financed by the general tax-payer of the province to the tune of 87 lakhs or 70 per cent of the total cost. I have no hesitation in claiming that the Government, far from having been niggardly towards the premier local body in financing important water and drainage works, have been very generous. If at all we have erred we have erred on the side of undue liberality. Honourable Members from the mufassal know that the usual rule is only a moiety of the cost. I am not viewing it from any technical aspect at all, but let me say that when the general tax-payer as represented by Government is paying to the tune of 70 per cent, we are also entitled to have a very substantial voice in seeing that that expenditure is properly incurred and we are entitled to claim that any advice which our expert advisers give in regard to that expenditure is given due consideration; and the very best claim that the Corporation can put forward to the continuance of this very generous treatment that they receive at the hands of the Government is so to conduct their administration as to convince the Government that a further grant of help will not be a profitless affair."

"I have got only one word to say about the Industries department. Several Honourable Members have referred to the work of the Industries department. I entirely associate myself with what the Hon'ble Mr. Yaqub Hasan said, what a pity it is that Mr. Innes, when he had got into the full swing of that work, should have been taken away from us. But let me also

(Mr. Rajagopala Achariyar; Mr. M. Ramachandra Rao; [7TH APRIL 1919.
the President; Mr. Davidson.]

point out that the department is now really marking time. The Honourable Member must be aware that the Industries Commission have reported and the Government of India have taken that report into consideration and that report is now referred to all local Governments for their remarks. So far as we are concerned, we are considering the matter and we will send up our report soon. I have reason to believe that the Government of India are very anxious to issue final orders on the report of the Commission soon. Whatever we do in Madras will depend not very much on what I may be forgiven for calling the ancient history of the subject, as to what we did in 1907 or 1912, but will depend upon the policy laid down by the Government of India on the report of the Industries Commission. The report is a detailed document and covers the whole ground of industrial and technical education and doubtless the Government of India will issue a pronouncement soon, after which we shall know where we stand. The Council may take it from me that the Madras Government will certainly not lag behind in giving effect to the policy as finally laid down for us by the Government of India after considering what the Industries Commission have said."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"May I venture to suggest with reference to the remarks about the depressed classes that the order placing Mr. Paddison on special duty may be published?"

His Excellency the PRESIDENT:—"That will be published."

The Hon'ble Mr. L. DAVIDSON:—"Your Excellency, I propose in the few remarks that I am going to make firstly to deal with the Judicial Department. As to the comments made on the delay in taking action to improve the prospect and pay of the judicial officers, I think, Sir, there has been some misconception. I have referred to the debate on the subject which took place about two years ago on the resolution moved by the Hon'ble Mr. Ranga Achariyar and particularly to the answer given by the late Mr. Gillman. I think that was the occasion on which Mr. Gillman offered an expression of regret for the delay up to that date, to which the Hon'ble the Raja of Ramnad was referring. I should like to quote his exact words. There were two questions in issue. One was the re-distribution of the courts in the Presidency and the other was the re-organization of the scale of pay. The re-distribution of grades and the transfer of courts from a temporary to a permanent basis are matters which arose out of Mr. Phillips' report. The question of the re-organization of the scale of pay originated in certain memorials submitted to the High Court and passed on by the High Court to the Government. What Mr. Gillman said was—The main difficulty under which the members of this service labour may be said to be due to the number of temporary courts in the Presidency. It is certainly very important that these courts should be made permanent as soon as possible, and that there should be consequential regrading of the officers in the department. I am prepared to state for the information of the Council that the Government will undertake this matter at once—this question of making the temporary courts permanent and making recommendations about the consequential regrading. That undertaking has been carried out, so far as it is within the province of Your Excellency's Government. A recommendation was made to the Government of India last year; the orders of the Government of India and the Secretary of State thereon are awaited. I thought that point has been sufficiently brought out in the discussion which took place on the Financial Statement meeting on the 5th of February. In answer to a question by the Hon'ble Mr. Ramanuja Achariyar I pointed out that the number of permanent courts and the regrading were still under correspondence with the higher authorities. All that I need say now is that the Local Government have proposed to make permanent a certain number of courts, and to regrade the officers on the lines which I then explained in detail. There is a lump provision of '82 lakh for that in the budget for 1919-1920, and does not relate to any revision of the scale of pay. It has been suggested by one Honourable Member that there has been much shilly-shallying and another member said we have had enough of red tape and routine and surely the Government have had time to make up their minds. It is not that they have not had time to make up their minds but that the Government have deliberately refrained from asking for a revised scale of pay for the excellent reason that it is wrapped up with the proposals of the Public Services Commission. Until the proposals of that body together with the provisional conclusions of the Government of India thereon reach this Government, it would be clearly a waste of time to attempt to work out any revised scale of pay. I am telling the Council nothing new, because in the very speech of Mr. Gillman which I have quoted, dealing with the issue of the revision of pay he said, 'we are anxious to await the result of the inquiries of the Public Services Commission. We think that this commission is likely to make proposals for throwing open additional appointments of District and Sessions Judges to the members of the Provincial Service and on kindred matters. Their recommendations are likely to have a material effect on the prospects of the higher grades of Subordinate Judges'. He went on to say that immediate action was undesirable, and pointed out that as soon as possible the Government would take a further step in dealing with that question. It only became possible to take it up during the last few weeks. The Government of India, after receiving the Public Services Commission's recommendations, laid down a definite procedure in regard to them and intimated their intention of formulating their provisional conclusions before consulting the Local Governments on these questions; they have since been issuing letters and instructions both in regard to the general recommendations and in regard to particular departments. The letter of reference relating to the Provincial Judicial Service was only received in the end of February and we are at present awaiting the results of the consideration which the High Court is giving to those proposals. I think that is all I have to say about the provincial judiciary."

7TH APRIL 1919.]

(Mr. Davidson; Mr. Chidambaranatha Mudaliyar;
the President.)

"The next department to which I propose to refer briefly is the Forest department. In the first place I should like, Sir, to say that the Government are fully alive to the importance of developing the resources of the forests of this Presidency. That aspect of the case has been brought out in the latest administration report and also in the course of the discussion which took place in this Council in February last when I made a special statement on the subject of the surplus realised by the department in order to explain certain difficulties which had occurred to the Hon'ble Mr. Ramanuja Achariyar. I then quoted from the administration report a passage emphasising the fact that after the war an increase in expenditure and a temporary decrease of revenue must be anticipated as considerable capital outlay would be necessary to develop the forests. Some provision for such capital outlay is included in the budget of 1919-20. Perhaps it may have a special bearing on the question of the development of the Forest department to make mention of the fact that before long the newly appointed Chief Conservator will take up his post. The officer-designate is Mr. Cox. He is a gentleman who is fully alive to the commercial side of forest management and the Council may rely upon him to keep the possibility of development always in the forefront. I may add that during the past two or three months I have had the advantage of consulting the Inspector-General of Forests, Mr. Hart, who passed through Madras on several occasions and who has recently made an inspection of important forest areas which I hope will bear fruit. I am sure his inspection notes will be very helpful in the direction of development."

"One Honourable Member—I think it was the Hon'ble Mr. Siva Rao—said that the question of the extraction of sandal-wood oil has not been seriously taken up, and another also commented on the possibility of development in that direction. The Forest department is fully alive to the advantages of developing the sandal-wood industry. A reference to paragraphs 6 and 7 of the latest Administration Report published by the Board will bring out the fact that working plans already exist for some of our chief sandal-wood areas and that during the last year a special working-plan was sanctioned for Salem and special expenditure was incurred on sandal-wood godowns and subordinates' quarters in the Javadi Hills which is the principal sandal-wood area while an important road leading from Komattiyeri in that area was opened soon after the close of the year. I merely mention this to show that the Forest department is alive to the development of sandal-wood. It is not the case that the matter has not been taken seriously on hand. There was one particular issue which came before me just after my assumption of this office in November last and I think that it gave me more trouble than any other subject. In November and December I had consultations with Mr. Hart, the Inspector-General of Forests, and Sir Thomas Holland and with officers from Mysore, two successive heads of the Forest Department and the Conservator. The matter was examined in the utmost detail and engaged the attention of all members of the Government of Madras, but no conclusion has yet been arrived at as to whether it is advisable or not to take up the question of the extraction of sandal-wood oil and if so whether this should be done in conjunction with the Mysore Darbar or independently. I may say that what chiefly suggested that departure was the large profits believed to have been derived in Mysore where there are extensive factories already in existence. There was an apprehension that the auction of sandal-wood would result in substantial loss. I am glad to say from the figures which have reached us in the last few weeks regarding the latest auctions that there need be no apprehension of any immediate or substantial loss of revenue from delay in taking up the extraction of sandal oil."

"In regard to the Irrigation department, if I heard him aright—I am not quite sure—the Hon'ble Mr. Chidambaranatha Mudaliyar was apprehensive that the construction of the Kannambadi reservoir had in some way been responsible for the failure of irrigation supplies in the Tanjore delta this year. If that is his apprehension, I am glad to be able to assure him on the authority of the Chief Engineer for Irrigation that during the whole time of shortage of supply we in Madras were receiving the full natural flow of the river just as if there had been no reservoir."

"The Hon'ble Mr. Sadasiva Bhat referred to the delay on the part of the Railway Board in passing orders on Mr. Richards' report on the possibility of developing lines to the west coast."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"May I say that, so far as I can judge from the figures given to me by the Government in reply to an interpellation of mine, there was very little difference between the previous year's and this year's average so far as the Kannambadi dam is concerned. Whereas when we go to the upper anicut we find that there is a great difference. In 1916—"

His Excellency the PRESIDENT:—"I am afraid the Honourable Member cannot go into the whole question. If he has any doubt I would suggest to him to pay a visit to the Hon'ble Mr. Howley and discuss with him the figures bearing on this subject."

The Hon'ble Mr. K. CHIDAMBARANATHA MUDALIYAR:—"I wish to draw attention to that fact."

His Excellency the PRESIDENT:—"Will the Honourable Member kindly take that course?"

The Hon'ble Mr. L. DAVIDSON:—"I had independently noticed in regard to one of the pending railway projects the unfortunate delay which has arisen out of the failure to pass orders on Mr. Richards' report at an earlier date. On that occasion I believe I gave instructions to the Secretary to write to the Railway Board to ask whether it was not possible to expedite orders. If no such letter has actually gone, I will see that one goes now. I certainly agree with the Honourable Member that an early decision should be arrived at."

(Mr. Davidson; Mr. Todhunter.)

[7TH APRIL 1919.]

"I have the honour, Sir, in conclusion, to refer briefly to the Police department. I do not propose to traverse the whole question of the administration of the department. That would not be possible now, but there are one or two points that I would like to mention. I think it was the Hon'ble Mr. Narasimha Ayyar who took as an assumption the proposition that there has been a steady increase of expenditure in the Police department. Quite recently I have endeavoured to controvert that proposition in answering the resolution moved by the Hon'ble Mr. Rama Ayyangar at the meeting on 11th March last. I took my starting point somewhere about 1915 or 1916—I forget exactly—when Sir Harold Stuart justified the existing expenditure on the department and I believe I succeeded in showing that in the three years which followed the expenditure after the elimination of special factors represented an annual increase of only 0.6 per cent and I pointed out that even that small increment included exceptional items owing to the war. This proves that it is hardly safe to assume that in recent years at any rate there has been an increase of expenditure on the Police department by leaps and bounds or as the Hon'ble Mr. Venkatapati Raju said 'passing all reasonable bounds'. It is quite easy to justify the increased expenditure on the Police department during the past few years.

"I must next to refer to one remark of the Hon'ble the Raja of Ramnad with reference to the fact that the number of Indian District Superintendents of Police is limited to two at present. That is the case under Police Order No. 43, but like the question of improving the pay and position of the subordinate judiciary the limitation is wrapped up with the recommendations of the Public Services Commission. I am glad to say, however, that the consideration of the case of the Police department has reached a further stage and the views of this Government in regard to the provisional conclusions of the Government of India have already been forwarded. I cannot go into the details of our recommendations, because they are under the consideration of a higher authority. But I may say they provide for a substantial addition to the number of Indian Officers in the department. That is an answer to the general issue.

"Before I sit down I desire to dissociate the Government entirely from the remark which the Hon'ble the Raja of Ramnad attached to his plea for the creation of more superintendships of police open to Indians. He drew a comparison between the distinguished services rendered by Mr. Parankusam Nayudu in Madras during the disturbances in September and Mr. Karunakara Nayar during the Kamudi riots and the work of Mr. Elliot, the Superintendent of Police, who was in charge during the Madura riots. I am as ready to express my satisfaction as fully as the Raja with regard to the valuable services rendered by the two Indian officers but I cannot for one moment endorse his suggestion that the affairs during the Madura riots were badly handled by the European District Superintendent of Police. The issues raised by that unfortunate incident were discussed at some length in this Council and I gave it as the considered opinion of the Government that the Superintendent of Police was free from blame and that he was entitled to praise for the manner in which he conducted himself on that occasion and throughout the trying situations with which he had to deal before the actual disturbance took place. It would not be right for me to pass over without denial a statement which imputes to a deserving servant of Government gross mismanagement of a difficult position."

The Hon'ble Mr. C. G. TODHUNTER:—"Your Excellency, sitting here under the torrent of facts, figures and criticisms that go to make up this stage of the budget debate, reminds me of nothing so much as bathing under the waterfall at Kuttalam—a very bracing and health-giving experience when one has time to go home and think it over, but one that leaves one breathless and bewildered when one first comes out from under the fall.

"Before attempting to answer any of the criticisms that relate to the departments temporarily under my charge, I am sure that Your Excellency would wish me, as filling for a few days the seat that you have filled so long, to acknowledge gratefully the compliments that have been paid to the budget that is yours. Honourable Members have been very generous in their appreciation of your efforts to make the most of the funds at your disposal in this first year after the close of hostilities.

"And in this connexion, I may perhaps be permitted to say a word in reply to what has been said as regards the feeling of despondency that follows the rejection of resolutions moved in this Council. In so far as the budget is concerned, the more successful we are in anticipating the wishes of Honourable Members in framing our estimates in the first instance, the less room is there for making changes at a later stage. I can assure Honourable Members that the views that they express in this Council are very carefully considered by Government from the beginning of the framing of the estimate. Even after this stage, there is a continual sifting of proposals for change. Thus, the Honourable non-official Members of the Finance Committee make proposals in writing, and I may mention that some of them, for instance, the Hon'ble Mr. Siva Rao this year, made quite a number of these. Of these, a number are adopted and the rest come up again at the meeting of the Finance Committee, where some more of them are carried after further argument and explanation. It is only the residue that come up for the third and final sifting in this Council. In considering the proportion of rejection, therefore, it must be remembered that it relates to the residue after these three sifting processes and that, if Honourable Members were to set down a list of the matters they wanted provided for before the budget was commenced and to see how far their wishes had been complied with in the final result, they would be surprised to find how high the proportion of acceptance was.

"To return to the simile of the waterfall, the deluge of facts and figures that has left me more bewildered than any other is that poured upon us by the Hon'ble Mr. Rama Ayyangar, and although he has been good enough to supply me with a copy of his speech, I am afraid I am still not sure that I have caught the trend of his arguments. He accuses us in the first instance of an underestimate amounting to about one crore, which he arrives at apparently by

(Mr. Todhunter; Mr. Rama Ayyangar.)

7TH APRIL 1919.]

adding together all the items of revenue in which there has been either an excess or a deficit in the revised estimate as compared with last year's budget and all the items of expenditure that have lapsed and all the new and unforeseen expenditure that has been incurred. Almost in the same breath, he suggests that abnormal increases of receipts under some heads should be balanced by similar losses under others. I put it to him that this is exactly what has happened in our revised estimate for 1918-19. Our revenue has fallen short to the extent of 14.75 lakhs under Land Revenue and 8.82 lakhs under Forest and we have increases of 21.52 lakhs under Excise, 3.82 lakhs under Jails and a net increase of 2.69 lakhs under other heads, bringing out a net final increase of only 4.46 lakhs over the budget for the last year. Similarly as regards charges, we have a decrease of 8.10 lakhs under Civil Works—Public Works Department and a net decrease of .25 lakh under other heads, and an increase of 21.14 lakhs under Civil Works—Civil, which is due to the large grant to local bodies for the restoration of trunk roads. I put it to the Honourable Member that it is not humanly possible to estimate to a rupee the result, for instance, of what we may call the gamble in thirst, that is, the excise auctions; and if we bring out as a result an increase of only 4 lakhs on a budget of over 800, I think we may claim, if not that we have budgeted cleverly, at least that we have been fortunate in our results. As regards the expenditure side, I do not suppose that he would have wished us to forbear from giving the extra war allowance to poorly paid officers or the 20 lakhs for roads when we found that we had enough money in hand and that there was no other urgent demand for it.

"The Honourable Gentleman next says that we should keep a reserve of about 50 lakhs over and above the required closing balances to meet contingencies arising in the course of the year. But if I understand him aright, he objects to our meeting the war allowances to subordinate and grants to local bodies for restoration of roads out of just such a reserve which we had and the money that became unexpectedly available. Again, I put it to him that what we have done is just what he wishes us to do.

"He next compares our expenditure under certain heads, including Police, with those of some other provinces, especially with the United Provinces, and says that our expenditure under the Police head has increased from 80.45 lakhs in 1910-11 to 136.51 lakhs in 1919-20. In making this comparison, he overlooks the fact that in 1914-15 the charges on account of talaiyaris were added to the Police budget."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I have deducted 16 lakhs."

The Hon'ble Mr. C. G. TODHUNTER:—"136 lakhs includes talaiyaris."

The Hon'ble Mr. K. RAMA AYYANGAR:—"I have deducted 16 lakhs and taken only 120."

The Hon'ble Mr. C. G. TODHUNTER:—"There was no corresponding increase in the United Provinces and consequently the comparison is not quite a fair one. If he wishes to make a comparison, let him make one with Bombay, which in the year 1914-15, in which we added the charges under talaiyaris to the expenditure under Police, was spending 104.25 lakhs to our 109.31 lakhs and in the budget for 1919-20 has put down 145.32 lakhs as against our 136.51 lakhs. I feel sure that when he realizes these figures he will be astonished at our moderation."

"I should also like to mention that he appears to regard a certain sum of 7.10 lakhs allotted to district charges as appertaining to the Police. I would point out that this is not a Police charge at all but belongs to the scheme for revenue district and divisional charges."

The Hon'ble Mr. K. RAMA AYYANGAR:—"It is an assignment from the Imperial Government."

The Hon'ble Mr. C. G. TODHUNTER:—"The Honourable Member's words were:—'Allowance was made for additional expenditure on the Police Department anticipated on the introduction of the scheme recommended by the Police Commission and a sum of 7.10 lakhs was allowed for additional district charges.'

"Another most vigorous critic is the Hon'ble Mr. Venkatapati Raju. He charges us with lagging behind the other provinces. But I confess I cannot quite understand in what respect he holds us to be lagging behind. It was not in respect of incidence of taxation since he considers that under each head our incidence is too high, nor was it in respect of collection since he complained that we enforced this by more penalties than the other provinces. We must therefore, I presume, look for it on the expenditure side. The provincial contract, of course, is a matter which it is not open to us to discuss. If he considers, however, that we have been behindhand in utilizing the balances which have accumulated during the war, I should like to place some figures on that head before him. Madras, whose balances amount to only 196 lakhs as against a total of 1,751 lakhs for the rest of India, has budgeted for an expenditure of 75.25 lakhs from the balances as against a total of 212 lakhs for all the other provinces put together. In this case, I think we may stand astonished, if at all, not at our moderation, but at our recklessness.

"Another Honourable Gentleman who finds fault with our financial arrangements as a whole is the Hon'ble Mr. Krishna Rao. I will only touch on one of his arguments. He compared our arrangements unfavourably with those of Bengal and Bombay on the ground that we collect less income-tax. I put it to him that the capitals of those Presidencies are two of the largest ports in the world and that under no financial arrangement can we hope to secure from this province an amount of income-tax that would compare with theirs. "I now come to the head of Land Revenue. Of the critics in this respect, the most outspoken again is the Hon'ble Mr. Rama Ayyangar. He says that our settlement policy has been completely changed under Your Excellency's régime. He does not specify the nature

(Mr. Todhunter; Mr. M. Ramachandra Rao.)

[7TH APRIL 1919.]

of the change nor am I aware that there is any ground for this sweeping assertion, unless it is that the processes have been considerably simplified.

"The Hon'ble Mr. Siva Rao considers that we have over estimated the land revenue receipts for the current year. I think, perhaps, he has overlooked the fact that there has been a considerable increase in remissions in the year which has just closed and that the estimates for the current year have been fixed on the assumption that the seasonal conditions will be normal.

"The Hon'ble Mr. Venkatapati Raju attacked us on the score of high cost of collection. In this connexion, I would refer him to Your Excellency's remarks in last year's debate. You pointed out to him that, if he had examined the figures in the budget, he would have found that they included 14 lakhs for Survey and Settlement, 30 lakhs for Land Records and 35 lakhs for village officers and that the actual cost of district administration was only 48 lakhs for the collection of 611 lakhs, i.e., much less than 10 per cent. I have not had time to follow completely the comparison he makes in this respect with the charges in the United Provinces. I can hardly think that he wishes to reduce the number of our Collectors. If we adopted the basis of area and population of the United Provinces, we should have 44 Collectors instead of 25. If we compare officers of the grade of Deputy Collector, we find a similar startling result. I can hardly suppose that the Honourable Member wishes to reduce either the number or pay of the hard-worked Tahsildars and Revenue Inspectors. If it is the village officers he has in mind, I think he will find several Honourable Members of this Council ready to oppose him. The fact is that the United Provinces budget contains no item corresponding to our charges for village officers, while at the same time, the settlement there is made with the village community, and not with the individual ryot; and this of course, in the case of Madras, involves much more detailed work than in the case of the United Provinces.

"The Hon'ble Mr. Rama Ayyangar and the Hon'ble Mr. Ramachandra Rao pleaded for the improvement of the conditions of the Provincial Civil Service. I need hardly say that this is being fully considered in connexion with the Public Services Commission's report."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"The listed posts."

The Hon'ble Mr. C. G. TODHUNTER:—"Meanwhile, as regards the number of listed posts, I may point out that the members of that service are actually holding five appointments of and above the grade of Collector as against the two Collectorates that were originally listed.

"The Hon'ble Mr. Ahmad Tambi Marakkayar wishes to have quarters provided for revenue subordinates in mufassal stations. This is a project which the Government are willing to consider where there is difficulty in obtaining quarters, and I hope that, if a provision is made in future years on this account, it will not be regarded as a ground for attack on that unpopular head '45. Civil Works.'

"The Hon'ble Mr. Kavalappara Muppil Nayar made some remarks about the Wynad settlement. On this point I will only say that the matter has been fully inquired into and that it was found that the relinquishments or sales of land for arrears of revenue, which were apparently the cause of complaint, were due to peculiar circumstances prevailing in the Wynad rather than to the introduction of settlement rates there.

"The Hon'ble Mr. Sadasiva Bhat referred to the question of remissions in South Kanara. The reasons why remissions are not ordinarily allowed in South Kanara are that the settlement contained certain provisions peculiar to that district as follows:—

(1) the usual allowance of 15 per cent for vicissitudes of season was allowed although in allowing it the Board of Revenue remarked that vicissitudes of season in the district were practically negligible;

(2) wet lands in the district which can grow a second and a third crop were assessed at a consolidated rate equal to $1\frac{1}{2}$ times the single crop rate of assessment;

(3) no second crop charge is leviable on single crop wet lands cultivated with a second crop,

(4) when dry lands are converted into wet or when uncultivated hill sides are converted into dry or garden lands no assessment is made for the settlement period.

"In the season of 1918, it was at first thought that there were conditions justifying the idea that the season was one of exceptional calamity. Further inquiry however showed that this could not really be said to be the case. It was only in certain villages in the sandy tract along the coast that there had been a complete failure of crop. At the same time the Collector found none of the materials which are available on the East Coast for determining the grant of remission or otherwise. In short, there is no question of remission in South Kanara in the sense in which the term is ordinarily used in the East Coast areas. On these considerations, the provision made in the Revised Estimate on the Collector's first report was struck out after a more detailed report had been received.

"The Hon'ble Mr. Chidambaranatha Mudaliyar complained generally that the provision that has been made for remission of revenue was inadequate. With reference to this, I can only say that the matter has been fully gone into by the Collectors and that full provision has been made for all that they asked for.

"The same Honourable Member wished that further provision should be made for the grant of loans for digging wells. As to this, I can assure him that we shall be only too glad to make provision for any reasonable expenditure on this account.

[7TH APRIL 1919.]

(Mr. Todhunter; the President.)

"The same Honourable Gentleman proposes that we should impose an export duty on industrial crops in order to increase the production of food supplies. This alteration of the tariff is not a question for this Council to decide upon. I would, however, remind him of the debate on a similar question that took place in this Council a few days ago. If he will study the suggestion more fully from the point of view of economics, he will not, I think, wish to pursue it further.

"The same Honourable Gentleman complained of the high cost of restoration of survey stones. My answer to this is that it is open to any ryot to keep his stones in order himself. The Government have no wish to employ any establishment for the purpose, and they would be only too glad if the ryots would attend to the renewal of stones and reduce this item of the budget to nothing.

"The criticisms on the matter of excise have already been dealt with by the Hon'ble Mr. Wood. I should, however, like to make one remark in reply to the criticisms of the Hon'ble Mr. Venkatapati Raju. He found fault with us because of the large amount of our excise revenue and compared us unfavourably on that account with Bombay. I would put it to him that the proper test is the standard of consumption per head. If he will examine the statistics under this head, he will find that the consumption of country spirits in Bombay is more than three times that in Madras.

"Several Honourable Gentlemen referred to the question of food control, but there was nothing very specific in their complaints regarding the policy of the Government in this respect except for a proposal that the Government should finance local bodies in the matter of sales of food grains. I hope that under the arrangements that have recently been come to, the necessity for any such action is past.

"The Hon'ble the Raja of Ramnad said that there was a widespread feeling that Government were supporting individual merchants in profiteering and that steps should be taken to correct this view. I cordially agree with the Honourable Member and I hope that he and other Honourable Members will make it their business whenever they meet with such absurd rumours to put the people right.

"The same Honourable Member wished us to follow the example of Mysore and quoted Mr. Banerji's speech to the Assembly. I have no wish to decry the efforts made in that progressive State. But I should like to quote Mr. Banerji to show that we should not be altogether wise to follow them in all their experiments. He said:

"We have given up the control of locally produced foodstuffs, as we found it impracticable. We have abandoned commandeering on a large scale as it was attended with many disadvantages and yielded poor results. The situation is a constantly changing one and, as Sir M. Visveswarayya observed at the public meeting held on the 16th November last, 'we must be prepared to revise our forecasts and plans and go on adjusting efforts to obstacles almost from week to week.'

"That is practically what we are doing here—adjusting efforts to obstacles almost from week to week.

"To other Honourable Members who are anxious for a much closer degree of food control, I would recommend a discussion with any gentleman who has lived in England when control was closest there. I think they would then agree with us in hesitating to proceed to extreme measures.

"In conclusion, Your Excellency, I am sure that the Council will concur with me in expressing our obligations to the staff of the Finance Department for the unceasing labour that has resulted in the production of this budget. The Honourable Members who ask that additional details should be given do not always, I think, realize how great is the task involved in getting ready from constantly altering materials the complex figures which the budget includes. We all know the pathetic description of the Indian ryot

His life is a long-drawn question
Between a crop and a crop.

"I do not know if we are all equally familiar with the two lines that precede these:—

He eats and hath indigestion,
He toils and he may not stop;
His life is a long-drawn question
Between a crop and a crop.

"These lines seem to me a more appropriate description of the life of the Budget Superintendent in the budget season than of that of the ryot. The Budget Superintendent is the croupier of the gamble in rain and spends his days and nights raking in the lapses of the departments which are unable to spend their allotments, and shovelling out additional sums to those to which, through good luck or necessity, additional payments are due. Meanwhile he presents to the officers responsible for the budget a constantly changing and bewildering kaleidoscope of figures. This means a toil which is literally unceasing, while the budget season lasts. He eats and sleeps when he can, and even his tiffin rooms have gone to make way for this Chamber. The work is done with great rapidity and unflinching accuracy and the debt we all owe to the Assistant Secretary and his staff is a great one."

His Excellency the PRESIDENT:—"We have had a long day of speeches and I do not propose to add a lengthy one. I propose to say a few words on the general outline of the budget and the financial position of the Government. The budget has come in for some amount of criticism because of its being a deficit budget and on account of the fact that it makes a draft upon our balances. A year ago there was a great deal of criticism of this Government, because

(The President.)

[7TH APRIL 1919.

they failed to apply to the Government of India for permission to draw from these balances when you have what is known as a deficit balance. When this Government following the advice of various Honourable Members do what they recommend, the result seemed to be to make the Honourable Members change their minds to the opposite course, which is disappointing to those who endeavoured to meet their wishes. I should like to suggest that for a province like Madras which is going before the Government of India with the plea that it is very much overtaxed and that the proposed financial relation is unfair it is not wise to have large balances for the Government of India to take away and also it does seem to be wiser that when the Government of India are kind enough to give us Rs 75 lakhs that we should spend it for the benefit of the general tax-payer, who has paid it in this Presidency, instead of leaving it to the uncertain future in the hands of our bankers, the Government of India. I feel quite at one with the policy which the Government have got of finding finances from the balance, not that I am prepared to say that the financial future of the Presidency is altogether satisfactory. I look upon it with considerable apprehension because I notice in this Council—I have no doubt that this Council faithfully represent the views to a large extent of a large proportion of the educated classes outside—a tendency to attack the sources of revenue on which the financial stability of this Government depends. Taking land revenue, for instance, we have had the Hon'ble Mr. Krishna Rao, who has told us that many resolutions, in the last two or three years, the object of which was to restrict the existing revenue and to prevent its expansion, were rejected. It is true that hitherto these resolutions have failed to be carried, but when there is, as there will presumably be in a short time an elected majority in this Council, I feel very uncertain what will be the future of that great item of revenue on which a large portion of the resources of the Presidency depends. And the other great item of revenue is in an even more parlous condition, that is excise. There again as pointed out by the Hon'ble Mr. Wood and the Hon'ble Mr. Todhunter there seems to be a steady inclination on the part of non-official Members of this Council to endeavour or at any rate to express a wish to cut down that revenue as far as possible. I must confess that if this sentiment were ever carried into action I think the difficulties of this Government will be very great indeed because land revenue and excise together account for 6 crores out of 8½ crores of the Provincial expenditure. What I would suggest to Honourable Members is that one of the most important questions is whether the people of this Presidency when represented, as they will be, by an elected majority, will be prepared to tax themselves. As regards that I see various ominous symptoms. I see no tendency of local bodies to tax themselves which is naturally unpleasant, and I see their desire to get the Provincial Government rather than themselves to share the burden, which they should naturally bear. I doubt whether when we have got the Elementary Education Bill which is now before the Government of India and which Honourable Members are anxious to see introduced here—I very much doubt whether the necessary extra taxation which will be involved will be received with enthusiasm by the people of the country. There is this to be remembered that unless the representatives of the public when they obtain the control of this Council are prepared to pay for all the advantages which they wish to enjoy, responsible Government will mean nothing but stagnation. That is a proposition which it behoves I think everybody interested in the progress of the Presidency to ponder over very carefully.

"As regards our present position and our present relations, some despondent views have been expressed. I hope they are exaggerated. The Hon'ble Mr. Ramachandra Rao mentioned that he had found the official vote very trying to his temper. I sympathize entirely with the Honourable Member and I cannot refrain from bearing witness on this occasion—it may be the last that I shall have—to the admirable temper and admirable patience and forbearance with which the Honourable the non-official members have, year after year, time and again, seen their proposals defeated by the official vote. Although the Honourable Member says it has tried his temper evidently, he has been a complete master of it as no real sign of this strain appears as a matter of fact. I think that we have reached a point in this Council where on certain questions the Government's and the non-officials' views have been so clearly defined and are so clearly irreconcilable that further discussion of the principles is calculated to irritate both sides. For instance both on land revenue and excise I doubt whether either side is ever likely to be able to convince the other. My own opinion is, under the constitution which we have now got we have almost reached the limit of progress possible; and therefore in these particular matters it is only possible for us to agree to differ. At present the responsibility rests with the Government and they must therefore control the issue. If that responsibility is changed the whole position will be changed. But then I should look with the greatest sympathy and hope and interest to the future of this Council for the results which it achieves in the management of the new duties cast upon it. I do not think I need detain the Council any longer. There is no prospect of any further meeting of the Council and therefore the Council will adjourn *sine die*."

H. G. STOKES,
Acting Secretary to Govt., L. & M. (Legislative) Dept.

GOVERNMENT OF MADRAS
FINANCIAL DEPARTMENT

BUDGET FOR 1919-1920

CONTENTS

	PAGE
MEMORANDUM BY THE FINANCE MEMBER PRESENTING THE BUDGET FOR 1919-1920	1169-1171

PART I

BALANCE STATEMENT OF PROPOSED RECEIPTS AND CHARGES FOR 1919-1920, EMBODYING ALSO THE REVISED AND BUDGET ESTIMATES FOR 1918-1919 AND THE ACCOUNTS FOR 1917-1918	1172-1173
--	-----------

PART II

MEMORANDUM BY THE CHIEF SECRETARY EXPLANATORY OF THE FIGURES UNDER EACH MAJOR REVENUE HEAD AND UNDER EACH MAJOR EXPENDITURE HEAD OF ACCOUNT.	
INTRODUCTORY	1174-1175
I. & 3. LAND REVENUE	1175-1177
IV. & 6. STAMPS	1177-1178
V. & 7. EXCISE	1178-1180
VIII. & 10. INCOME-TAX	1180-1181
IX. & 11. FOREST	1181-1182
X. & 12. REGISTRATION	1182-1183
1. REFUNDS AND DRAWBACKS	1184
2. ASSIGNMENTS AND COMPENSATIONS	1184
XII. & 13. INTEREST	1185
18. GENERAL ADMINISTRATION	1186
XVI-A. & 19-A. LAW AND JUSTICE—COURTS OF LAW	1186-1188
XVI-B. & 19-B. LAW AND JUSTICE—JAILS	1188-1189
XVII. & 20. POLICE	1189-1191
XVIII. & 21. PORTS AND PILOTAGE	1191
XIX. & 22. EDUCATION	1191-1196
XX-A. & 24-A. MEDICAL	1197-1199
XX-B. & 24-B. SANITATION	1199-1201
25. POLITICAL	1201
XXI-A. & 26-A. AGRICULTURE	1201-1203
XXI-B. & 26-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS	1203-1205
XXII. & 29. SUPERANNUATIONS	1205
XXIII. & 30. STATIONERY AND PRINTING	1206
XXV. & 32. MISCELLANEOUS	1207-1209
33. FAMINE RELIEF	1209
XXIX. & 42. IRRIGATION—MAJOR WORKS	1209-1211
XXX. & 43. MINOR WORKS AND NAVIGATION	1211-1212
XXXI. & 45. CIVIL WORKS	1212-1215

1026 RESOLUTION RE LEGISLATION TO ORGANIZE ADMINISTRATIVE
VILLAGE PANCHAYATS.

(Mr. Siva Rao.)

[3RD APRIL 1919.]

RESOLUTION RE LEGISLATION TO ORGANIZE ADMINISTRATIVE
VILLAGE PANCHAYATS.

The Hon'ble Mr. P. SIVA RAO :—" Your Excellency, I have the honour to move resolution No. VIII which runs thus :—

'VIII. This Council recommends to His Excellency the Governor in Council that early legislation may be started to organize administrative village panchayats in this Presidency.'

"Your Excellency, this is a very old question and I must say, it is a very hoary one. From time to time, non-official Members of the Legislative Council have brought up resolutions dwelling on this matter, but to no purpose. The question dates at any rate from the year 1908 when a considerable stimulus was given to this matter by what was stated by Lord Morley in one of his reform despatches. It was the intention of Lord Morley that this reform of village self-government should be made part and parcel of the reform scheme, and with that idea he said in that despatch : 'Your Excellency will recall that the resolution from which I have quoted treats the subdivision, taluka or the tahsil as the smallest administrative unit. It is a question whether it would not be a wise policy to go further. The village in India (generally) has been the fundamental and indestructible unit of the social system, surviving the downfall of dynasty after dynasty. I desire Your Excellency in Council to consider the best way of carrying out a policy that would make the village the starting point of public life.' Just about that time, the Decentralization Commission were considering this question and I may at once proceed to the conclusions they arrived at. In paragraph 699 of the report, they say : 'We hold that it is most desirable, alike in the interests of decentralization and in order to associate the people with the local tasks of administration, that an attempt should be made to constitute and develop village panchayats for the administration of local village affairs.' They also say : 'We are of opinion also that the foundation of any stable edifice which shall associate the people with the administration must be the village, as being an area of much greater antiquity than administrative creations such as tahsils, etc.' They gave this finding in no uncertain terms. The outline of their scheme is as follows : they recommended that the village should be the ordinary unit of administration and they also said that as regards the village panchayat the average number of members should be five and the village headman should be the ex-officio president of it. They proposed that the members should be elected at an informal election. As regards the functions, they recommended that they should hold office for a substantial number of years subject to their removal by the Divisional officer for misconduct. They advised that civil and criminal jurisdiction may be entrusted to them over cases arising in the village. As regards this matter, I may remind Honourable Members of this Council a Bill has already been introduced and it will come before the Council shortly and it is before the Select Committee. They proposed that they must be empowered to expend monies on the construction and repair of local minor works such as wells, and drinking water tanks, the cleansing of the village, the up-keep of the village roads and providing rest-houses for travellers. They also proposed that they should be entrusted with control over the construction and maintenance of village school houses. They suggested that control over village-schools should also be vested in them to some extent, and they should be entrusted with control also over small fuel and fodder reserves. Now forest panchayats have been formed here and there, and it is highly desirable that the forest panchayats should be amalgamated with these newly proposed panchayats. It was the recommendation of the Decentralization Commission that if possible, there should be only one panchayat for a village, either for the exercise of judicial powers or for the control of fuel and fodder reserves or for the control of irrigation or other kindred matters. They proposed also that control over the village cattle pound should be entrusted to them and numerous other functions were proposed to be given as days advanced and as they gained experience, for instance remission of revenue and the grant of loans to agriculturists, selection of sites for liquor shops in villages, administration of famine relief or organization of measures to combat epidemics. The last thing that was proposed was, they should be entrusted with the distribution of irrigation water in the villages. They proposed that in matters entrusted to them, they must not be subordinate either to the tahsildars or to the deputy tahsildars, but the district executive staff should have supervision over them. As regards the finance of these bodies, they suggested the assignment of a definite portion of the land-cess which should be made over to them and special grants were proposed for particular objects to be made by the sub-district boards and Collectors, and then lastly the receipts from cattle-pound and markets. Added to this, they wanted them to realize small fees from civil suits filed before them. I have dealt with the constitution of the panchayats. They strongly recommended that the present unions which were known as union panchayats which were constituted under the Local Boards Act should be abolished, as these village panchayats were slowly developed. As regards legislation they thought that it was quite necessary : but they suggested that legislation might be very general to suit the varying circumstances of each locality. They said that it should be of a general character containing wide rule-making powers so as to enable the local authorities to provide for different circumstances.

"These were the recommendations of the Decentralization Commission and they came under the review of the Government of India in April 1915. The Government of India approved of the general scheme proposed by the Commission in this matter and expressed their

RESOLUTION RE LEGISLATION TO ORGANIZE ADMINISTRATIVE 1027
VILLAGE PANCHAYATS.

3RD APRIL 1919.]

(Mr. Siva Rao.)

concurrence with all their proposals and laid down also certain general lines of advance, but left the matter entirely to the discretion of the local Government ; and what followed is very interesting. Before the Government of India passed their resolution, it was referred to the local Government and they seemed to suggest that action might be confined for the present to the formation of self-contained voluntary organizations independent of legal sanction. As regards judicial functions, they pronounced themselves against it. They thought that village courts were already enjoying sufficient judicial powers. Acting up to that opinion, they passed an exhaustive G.O. No. 1410, dated the 2nd October 1915, in which they suggested that in all villages containing a population of 3,000 or more, steps should be taken to start unions under Local Boards Act known as union panchayats. As regards other villages, they said : 'The Government are not prepared to accept the view of the Royal Commission that the panchayats created under the Local Boards Act should be abolished.' They said that 400 panchayats had been started under the Local Boards Act and they had done splendid work. They suggested that in all villages containing a population of over 3,000 unions should be started and as regards other villages which contained less population, the Government said : 'Whilst the Government are thus anxious to extend the operation of the existing provisions of Local Boards Act in the larger villages, that they are prepared also to give a trial to a more indefinite and informal kind of panchayat to be constituted on a voluntary basis and without legislative sanction.' That was the Government Order passed in 1915 ; and I need not trouble Honourable Members of the Council with a statement as to all the villages where panchayats have been started since then. You may take it from me that informal panchayats were started, no powers were legally vested in them and no attempt was made to give them any financial powers. I do not know what work they did ; I tried to call for information once or twice, but the reports had not been received and were awaited. I am yet to know what work they have been doing. I may confidently say that they were fore-doomed to failure for this reason ; that they were skeletons without flesh. Without finance they could not do any work.

"After that Government Order attempts were made by non-official members to put these informal panchayats on a legislative basis. The last resolution was brought forward in 1917 by the Hon'ble Mr. Ranga Achariyar and then the reply which was given by the Honourable Member in charge came to this : that they were waiting to see how these informal panchayats that were started as experiments worked and after the receipt of those reports and after ascertaining whether they were working satisfactorily or not, they would make up their minds finally and until then no action was called for. That was the gist of the reply given by the Honourable Member in charge in 1917. Since then we have got another important document, the Resolution, dated the 16th May 1918, in which the Government of India review their former resolution and they say : that wherever possible, these village panchayats should be started ; and they also lay down the same principles which the resolution of the Government of India of 1915 suggested. They affirm them except in one or two cases. They differ from the recommendation of the Commission in this matter. They propose that some powers of taxation should also be given to these village panchayats. They say it is highly desirable to start these panchayats wherever possible. If it is not considered possible in any particular locality by the local Government, then they suggest that alternative proposals should be put forward. I do not for a moment believe that Madras could be placed beyond the pale of this simple reform. I do not think that the Government would come to a conclusion like that. This is what is stated : 'It is essential, however, that an effective beginning should be made wherever possible.' As regards taxation they propose that panchayats should be given permissive powers of taxation even differing from the recommendations of the Decentralization Commission. They say : 'The development of a village panchayat system where it is undertaken, should, in any case, be secured by separate legislation unconnected with the Acts relating to municipal and rural boards.' The same thing was affirmed in the scheme of Reforms of Mr. Montagu and Lord Chelmsford, in which they say that a beginning should be made as soon as possible. 'It is hoped that, wherever possible, an effective beginning will be made.'

"There was a discussion of the same matter in 1918 in this Council when my Honourable friend Mr. Krishna Rao moved a resolution that certain recommendations in the Government of India's resolution of 1918 should be adopted. It is interesting to know what answer the Government gave to the question I asked at the same meeting. I asked 'will the Government be pleased to furnish a list of all the informal panchayats organized in the province ; (b) to state whether any reports have been received as to their working ; if so, to place them on the table, if not to call for the report ; and also (c) to state whether any money has been hitherto sanctioned to finance them ; if so, how the money has been distributed.' The answer was : 'The Honourable Member's attention is invited to the statements laid on the table in reply to questions Nos. 12 and 74 asked at the meetings held on the 2nd April 1917 and on the 3rd April 1918, respectively. The Government have not yet received any reports and do not propose to call for reports before December 1918.' So, the reports must be due now. December has passed. In his reply to this resolution in August 1918, the Honourable Member in charge says : 'Lastly, I come to the vexed question of panchayats. The general impression seems to be that we are hostile to the development of panchayats. The Hon'ble Mr. Siva Rao said : you would not give money and you would not call for report. We can only call for reports after some work has been done by these panchayats. These village panchayats must work at least for one year before we could call for reports. . . . Reports are due to us.

TRANSFERS BETWEEN IMPERIAL AND PROVINCIAL REVENUES ..	PAGE
PROVINCIAL ADVANCE AND LOAN ACCOUNT	1216-1218
ANNEXURE I SHOWING DISTRIBUTION OF THE GRANT OF 17.28 LAKHS IN 1919-1920 TO DISTRICT BOARDS IN AID OF THEIR RESOURCES ..	1218-1222
ANNEXURE II SHOWING THE DISTRIBUTION OF THE GRANT OF 20 LAKHS IN 1918-1919 TO LOCAL BOARDS FOR THE IMPROVEMENT OF IMPORTANT ROADS	1223
PART III	
MEMORANDUM DETAILING THE VARIATIONS BETWEEN THE FIGURES IN THE AMENDED DRAFT FINANCIAL STATEMENT AND THOSE IN THE PRESENT BUDGET ..	1224-1227

GOVERNMENT OF MADRAS

FINANCIAL DEPARTMENT

MEMORANDUM PRESENTING THE BUDGET FOR 1919-1920.

With reference to rule 29 (1) of the Rules for the discussion of the annual Financial Statement, I present the Budget of this Presidency for 1919-1920 as finally sanctioned by the Government of India.

The preliminary estimates given in the Amended Draft Financial Statement which was presented to the Council on the 5th February 1919 have undergone alterations in the light of later information. The Chief Secretary's memorandum which was printed as Part III of the Amended Draft Financial Statement has been brought up to date and forms Part II of this pamphlet. Details by major heads of the alterations which have been made in the Amended Draft Financial Statement are given in Part III.

2. The broad results as regards the revised estimate for 1918-1919 and the budget estimate for 1919-1920 will be seen from the following table:—

	Revised estimate, 1918-1919.			Budget estimate, 1919-1920.		
	As in the Amended Draft Financial State- ment.	As fixed finally.	Difference.	As in the Amended Draft Financial State- ment.	As fixed finally.	Difference.
	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.	LAKHS.
Opening balance ..	201.08	201.08	Nil.	203.19	196.09	— 7.10
Receipts ..	857.77	849.90	— 7.87	884.58	885.68	+ 1.10
Charges ..	855.66	854.89	— .77	958.58	960.93	+ 2.35
Surplus (+) or deficit (—) ..	+ 2.11	— 4.99	— 7.10	— 74.00	— 75.25	— 1.25
Closing balance ..	203.19	196.09	— 7.10	129.19	120.84	— 8.35

Revised Estimate, 1918-1919.

3. The fall of 7.87 lakhs under Receipts and the decrease of .77 lakh under Charges are the net result of the following variations:—

Receipts.		LAKHS.
I. Land Revenue ..	.. .. .	— 2.00
VIII. Income-tax ..	.. .. .	— 3.00
IX. Forest ..	.. .. .	— 3.00
Transfers between Imperial and Provincial ..	.. .. .	— 6.00
IV. Stamps ..	.. .. .	+ 1.63
V. Excise ..	.. .. .	+ 3.50
X. Registration ..	.. .. .	+ 1.00
		— 7.87
Charges.		
22. Education ..	.. .. .	+ 1.23
45. Civil Works—Public Works Department ..	.. .. .	— 2.00
		— .77

4. These alterations have been made with reference to later actuals, and the only variation which I need explain is the decrease of 6 lakhs under the head 'Transfers between Imperial and Provincial.' This decrease is the net result of (a) an additional assignment to Provincial funds of 1 lakh recently given by the Government of India, for improving the health conditions of pilgrim centres (.50 lakh in addition to 1 lakh already sanctioned) and for anti-malarial work (.50 lakh), and (b) an increase of 7 lakhs in the assignment from Provincial funds under the heading

'Compensation payment on account of the Provincial share of the extra excise revenue and income-tax revenue accruing from the additional taxation imposed by the Government of India from 1916-1917, which is explained in paragraph 145 of the Chief Secretary's memorandum. The compensatory assignment from Provincial funds for the year 1918-1919, which was estimated at 10.43 lakhs on the 5th February 1919, has now been raised by 7 lakhs which allows also for an arrear adjustment relating to the previous year.

5. The closing balance for 1918-1919, which is the opening balance for 1919-1920 and which stood at 203.19 lakhs in the Amended Draft Financial Statement, has, in consequence of the alterations mentioned in paragraph 3 above, been reduced by 7.10 lakhs to 196.09 lakhs.

Budget Estimate, 1919-1920.

6. The following alterations have now been made in the preliminary figures in the Amended Draft Financial Statement presented to the Council on the 5th February:—

Receipts.							
							LAKHS.
IV. Stamps	..	..	..	..	..	..	+ 2.50
V. Excise	..	..	..	..	..	..	+ 5.00
X. Registration	..	..	..	..	..	..	+ .60
VIII. Income-tax	..	..	..	..	..	..	— 6.05
Transfers between Imperial and Provincial	..	..	..	..	..	..	— .95
							+ 1.10
Charges.							
24-A. Medical	..	..	..	..	..	..	+ .10
24-B. Sanitation	..	..	..	..	..	..	+ 2.00
33. Famine Relief	..	..	..	..	..	..	+ .25
							+ 2.35

7. The increases under the heads IV. Stamps, V. Excise and X. Registration have been made in the light of later information.

8. The decrease under the divided head INCOME-TAX is the result of certain changes in taxation made by the Government of India. In the first place, the Government of India have, with the object of alleviating the hardships caused by high prices to persons with small incomes, exempted incomes below Rs. 2,000 per annum (the present limit is Rs. 1,000) from assessment to income-tax with effect from the 1st April 1919. The total loss of revenue on this account in this Presidency is estimated at 10.60 lakhs, of which the Provincial share is 5.30 lakhs. Secondly, the Government of India have decided to levy during 1919-1920 a duty on excess profits from certain businesses, assessed at 50 per cent of the profits realized in excess of a standard determined in accordance with the provisions of the Excess Profits Duty Act (X of 1919). The proceeds from the excess profits duty will be credited to an Imperial minor head under the major head INCOME-TAX. The imposition of this excess profits duty however involves a slight loss of income-tax since a rebate will be given for the purposes of this tax in respect of the amounts paid as excess profits duty. The loss under the divided head INCOME-TAX is estimated at 1.50 lakhs of which the Provincial share is .75 lakh. The total reduction under the divided head INCOME-TAX is consequently 12.10 lakhs, of which the Provincial share is 6.05 lakhs. The Government of India have undertaken to make good the loss to Provincial funds by an assignment from Imperial revenues.

9. TRANSFERS BETWEEN IMPERIAL AND PROVINCIAL.—The budget figure for 1919-1920 now takes credit for the assignment from Imperial revenues of the sum of 6.05 lakhs referred to in the previous paragraph. On the other hand, the assignment from Provincial revenues in consequence of the taxation scheme of 1916 referred to in paragraph 4 above which was placed at 11.43 lakhs on the 5th February has since been raised by 7 lakhs. As a result, there is a net decrease of .95 lakh in the assignment from Imperial to Provincial.

10. On the expenditure side, the budget provision of 1 lakh under Famine Relief has now been raised by another lakh, of which the Provincial share is .25 lakh.

Under the heads 24-A. MEDICAL and 24-B. SANITATION, the following additional provision has been made as a result of the discussions at the meetings of the 5th, 6th and 7th February last:—

Head of account.	Item.	Amount. LAKHS.
24-A. MEDICAL ..	Appointment of travelling sub-assistant surgeons in mufassal hospitals (Resolution moved by the Hon'ble Mr. A. S. Krishna Rao.)	10
24-B. SANITATION ..	Grants to district boards for the acquisition of house-sites for the depressed classes (Resolution moved by the Hon'ble Diwan Bahadur M. Ramachandra Rao Pantulu.)	1.00
Do.	Grants for the improvement of the sanitary condition of the pilgrim centres (Resolution moved by the Hon'ble Mr. P. Siva Rao.)	1.00

C. G. TODHUNTER.

3rd April 1919.

PART

Balance Statement of proposed Receipts and Charges for 1919-1920,
and the Accounts

Heads of Revenue.	Accounts, 1917-1918.	Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
1	2	3	4	5
	LAKHS.	LAKHS.	LAKHS.	LAKHS.
I. LAND REVENUE	297.45	305.69	289.54	305.17
IV. STAMPS	77.12	79.75	80.00	82.50
V. EXCISE	201.76	208.14	229.66	214.08
VIII. INCOME-TAX	38.30	37.50	37.50	38.95
IX. FOREST	54.58	48.45	39.63	49.36
X. REGISTRATION	24.72	25.50	26.60	27.10
XII. INTEREST	4.57	5.00	4.75	5.28
XVI. LAW AND JUSTICE—				
A. Courts of Law	11.34	10.79	10.10	10.91
B. Jails	7.70	6.10	9.92	7.08
XVII. POLICE	5.40	5.32	5.33	5.46
XVIII. PORTS AND PILOTAGE	..	..	.01	.01
XIX. EDUCATION	3.55	4.28	3.79	5.20
XX-A. MEDICAL	1.57	2.35	2.90	2.71
XX-B. SANITATION	.16	.14	.47	.15
XXI-A. AGRICULTURE	1.89	1.99	2.31	3.74
XXI-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.	18.72	17.21	17.88	19.56
XXII. RECEIPTS IN AID OF SUPERANNUATION.	1.26	1.20	2.01	1.47
XXIII. STATIONERY AND PRINTING	1.68	1.25	1.55	1.42
XXV. MISCELLANEOUS	2.02	3.12	2.56	2.64
XXIX. IRRIGATION—MAJOR WORKS—				
Direct Receipts	1.60	1.60	1.63	1.61
Portion of Land Revenue due to Irrigation.	54.16	51.83	53.23	53.61
XXX. MINOR WORKS AND NAVIGATION—				
In charge of Civil Officers	.25	.23	.22	.25
" of Public Works Officers.	2.92	2.50	2.75	2.90
XXXI. CIVIL WORKS—				
In charge of Civil Officers	.42	.10	.84	.10
" of Public Works Officers	4.41	4.29	4.33	4.25
Total Receipts	817.55	824.33	829.57	865.51
Transfers between Imperial and Provincial Revenues.	+ 16.75	+ 21.11	+ 20.33	+ 20.17
Total	834.30	845.44	849.90	885.68
Opening Balance	152.38	193.57	201.08	196.09
Grand Total	986.68	1,039.01	1,050.98	1,081.77

I.

embodying also the Revised and Budget Estimates for 1918-1919
for 1917-1918.

Heads of Expenditure.	Accounts, 1917-1918.	Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
1	2	3	4	5
	LAKHS.	LAKHS.	LAKHS.	LAKHS.
1. REFUNDS AND DRAWBACKS	2.71	2.80	3.70	3.10
2. ASSIGNMENTS AND COMPENSATIONS	2.78	3.05	3.12	3.10
3. LAND REVENUE	124.81	127.63	129.50	134.24
6. STAMPS	2.44	2.26	2.33	2.31
7. EXCISE	9.03	9.21	10.40	11.23
10. INCOME-TAX	.34	.34	.46	.55
11. FOREST	30.20	30.17	31.30	37.25
12. REGISTRATION	13.40	13.53	15.07	16.20
13. INTEREST ON ORDINARY DEBT	3.50	3.86	3.84	4.20
18. GENERAL ADMINISTRATION	15.85	15.86	16.35	17.09
19. LAW AND JUSTICE—				
A. Courts of Law	85.13	89.13	89.70	98.76
B. Jails	16.70	16.03	20.56	18.23
20. POLICE	117.33	120.73	120.46	136.51
21. PORTS AND PILOTAGE	.51	.43	.49	.49
22. EDUCATION	94.05	112.98	108.00	128.98
24-A. MEDICAL	21.73	26.34	25.95	36.67
24-B. SANITATION	16.43	14.38	14.70	24.35
25. POLITICAL	.89	.89	.91	.92
26-A. AGRICULTURE	12.87	15.68	15.65	20.97
26-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS.	13.78	17.77	17.09	22.93
29. SUPERANNUATION ALLOWANCES AND PENSIONS.	33.38	35.65	35.98	37.00
30. STATIONERY AND PRINTING	14.43	14.63	14.16	14.84
32. MISCELLANEOUS	5.53	13.81	5.25	16.00
33. FAMINE RELIEF	..	..	.19	.50
42. IRRIGATION—MAJOR WORKS—				
Working Expenses	11.07	11.50	9.95	8.62
Interest on Debt	15.41	14.79	15.56	15.69
43. MINOR WORKS AND NAVIGATION—				
In charge of Civil Officers	7.69	8.75	7.28	8.69
" of Public Works Officers	32.95	33.50	37.50	36.30
45. CIVIL WORKS—				
In charge of Civil Officers	28.83	27.05	48.19	36.34
" of Public Works Officers	51.88	59.35	51.25	68.87
Total Expenditure	785.60	842.10	854.89	960.93
Closing Balance	201.08	196.91	196.09	120.84
Grand Total	986.68	1,039.01	1,050.98	1,081.77
Surplus	48.70	3.34	..	..
Deficit	..	..	4.99	75.25

31st March 1919.

2A

N. E. MARJORIBANKS,
Acting Chief Secretary.

PART II.

Memorandum explanatory of the figures under each Major Revenue head and under each Major Expenditure head of account.

Introductory.

The conditions of Provincial finance are determined by the terms of an administrative arrangement subsisting between the Government of India and the Local Government and known as the Provincial Settlement. The revenue and expenditure of the province as classified in the public accounts are divided between the two Governments in accordance with the terms of this settlement.

With effect from the 1st April 1911 this Provincial Settlement, which had hitherto been subject to change, was made permanent subject to the following conditions:—

(1) It shall not be subject to revision in the future, except by way of commuting fixed assignments into growing revenue;

(2) in case of serious famine the question of assistance from Imperial revenues will be duly considered by the Government of India;

(3) in special cases where the Local Government are unable to meet their requirements from their current revenues or by drawing on their balances, they should take the necessary amount as a short interest-bearing loan from the Government of India repayable in suitable instalments; and

(4) the Government of India reserve the right to call for assistance from Provincial revenues in case of serious embarrassment in their own finances.

At the same time Forest revenue and expenditure, which had hitherto been divided, were made wholly Provincial.

2. The present statement does not deal with the heads which are wholly Imperial. The following table shows the several heads of revenue and expenditure which are divided between Imperial and Provincial:—

Revenue.			Expenditure.		
Major heads.	Imperial share.	Provincial share.	Major heads.	Imperial share.	Provincial share.
1	2	3	4	5	6
I. LAND REVENUE ..	One-half	One-half	1. REFUNDS AND DRAWBACKS.	The share in the minor heads under this major head follows that of the corresponding major heads of receipts.	
IV. STAMPS ..	One-half	One-half	2. ASSIGNMENTS AND COMPENSATIONS.		
V. EXCISE ..	One-half	One-half	6. STAMPS ..	One-half	One-half.
VIII. INCOME-TAX ..	One-half	One-half	7. EXCISE ..	One-half	One-half.
XXIX. MAJOR IRRIGATION WORKS.	One-half	One-half	10. INCOME-TAX ..	One-half	One-half.
			33. FAMINE RELIEF ..	Three-fourths	One-fourth.
			42. MAJOR IRRIGATION WORKS.	One-half	One-half.

The remaining heads dealt with in this statement are wholly Provincial.

Preliminary.

3. Before proceeding to a detailed explanation of the figures for the current and ensuing years under the various major heads, it may be pointed out that, on the expenditure side, both the revised estimate for 1918-1919 and the budget for 1919-1920 include charges on account of the grant of temporary allowances to lower paid Government servants in order to enable them to meet the existing high prices of foodstuffs and other necessities due to the war and other causes. These allowances, which were sanctioned for a period of one year from the 1st March 1918, were at first confined to inferior servants in the public offices in Madras City. They were subsequently extended to all public servants under the control of the Local Government with the exception of village service establishments and members of the executive police staff) drawing a monthly salary of Rs. 50 and under. The extra cost involved in Provincial funds was about 8-00 per annum. Later on, however, it was found necessary to afford a more substantial measure of relief to subordinates whose salaries did not exceed Rs. 20 per mensem and with this object, additional allowances, involving a total extra cost of about 7-00 per annum to Provincial, were sanctioned with effect from the 1st September 1918.

The question of the adequacy of these allowances again came up for consideration in December last, and on a careful examination of the existing conditions, it was decided to enhance the rates of allowances and to sanction a revised scale with effect from the 1st January 1919. Besides affording a more adequate measure of relief to the subordinates already enjoying the concession, this scheme has been made applicable to members of the executive police staff including police talaiyaris who were hitherto excluded from its scope. This last decision involved a further additional expenditure of about 22-00 per annum, of which about two months' charges are included in the revised estimate for 1918-1919 and a full year's provision appears in the budget for 1919-1920 in the summary under the various major heads.

The revised estimate for 1918-1919 and the budget for 1919-1920 thus include a total extra expenditure of about 15-00 and 37-00, respectively, on account of the grant of these allowances.

I. & 3. Land Revenue.

Revenue.						
	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1916-1916.	1916-1917.	1917-1918.			
Ordinary revenue	692-47	693-18	694-51	708-86	678-64	710-47
Sale-proceeds of waste lands and redemption of land-tax	2-00	2-56	3-78	2-00	1-90	2-50
Miscellaneous	3-47	4-43	4-94	4-18	5-00	4-59
Total shared ..	697-94	700-17	703-23	715-04	685-54	717-56
Deduct—Portion of Land Revenue due to Irrigation	106-97	102-08	108-33	103-66	106-47	107-22
Net total shared ..	590-97	598-09	594-90	611-38	579-07	610-34
Provincial share ..	295-48	299-04	297-45	305-69	289-54	305-17

BUDGET OF THE

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Charges of District Administration.	47-12	47-86	48-11	48-58	50-78	51-67
Survey and Settlement	12-20	10-83	13-18	13-98	14-66	14-76
Land Records	29-48	29-33	29-01	29-81	29-61	30-38
Inam Commissioner	20	12	07	17	07	17
Allowances to District and Village officers.	34-55	34-62	34-44	35-09	34-38	35-96
Additional provision for enhanced war allowances.	..	..	..	..	..	1-30
Total ..	123-55	122-76	124-81	127-63	129-50	134-24

Revenue.

4. *Ordinary Revenue.*—The budget estimate for 1918-1919 was framed on the basis of normal conditions. The large decrease in the revised estimate is due mainly to a fall in collections of water-rate and miscellaneous revenue and an increase in remissions on account of the unfavourable conditions in the districts of Ganjam, Vizagapatam, Gōdāvari, Kistna, Kurnool, Cuddapah, Anantapur, Bellary, Chingleput, North Arcot, Chittoor, Tanjore, Madura and Salem. It is also anticipated that the collection of revenue will have to be suspended till the next official year in six districts, the largest amounts being 71 in Bellary and 50 in Salem. The budget estimate for 1919-1920 has been fixed on the assumption that the seasonal conditions in the ensuing year will be better. The budget also takes credit for the introduction of resettlement rates in certain taluks of the South Arcot and Madura districts, and for the collection of the suspended revenue.

5. *Sale-proceeds of waste lands and redemption of land-tax and Miscellaneous.*—The figures under these two minor heads are fluctuating and are based on actuals. One of the items under the minor head *Miscellaneous* is "Fees charged for the time and labour of the Land Records staff." The receipts under this item amounted to 1-25 in 1916-1917 and are estimated at 1-12 for 1919-1920.

Expenditure.

6. *Charges of district administration.*—The increase in the revised estimate is caused mainly by the grant of war allowances to subordinates drawing Rs. 50 and under, and by heavy charges on account of payments for land taken up by the Revenue Department. The lump provision aggregating 60 for the revision of the pay of taluk shroffs and peons will be utilized in the current year. The budget estimate for next year includes a similar provision. It also provides for larger expenditure on temporary establishments for the revision of adangals prior to re-settlement, and war allowances, and includes allotments of

(a) 09 for the creation of a leave reserve, as an experimental measure, for the revenue establishments in the North Arcot district; and
(b) 06 for the appointment of accountants in some of the independent Deputy Tahsildars' offices.

No provision has been made for allowances to officers of the Indian Civil Service on account of the stoppage of promotion due to the war as the embargo on leave has been withdrawn. There will be a small reduction in the charges on account of the pay of Collectors owing to the issue of orders that three district charges are to be held by officers of the Provincial Civil Service in addition to the post of Home Secretary now held by an officer of that service.

7. *Survey and Settlement.*—As in 1917-1918 the budget for the current year provided for one party for estate surveys the cost of which is recoverable from the estates concerned. The increase in the revised estimate is due mainly to the grant of war allowances and to increased expenditure on temporary establishments attached to survey parties, partly counterbalanced by larger recoveries from estates.

GOVERNMENT OF MADRAS FOR 1919-1920

8. *Land Records.*—The budget for 1919-1920 includes provision for proceeding with the revision of village establishments in ryotwari and proprietary areas.

9. *Allowances to District and Village officers.*—To this minor head is debited the expenditure on account of village establishments other than karnams and assistant karnams. The decrease in the revised estimate for 1918-1919, as compared with the budget for that year, occurs under payments on account of Ryotwari Village Service Establishments. The budget estimate for 1919-1920 contains enhanced provision for charges on account of village establishments both in ryotwari tracts and proprietary estates, besides a lump provision of 51 to give effect to revisions of establishments in ryotwari tracts, which have already been sanctioned, but have not yet been introduced owing to the financial stringency caused by the war.

IV. & 6. Stamps.

* Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Sale of general stamps	49-31	52-79	52-68	54-50	56-70	58-00
Sale of court-fee stamps	99-85	101-14	99-90	102-98	101-70	105-00
Duty on impressing documents ..	98	1-08	83	1-12	78	1-12
Fines and penalties	79	81	77	82	75	80
Miscellaneous	09	07	05	08	07	08
Total ..	151-02	155-89	154-23	159-50	160-00	165-00
Provincial share (one-half) ..	75-51	77-95	77-12	79-75	80-00	82-50

* This head is not open to discussion.

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Superintendence	31	29	51	29	52	31
Charges for the sale of general stamps	2-10	2-21	2-22	2-23	2-31	2-29
Charges on sale of court-fee stamps ..	94	93	91	94	89	92
Stamp paper supplied from Central Stores	79	1-03	1-24	1-06	95	1-06
Additional provision for enhanced war allowances	..	..	..	..	..	04
Total ..	4-14	4-46	4-88	4-52	4-67	4-62
Provincial share (one-half) ..	2-07	2-23	2-44	2-26	2-33	2-31

Revenue.

10. The receipts represent the share, credited to this major head, of the sale-proceeds of the unified postal and revenue stamps, the sale-proceeds of bills of exchange and other general stamps, of court-fee stamps, and of stamped papers for copies of documents, the duty for embossing one-anna receipt and cheque stamps, the duty levied under the Indian Stamp Act, 1899, on documents brought for adjudication and on documents unstamped or insufficiently stamped, and fines and penalties levied by Judicial and Revenue officers under the Stamp Act on insufficiently stamped instruments.

BUDGET OF THE

7

11. The revenue from the unified postal and revenue stamps is credited to the Imperial head Post Office. Out of this revenue, the Government of India have sanctioned the credit to the head STAMPS of a sum of 3.50 per annum, the amount being included under the minor head *Sale of general stamps*.

12. The increase in the budget estimate for 1919-1920 over the revised estimate for 1918-1919 represents the ordinary growth of revenue which may be expected in a normal year.

44-45

Expenditure.

13. The expenditure under this major head relates to the Central Stamp Office, and to charges connected with the sale of general and court-fee stamps, and to the cost of stamp paper.

44-45

14. *Superintendence*.—The clerical establishments of the Stationery and Stamp offices at Madras are placed on a single list, and the total cost of the combined establishment was distributed between the heads 6. STAMPS and 50. STATIONERY AND PRINTING in the proportion of 10 to 17 up to the 1st March 1915. Since then, owing to the revision of the establishment, the proportion has been altered to 13 to 25.

The revised estimate for 1918-1919 includes freight charges on large supplies of post-cards manufactured by the Controller of Stamps, Calcutta.

V. & 7. Excise.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Licence and distillery fees and duties for the sale of liquors and drugs.	329.67	351.00	381.23	393.72	434.94	442.71
Gain on sale-proceeds of excise opium	14.03	13.32	14.08	14.48	14.20	16.00
Duty on ganja	5.36	5.44	5.70	5.70	6.85	6.70
Fines, confiscations and miscellaneous	2.13	2.27	2.51	2.38	3.33	2.76
Total	351.19	372.03	403.52	416.28	459.32	468.17
Provincial share (one-half)	175.59	186.01	201.76	208.14	229.66	234.08

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
District Executive establishment ..	.03	.06	.02	.05	.02	.03
Portion of the combined Salt and Excise establishments ..	18.49	18.10	18.03	18.37	20.78	21.89
Additional provision for enhanced war allowances	..	..	..	..	..	..
Total	18.52	18.16	18.05	18.42	20.80	22.46
Provincial share (one-half)	9.26	9.08	9.03	9.21	10.40	11.23

GOVERNMENT OF MADRAS FOR 1919-1920

8-9

Revenue.

15. *Licence and distillery fees, etc.*—Previous to the year 1914-1915 there was a steady increase in the revenue under this minor head consequent upon successive enhancements of the rates of excise duty on country spirits, larger collections under tree-tax, an increase in consumption of country spirits—notwithstanding successive reductions in the number of shops sold—and increased rentals from toddy, arrack and opium shops. This increase received a check in the year 1914-1915 from the disturbance of economic conditions caused by the war, and the actuals for that year showed a small decline of .74. The year 1915-1916 witnessed a further decline of 15.30. Since 1916-1917, however, there has been a marked recovery and the actuals for that year and the year following show an advance of 21.33 and 30.23, respectively, over those of the previous years. The budget estimate for the current year was on a conservative basis. The progress of actuals however indicates that the revenue will exceed budget anticipations, the increase occurring especially under country spirits and toddy as a result of enhanced rates of taxation on both, and to some extent of high wages. The rates of excise duty on country spirits were raised from 1st April 1918 by 10 annas per proof gallon in most of the districts, by Re. 1-4-0 in the Ceded Districts, Kurnool, Ganjam, Vizagapatam, Madras and South Kanara and by Rs. 2-8-0 in Malabar. The rates of tree-tax were enhanced from 1st October 1918 by 25 per cent in the districts of Ganjam, Vizagapatam, South Kanara and Malabar, by 33½ per cent in the Ceded Districts and Kurnool and by 20 per cent in the rest of the Presidency except Ramnad and Tinnevely. The budget estimate for 1919-1920 has been framed after taking into account the present unfavourable agricultural situation in certain districts of this Presidency.

The consumption of country spirits was actually smaller in 1916-1917 than in 1914-1915 and much lower than in 1913-1914 and 1912-1913. There was a trifling increase in consumption in 1917-1918, as compared with the previous year, but it still remained far below that of 1913-1914 and 1912-1913. The figures of consumption of country spirits in the current year, 1918-1919, so far as they are available, indicate that, though there will be a large increase in revenue, there will be a comparatively small increase in consumption as compared with 1917-1918.

16. *Gain on sale-proceeds of excise opium.*—This Presidency is supplied with Ghazipur opium, free of cost in the first instance. Of the gross sale-proceeds, an amount calculated on the quantity actually sold at a fixed rate representing the estimated cost of production is credited to the Imperial head II. OPIUM, and the balance to the shared head V. EXCISE—*Gain on sale-proceeds of excise opium*. The rentals derived from opium shops are, however, shown under the minor head *Licence and distillery fees, etc.* The cost price of opium was raised from Rs. 11 to Rs. 13 per seer with effect from the 1st April 1918. The issue price of opium, which now stands at Rs. 45 per seer will, with effect from the 1st April 1919, be raised to Rs. 50 per seer.

The revised estimate for the current year is based on the latest actuals available, and the budget estimate for the coming year takes account of the increase in the issue price of opium referred to above.

17. The duty on ganja which then stood at Rs. 5 per seer was raised to Rs. 7½ from 1st April 1911, to Rs. 10 from the 1st April 1914, to Rs. 12½ from the 1st April 1915 and to Rs. 15 from the 1st April 1918. There will be a still further increase to Rs. 17½ per seer from the 1st April 1919.

The receipts from this source are credited to the third minor head, viz., *Duty on ganja*, while the rents from retail shops are shown, as in the case of opium shops, under the minor head *Licence and distillery fees, etc.*

Expenditure.

18. Under the head *District Executive establishment* are recorded the charges for registration of agreements of renters of vend areas, and of holders of independent shops, the annual rental of which exceeds Rs. 1,000, and expenditure on rewards and contingencies.

19. *Portion of the combined Salt and Excise establishments.*—The expenditure on the combined establishments, which is arrived at after deducting the charges on account of Salt excise licensees' works, and salt purchase and freight, from the total cost of the combined departments of Salt and Excise, is apportioned between the heads 5. SALT (Imperial) and 7. EXCISE (shared equally between Imperial and Provincial) in the ratio of 1 to 2, this being approximately the ratio which the salt revenue bore to the excise revenue in 1907–1908. The increase in the revised estimate for 1918–1919, as compared with the budget of that year, is chiefly due to (1) the revision of the scale of pay of subordinates of the Salt and Abkari department which was introduced from 1st April 1918; (2) to the grant of war allowances and (3) to increased expenditure on the construction of quarters and buildings in connexion with the new salt extensions. The budget for the coming year includes enhanced provision under *Establishment, War allowances and Clothing and uniform.*

VIII. & 10. Income-tax.

* Revenue.

	Accounts.			Budget estimate, 1918–1919.	Revised estimate, 1918–1919.	Budget estimate, 1919–1920.
	1915–1916.	1916–1917.	1917–1918.			
REVENUE (a)	40·75	60·09	76·61	75·00	75·00	77·90
Provincial share (one-half) ..	20·37	30·05	38·30	37·50	37·50	38·95

(a) The figures exclude collections of income-tax from Public Works officers in Coorg, which are Imperial.
* This head is not open to discussion.

Expenditure.

	Accounts.			Budget estimate, 1918–1919.	Revised estimate, 1918–1919.	Budget estimate, 1919–1920.
	1915–1916.	1916–1917.	1917–1918.			
Collection of income-tax	·61	·66	·68	·68	·92	1·06
Additional provision for enhanced war allowances.	..	..	..	..	..	·04
Total	·61	·66	·68	·68	·92	1·10
Provincial share (one-half) ..	·30	·33	·34	·34	·46	·55

Revenue.

20. With effect from the 1st April 1916, the Government of India have imposed additional taxation to meet Imperial needs. As the head VIII. INCOME-TAX is shared equally between Imperial and Provincial, an assignment equal to one-half of the receipts accruing from the additional taxation is being made from Provincial to Imperial as explained in paragraph 145 infra.

The proceeds from the super-tax imposed under Act VIII of 1917 and from the excess profits duty which the Government of India have decided to levy during 1919–1920 are credited to wholly Imperial minor heads and are consequently not included in the figures given above which relate to the divided head Income-tax.

21. The budget estimate for 1919–1920 which has been framed with due regard to the growth of revenue which may be expected in that year, takes into account the loss of income-tax due to

- (1) the levy during 1919–1920 of the excess profits duty, and
- (2) the exemption of incomes below Rs. 2,000 per annum (the present limit is Rs. 1,000) from assessment to income-tax.

The total loss of revenue under the divided head Income-tax is estimated at 12·10 in 1919–1920 of which the Provincial share is 6·05. A compensatory assignment will however be given from Imperial revenues—vide paragraph 145 infra.

Expenditure.

22. In order to cope with the increased work arising out of the provisions of the Indian Income-tax Act, 1918, a special income-tax officer has been appointed for the town of Madras temporarily for a period of two years from August 1918. The staff of inspectors and accountants employed in the city for income-tax work has also been enlarged, and their pay revised. These causes account mainly for the increase in the revised estimate for 1918–1919, as compared with the budget estimate for the year.

The budget estimate for 1919–1920 contains a full year's provision for the schemes mentioned above.

IX. & 11. Forest.

Revenue.

	Accounts.			Budget estimate, 1918–1919.	Revised estimate, 1918–1919.	Budget estimate, 1919–1920.
	1915–1916.	1916–1917.	1917–1918.			
Timber and other produce removed from the forests by Government agency	8·21	8·31	13·90	10·62	9·80	15·60
Timber and other produce removed from the forests by consumers or purchasers	27·48	31·93	35·39	32·92	26·10	29·82
Confiscated drift and waif wood ..	·18	·16	·19	·16	·16	·17
Miscellaneous	5·20	5·56	5·10	4·75	3·57	3·77
Total	41·07	45·96	54·58	48·45	39·63	49·36

Expenditure.

	Accounts.			Budget estimate, 1918–1919.	Revised estimate, 1918–1919.	Budget estimate, 1919–1920.
	1915–1916.	1916–1917.	1917–1918.			
Conservancy and works	12·79	11·54	12·98	12·30	13·67	16·42
Establishment	16·48	16·89	17·22	17·87	17·63	20·08
Additional provision for enhanced war allowances	..	..	..	..	..	·75
Total	29·27	28·43	30·20	30·17	31·30	37·25

Revenue.

23. *Timber, etc., removed by Government agency.*—The decrease in the revised estimate for 1918–1919, as compared with the budget estimate, occurs mainly under "Sandalwood", counterbalanced to a large extent by increases under "Timber" and "Grass and other minor produce." The budget estimate for 1919–1920 provides for larger receipts under "Timber" and "Sandalwood."

24. *Timber, etc., removed by consumers or purchasers.*—The revised estimate for 1918–1919 shows a decrease of 6·82 as compared with the budget for that year due mainly to an arrangement made with the Munitions Board by which they have assumed complete control over tan-stuffs in return for an annual payment to the Forest department of an amount equal to the average of the pre-war receipts from the lease of such materials.

The increase of 3·72 in the budget estimate for 1919–1920 over the revised estimate for the current year occurs mainly under "Timber," "Firewood and Charcoal" and "Other minor produce."

Expenditure.

25. To the minor head *conservancy and Works* are debited (a) the outlay on the improvement, extension and protection of forests generally, (b) the outlay on communications and buildings under charge of the Forest Department, (c) the cost of the extraction and transport to sale depots of timber and other forest produce exploited departmentally, (d) the cost of supervision of the removal of similar produce by private agency, (e) charges for the survey and demarcation of forests and (f) the cost of cattle, stores, tools and plant. The actuals for 1915-1916 include a special expenditure of 1.72 for the acquisition of certain leased forests. The absence of this special item of expenditure accounts for the fall in the actuals for 1916-1917. The increase in the actuals for 1917-1918 and the revised estimate for 1918-1919 is chiefly on account of charges for the preparation of hay for the Munitions Board. Timber operations also contribute to the increase in the revised estimate. The excess in this estimate is however counterbalanced to a certain extent by smaller expenditure on "Communications and buildings" and fire protection and other works in connexion with the organization, improvement and extension of forests.

The budget estimate for 1919-1920 contains enhanced provision for the following items:—

Roads and bridges	+	1.21
Buildings	+	.71
Construction of a tramway in the leased forests at Tekkadi	+	.40
Fire protection	+	.24
Other works in connexion with the organization, improvement and extension of forests	+	.40
	+	2.96

26. *Establishment.*—The decrease in the revised estimate for the current year as compared with the budget is chiefly under salaries due to the deputation of officers for military duty and under contingencies, counterbalanced by increase under 'Establishments' due mainly to the grant of war allowances. The increase in the budget estimate for 1919-1920 as compared with the revised estimate for the current year is chiefly due to increments payable to officers under the time scale of pay, to the provision made for the continuance during the whole of the coming year of the additional temporary forest staff sanctioned in the course of the current year and to a full year's provision being made for the grant of war allowances and for contract contingencies.

27. The budget estimate for 1919-1920 also provides for the reorganization, of (1) the controlling staff of the Forest Department (.25) and (2) the subordinate forest establishment (1.00). The provision of .25 for item (1) represents the pay of a Chief Conservator for nine months in the coming year (.19) and of two Provincial Service officers (.06). The main features of the scheme for the reorganization of the subordinate forest establishment are an increase in the number of Rangers, Deputy Rangers, Foresters and Forest guards and an improvement in their scales of pay. The scheme involves a net extra cost of 3.74 per annum after taking into account savings under temporary establishments, and is to be introduced gradually. The Secretary of State's sanction has not yet been received and the lump provision of 1.00 covers the expenditure likely to be involved in the portion of the scheme that, it is anticipated, will be introduced in the ensuing year.

X. & 12. Registration.*Revenue.*

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Fees for registering documents	19.46	20.51	20.39	21.00	22.00	22.46
Fees for copies of registered documents	.58	.63	.63	.68	.64	.66
Miscellaneous	3.34	3.56	3.70	3.82	3.96	3.98
Total	23.38	24.70	24.72	25.50	26.60	27.10

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Superintendence	.51	.54	.50	.51	.52	.55
District charges	12.05	12.58	12.90	13.02	14.55	15.35
Additional provision for enhanced war allowances	..	..	..	..	..	.30
Total	12.56	13.12	13.40	13.53	15.07	16.20

Revenue.

28. The budget estimate for 1919-1920 has been framed with due regard to the growth of revenue which may be expected under this head on a return to normal conditions.

Expenditure.

29. The minor head *Superintendence* comprises charges on account of the Inspector-General of Registration, his office establishment and contingencies, while *District charges* represent the salary of district registrars and sub-registrars and their establishments, and contingent charges.

30. *District charges.*—The actuals of 1917-1918 included expenditure on account of (1) the reopening of the District Registrars' offices at Nellore and Vizagapatam, (2) the raising of the remuneration of section-writers from Rs. 12 to Rs. 15 per mensem and (3) the formation of a separate Registration district for Ramnad.

The budget estimate for 1918-1919 contained, in addition to the expenditure for a full year on the three schemes mentioned above, a provision of .09 for opening District Registrars' offices in the Kurnool and North Arcot districts, which were sanctioned with effect from the 1st April 1918 and 1st July 1918, respectively. The increase in the revised estimate for 1918-1919 as compared with the budget is accounted for by (a) the grant of war allowances and (b) the introduction from the 1st April 1918, of a scheme for the reorganization of the clerical establishments in Registration offices. The main features of the latter scheme, which involves a net extra cost of .92 per annum, are:—

- (1) a permanent addition of 379 clerks, and
- (2) the introduction of a new scale of pay comprising five grades on Rs. 30, Rs. 27½, Rs. 25, Rs. 22½ and Rs. 20 in lieu of the previous scale of Rs. 25 and Rs. 20.

The budget estimate for 1919-1920, besides providing for enhanced war allowances, includes provision for the following items:—

	LAKHS.			
(a) Opening a District Registrar's office at Anantapur	..	..	.07	55
(b) Constitution of a Registration district of Palghat	..	..	.07	55
(c) Revision of pay of District Registrars	..	..	.12	56
(d) Opening new Sub-Registry offices	..	..	.15	56

BUDGET OF THE

* 1. Refunds and Drawbacks.†

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Land Revenue	·80	·80	·89	·75	1·14	·80
Stamps	·81	·86	·87	·88	·77	·88
Excise	·30	·26	·27	·28	·26	·28
Income-tax	·13	·16	·27	·50	1·10	·75
Forest	·31	·57	·36	·34	·37	·34
Registration	·05	·04	·05	·05	·06	·05
Total ..	2·40	2·69	2·71	2·80	3·70	3·10

* Purely Imperial minor heads which are not under the financial control of the Government of Madras are not shown here.

† Drawbacks occur under Customs only and are wholly Imperial.

31. The amounts shown above represent the debits to Provincial funds of the expenditure under *Refunds* in proportion to the Provincial shares of the revenues under the respective heads in connexion with which refunds are made. The charges under the head are of a fluctuating character and are not subject to any departmental control. The revised estimate for 1918-1919 and the budget for 1919-1920 provide for increased refunds anticipated under Income-tax with reference to the provisions of the Indian Income-tax Act, 1918.

* 2. Assignments and Compensations.†

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Luamdars and other grantees ..	·05	·05	·05	·06	·05	·05
Pensions in lieu of resumed lands ..	2·06	2·00	1·87	2·00	2·04	1·98
Malikhana	3·14	2·97	2·91	2·97	3·01	2·97
Miscellaneous Land Revenue com- pensations	·94	·93	·73	1·07	1·14	1·20
Excise compensations	·94	·93	·73	1·07	1·14	1·20
Total ..	6·19	5·95	5·56	6·10	6·24	6·20
Provincial share (one-half) ..	3·10	2·98	2·78	3·05	3·12	3·10

* Purely Imperial minor heads which are not under the financial control of the Government of Madras are not shown here.

† This head is not open to discussion.

32. The minor heads here are treated as wholly Imperial, wholly Provincial, or divided between Imperial and Provincial, according to the classification of the corresponding heads of revenue. The charges consist chiefly of pensions paid to landholders as compensation for lands resumed by Government, malikhana allowances and other special compensations. *Excise compensations* represent mainly the compensation paid by Government in lieu of abkārī and opium privileges which have been either leased or resumed in Native States. The main items under this head are an annual payment to the Nawab of Banganapalle for the lease to Government of the abkārī and opium revenue of that State, a compensation to the Travancore State for the suppression of ganja cultivation, and an annual refund to the French Government of the duty on opium and ganja supplied to French renters.

GOVERNMENT OF MADRAS FOR 1919-1920

XII. & 13. Interest.

* Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
REVENUE	4·52	4·83	4·57	5·00	4·78	5·28

* Purely Imperial minor heads which are not under the financial control of this Government have been left out.

† Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
EXPENDITURE	3·28	3·28	3·50	3·86	3·84	4·20

† This head is not open to discussion.

Revenue.

33. The revenue represents mainly the interest received by the Local Government on advances and loans made from the Provincial advance and loan account. This account, the capital transactions of which are outside the current budget figures, provides for the grant of loans to agriculturists, local bodies, etc. The moneys required for the loans are furnished by the Government of India. The Local Government pay interest thereon and bear losses on account of bad debts. In order to cover risks and cost of management, the Local Government charge a higher rate of interest than that which they have to pay to India.

The revenue under this head also includes interest on Government securities belonging to institutions taken over by Government, along with the endowments for the upkeep of such institutions. In spite of the enhancements which are noticed below of the rate of interest charged by the Government of India to this Government no change has at present been made in the rate charged by this Government for loans to agriculturists. The rate of interest charged on loans to local bodies made after the enhanced rates charged by the Government of India came into force has, however, been raised to 6 per cent.

Expenditure.

34. The interest which is paid to the Government of India by the Local Government on sums placed at the disposal of the latter for advances and loans to local bodies, agriculturists, etc., is shown as expenditure under this head, this interest being calculated on the mean between the outstanding balance of the Provincial advance and loan account at the beginning and at the end of each year. The rate of interest charged to the Local Government was, until recently, $3\frac{1}{2}$ per cent per annum, but with effect from the 1st October 1916 this rate was raised to $4\frac{1}{2}$ per cent in respect of loans sanctioned by them on or after that date, and again to $5\frac{1}{2}$ per cent in respect of loans sanctioned on or after 1st April 1917, while loans sanctioned prior to those dates are charged at the old rate of $3\frac{1}{2}$ per cent.

* 18. General Administration.
+ Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Salary of the Governor	1-20	1-20	1-20	1-20	1-20	1-20
Staff and household of the Governor	1-12	1-08	1-03	1-34	1-15	1-90
Expenditure from contract allowance	69	59	59	59	59	59
Sumptuary allowance	07	07	07	07	07	07
Tour expenses	37	39	38	55	39	55
Executive Council	2-26	2-26	2-25	2-27	2-30	2-30
Legislative Council	18	20	22	20	23	21
Civil Secretariats	6-45	6-27	6-96	6-55	7-19	7-01
Board of Revenue, Financial Commissioner and Establishments ..	2-00	1-91	1-95	1-88	1-99	1-89
Civil Offices of Account and Audit ..	1-17	1-18	1-20	1-21	1-24	1-27
Additional provision for enhanced war allowances	..	..	..	..	..	10
Total ..	15-51	15-15	15-85	15-86	16-35	17-09

* Purely Imperial minor heads which are not under the financial control of this Government are not shown here.
† Statutory charges under this head are not open to discussion.

35. *Staff and household of the Governor.*—The expenditure on the purchase and maintenance of furniture, carpets, and other equipment for Government houses, is shown under this minor head. The increased provision in the budget estimate for 1919-1920 over the revised estimate for the current year represents mainly the non-recurring allowances for renewal of furniture and carpets for the incoming Governor.

36. *Civil Secretariats.*—The increase in the revised estimate for 1918-1919 over the current year's budget estimate is chiefly due to the formation of the Revenue (Special) Department for dealing with matters connected with the war and the developmental departments such as Industries. It has not yet been found possible to abolish this additional Secretariat because there is much work still continuing in connexion with demobilization, winding up enemy concerns, and the like. Meanwhile the question of converting it into a development Secretariat to deal with the branches of administration concerned with the development of the industries, agriculture, fisheries, forests and other resources of the Presidency is under consideration.

The provision under the Home Secretaryship has been increased by 03 with reference to the decision of the Government of India to grant any officer of the Provincial Civil Service who may hold this appointment a local allowance of Rs. 250 in addition to the duty allowance of Rs. 160.

XVI-A. and 19-A. Law and Justice—Courts of Law.

* Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Sale-proceeds of unclaimed and escheated property	23	34	79	24	23	24
Court-fees realized in cash	32	36	38	37	36	39
General fees, fines and forfeitures ..	10-89	9-88	9-58	9-70	8-94	9-67
Pleadership examination fees	12	14	14	18	12	14
Miscellaneous fees and fines	16	16	16	17	18	17
Miscellaneous	28	51	29	13	27	30
Total ..	12-00	11-39	11-34	10-79	10-10	10-91

* This head is not open to discussion.

* Expenditure.

72-88

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
High Court	12-45	11-89	11-16	12-16	11-19	12-02
Law Officers	2-57	2-79	2-62	2-81	2-71	2-82
Administrator-General	26	23	21	26	20	27
Presidency Magistrates' Courts	69	72	74	70	75	76
Civil and Sessions Courts	38-72	39-55	40-08	42-09	43-29	47-02
Court of Small Causes	1-05	1-31	1-33	1-31	1-34	1-35
Criminal Courts	27-43	27-63	27-62	28-38	29-04	29-82
Pleadership Examination charges ..	05	06	10	10	09	10
Refunds	1-26	1-29	1-25	1-32	1-09	1-35
Additional provision for enhanced war allowances	..	..	..	..	..	3-25
Total ..	84-48	85-47	85-13	89-13	89-70	98-76

* Statutory charges under this head are not open to discussion.

Revenue.

12-13

37. The principal source of revenue is *General fees, fines and forfeitures*. The revenue under this minor head is, however, liable to fluctuations as it depends largely on the amount of judicial fines inflicted. The receipts under the minor head *Pleadership Examination Fees* are also liable to fluctuations, as they depend upon the number of candidates appearing.

Expenditure.

72-88

38. *High Court.*—Under this minor head are shown the salaries of the Judges and officers and establishments of the High Court, and the connected contingent expenditure. The high actuals in 1915-1916 were due chiefly to expenditure on printing and translation work executed on behalf of suitors. The charge is covered by receipts credited to the same account.

The decrease in the revised estimate for 1918-1919 as compared with the budget is due mainly to savings in establishment charges and to smaller expenditure on printing and translation work. The budget estimate for 1919-1920 has been framed on the basis of the continuance of the twelve Judges throughout the year.

39. *Law Officers.*—This minor head comprises the charges on account of the Advocate-General, the Government Solicitor, the Government Pleaders at Madras and in the mufassal, and the appointment of a separate Public Prosecutor in Madras to discharge duties formerly devolving on the Government Pleader. It also includes the fees paid by Government to pleaders in civil and criminal cases.

40. *Civil and Sessions Courts.*—To this minor head are debited the charges in connexion with the City Civil Court, the Courts of District and Sessions Judges, Subordinate Judges and Munsifs, the judicial establishments of the Government Agents in Ganjam, Vizagapatam and Gōdāvari, and process-serving and copyist establishments. The gradual increase in expenditure is due mainly to the additional temporary courts which it has been found necessary to open in various districts.

The grant of war allowances to establishments drawing Rs. 50 and under accounts for the increase in the revised estimate for 1918-1919 over the budget. The increase is, however, partly counterbalanced by the lapse of the lump provision of 40 for the creation of a District and Sessions Court at Anantapur and savings under copyists' establishments and in the contract contingent expenditure of mufassal courts.

The budget estimate for 1919-1920 includes 20 representing 6 months' charges on account of the creation of a District and Sessions Court at Anantapur and provides for the continuance throughout the year of 22 temporary Sub-Courts and

1023 RESOLUTION RE LEGISLATION TO ORGANIZE ADMINISTRATIVE
VILLAGE PANCHAYATS.

(Mr. Siva Rao ; Mr. Ramaswami Ayyar ; [3RD APRIL 1919.
Mr. Rajagopala Achariyar.]

next December by which time the panchayats will have done one year's work ; we have given them a substantial amount in the budget and when these reports come, it will be time enough to consider the question of the future development of panchayats.

"So, the attitude of the Government was quite sympathetic. They waited to see how the informal panchayats worked. I dare say they have not been working well from the private inquiries I have been making, they have been failures. I do not know what the Collectors have reported. It is time that this simple reform should be proceeded with. I must say that in most other provinces, major provinces, Assam, Bengal and the United Provinces, steps have been taken to organize these panchayats and there are judicial panchayats which are entrusted with civil and criminal powers. In the matter of irrigation also the same thing has been done. They have only to confer some administrative powers. As the Government of India have suggested, the foremost powers to be entrusted are over education and village sanitation. I sincerely trust that the Government will take up this matter seriously now. The whole thing is mature and the reports must have been received by the Government. The Government must be able to say one way or the other. I say there is absolutely no use of perpetuating these lifeless skeletons. Nobody can think that any useful work will be done by them. It is time that not only the panchayats should be placed on a sound financial footing but care should be taken to vest them with powers and vest them with life."

The Hon'ble Mr. C. P. RAMASWAMI AYYAR :—"Your Excellency, in seconding this resolution, you will permit me to quote from the Government of India's proceedings of 1918. They say 'It is probably in the sphere of local self-government more than in any other that the changes which are now being effected in India will touch the great mass of the population. If the local administration is freed in the manner proposed from undue official guidance, a vast number of persons should feel themselves for the first time placed in effective control of the matters which affect their every day life.' In the Decentralization Commission's report three or four directions have been indicated for the purpose of the activities of these administrative village panchayats, namely, village sanitation, expenditure on minor works, the construction and maintenance of school-houses and local control in respect of school management and also fuel and fodder reserves. Attention has been drawn by the Honourable Mover to the question of judicial panchayats as to which a beginning has been made. In the Government of India's proceedings to which I have already referred, they say that this reform is unconnected with what may be called the existing local board development and ought to be developed from a different point of view, namely that these panchayats ought to be organized for the purpose of strengthening corporate village life wherever it exists. Undoubtedly the Government of India contemplate that certain provinces and localities may be unsuited for the purpose. I make bold to assert that if there is any portion of the country where experiments may be begun, it is this Presidency. I also desire to place before this Council the extreme undesirability and impracticability of relying upon voluntary effort alone. Unless legislative machinery and legislative sanction are given, the feeling of real responsibility and control will not be fostered in the members of the panchayats. For these reasons, I have great pleasure in seconding this resolution."

The Hon'ble Diwan Bahadur P. RAJAGOPALA ACHARIYAR :—"Your Excellency, I propose to accept this resolution. Ordinarily in circumstances like that, I would make no speech, but in view, however, of what has taken place in regard to this subject in the last three years and more, and what has been said in the course of the discussions, I would with Your Excellency's permission offer a few remarks to show the line of action which the Government have been pursuing and how we consider that we are justified in that line of action by what has taken place. The Hon'ble Mr. Siva Rao has quoted the order of the Government, No. 1410, dated 2nd October 1915. In that order, as Honourable Members will see by referring to it, we considered the question of the constitution of village panchayats for the administration of local affairs and we laid down that the constitution of union panchayats under the Local Boards Act should nevertheless be proceeded with. That was necessary because in urging the constitution of village panchayats several members took the view that there was something inconsistent between them and the union panchayats under the Local Boards Act. I believe it was suggested by more than one member that the one should take the place of the other. We felt that the union panchayats under the Local Boards Act had been doing good work and we saw no reason why they should be disturbed, because there was a demand for panchayats of a more elementary type. The union panchayats under the Madras Local Boards Act are intended for villages which are fairly large but are not fit to be made municipalities though they take a certain amount of interest in corporate activities, in education and sanitation and so on. The union panchayats are really the agents of the taluk boards in the villages. We have done several things during the last two or three years to facilitate the development of the panchayats under the Local Boards Act. We have simplified their accounts considerably, and I think we have started the work of the Madras rural boards is before the public, they will see what progress has been made in that direction."

"Having disposed of the union panchayats, the next thing which the Government had to face was the question of panchayats of a more elementary type. In regard to them, we felt that it would be convenient that these panchayats were first tried informally on a voluntary

RESOLUTION RE LEGISLATION TO ORGANIZE ADMINISTRATIVE 1029
VILLAGE PANCHAYATS.

3RD APRIL 1919.] (Mr. Rajagopala Achariyar ; Mr. M. Ramachandra Rao.)

basis for a while, so that we might pick up experience which would be useful to us in framing the law, if it was decided to place them on a statutory basis. The several purposes contemplated were control of village sanitation, the enforcement of vaccination, the execution and improvement of local works, the management of turns of irrigation, the enforcement of kudimaramat and the maintenance of village forests. Several of these things could not be done under the Madras Local Boards Act. We started this experiment and we said that these panchayats were to be administrative bodies working at the outset on a voluntary basis so as to allow full freedom for adaptation to the local circumstances of each village. The reports that we asked for on the work of these panchayats are before the Government with a review by the Board. The Honourable Mover has told us that these were fore-doomed to failure and he knew all through that they would not succeed. He would therefore be interested to learn that, so far as my reading of the work of these panchayats goes, I think the results have been encouraging, although the way in which they have worked justifies our caution in starting them on a voluntary basis before launching on legislation. Honourable Members would see in due course the reports of the Collectors and the review of the Board. The Board have recorded the opinion that so far as the reports disclose facts, apart from hopes and aspirations, it does not appear that these panchayats have achieved anything which would not have been achieved by panchayats regularly constituted under the Local Boards Act. There is considerable force in that criticism. Making ample allowance for that criticism, however, the Government have come to the conclusion that the whole result of the experiment is to show that there is scope for organizations of a simpler type than the local fund unions, organizations for which the elaborate frame-work provided by the Local Boards Act would not be suited. In regard to the critics of the voluntary panchayats I ask them to remember two things. Firstly voluntary organization is always a difficult thing. We have not got that element of coercion by which the few refractory people could be compelled to fall into line, the men who would not agree to work being done by others. There is the question of funds in the second place. Making allowance for all that, the Government are of opinion that the experiment leads us to the conclusion that we will be justified in proceeding to legislate for these panchayats and in framing our legislation we will have the great advantage that we have reports of the actual working of the village organizations all over the province. There is the great advantage that we would not legislate merely on theoretical lines for theoretical villages, but it is entering into legislation with the practical experience of what has been done in the matter of such organizations all over the Presidency. There is all the difference in the world between legislating merely on theoretical grounds and legislating on the results of the experience acquired."

"I am mentioning all these facts so that the Council may know why we have proceeded so cautiously. I knew there was a certain amount of impatience. Honourable Members felt that we should go somewhat faster. We are now putting a selected officer of the Provincial Civil Service on deputation for the purpose of drafting the law. All the papers on the working of the panchayats will be placed before him and when that is done, in the next few months we hope to convene a strong committee of officials and non-officials before whom the draft bill will be placed and they will have an opportunity of putting into final shape, so that we will all have a part in giving final shape to it. Now that I have explained the situation, let me say on behalf of the Government that I accept the resolution."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO :—"Your Excellency, we are thankful that the Hon'ble Mr. Rajagopala Achariyar after the exertions of half a dozen years or so has come to the conclusion that it is necessary to undertake legislation. I have heard the statement of the Government with satisfaction, and I trust that efforts will be made not to lose any further time. But I should like to bring to his notice, now that the Government have decided to put an officer on special duty, that already some experience has been gained with reference to forest panchayats. They are now on a voluntary basis and I trust, when this law comes to be framed, the working of these panchayats would also be placed on a statutory basis. The other day Your Excellency's Government were pleased to publish a Bill as regards the constitution of irrigation panchayats. That is the second matter which has to be considered in framing this Bill—the question as to how far and to what extent should the village efforts be protected. The statutory restrictions on the powers of the panchayats of the functional type which may have to deal purely with irrigation matters should be considered. I am bringing these matters to the notice of Your Excellency's Government to see that this new enactment is as comprehensive as possible and as elastic as possible, so that the panchayats either of the general type or the functional type may be constituted. In this connexion, I should like to mention the new Bill now under the consideration of the Bengal Council, the Village Government Bill. It is a comprehensive measure of 115 sections which enables panchayats constituted for judicial or administrative purposes, to discharge the functions which the present local funds unions are now discharging and which gives them some amount of control over the police in the village. I am merely mentioning these facts with a view to see that the special officer goes into the whole question thoroughly and not necessarily from the point of view of meeting the case of informal panchayats which formed the subject of inquiry, but all aspects of village life such as those contemplated by the resolution of the Government of India. I should therefore think that our efforts all these years have not been in vain and at last we have been able to make the Government agree with us. In bringing these remarks to a close, I must refer to the attitude of the Board of Revenue—"

Reference to page
in the Civil Budget
Estimate.

BUDGET OF THE

27 District Munsifs' Courts; it also contains an enhanced provision of .70 on account of war allowances in addition to the enhanced allowances included in the sum of 3.25 entered in the summary. The following lump provisions have also been entered in the budget:—

- 89 .30, anticipated increase for additional process-serving establishment.
- 77 .82, to pay for a permanent increase in the number of civil courts and the consequent permanent appointment and regrading of Sub-Judges and District Munsifs and
- 77 .73, to pay for revision of the pay of clerical establishments in mufassal courts.

84-87 41. *Criminal Courts*.—Under this minor head, the variations in the figures follow the corresponding alterations under the minor head 3-A. **LAND REVENUE—Charges of District Administration**, a portion of which is transferred to this head. A larger provision under 'supplies and services' and 'contingencies' contributes to the increase in the budget estimate for 1919-1920 over the revised estimate for 1918-1919.

XVI-B. & 19-B. Law and Justice—Jails.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Jails	.08	.07	.09	.07	.12	.08
Jail manufactures	5.03	5.62	7.61	6.03	9.80	7.00
Total	5.11	5.69	7.70	6.10	9.92	7.08

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Jails	11.36	11.41	11.10	11.58	12.72	12.78
Jail manufactures	3.92	4.22	5.60	4.45	7.84	5.31
Additional provision for enhanced war allowances.	..	..	..	..	..	.14
Total	15.28	15.63	16.70	16.03	20.56	18.23

Revenue.

42. The main source of receipts under the major head **LAW AND JUSTICE—JAILS** is the sale-proceeds of articles manufactured in jails and supplied to public departments.

43. *Jail manufactures*.—Large supplies to the Military Department contribute to the increase in the revised estimate for 1918-1919.

Expenditure.

44. Under this head are shown (a) the expenditure connected with the staff employed in the supervision of jails, (b) the charges for the maintenance of convicts, and (c) the cost of the purchase of raw materials for jail manufactures. Items (b) and (c) are fluctuating, being dependent on the strength of the jail population and on demands for jail industries. Variations in the prices of food-grains, and outbreaks of epidemic diseases in jails, also affect the charges for maintenance of prisoners.

45. *Jails*.—The increase in the revised estimate for 1918-1919 as compared with the budget for that year occurs mainly under "Dietary Charges". Against the current year's budget estimate of 4.95 for this item, the revised estimate for 1918-

GOVERNMENT OF MADRAS FOR 1919-1920

1189 Reference to page
in the Civil Budget
Estimate.

1919 and the budget for 1919-1920 are placed at 5.72 and 5.50, respectively. The budget for 1919-1920 contains additional provision for the salaries of officers and war allowances.

46. *Jail manufactures*.—The estimates have, as usual, been framed with reference to the probable demands for jail manufactures next year. The increase in the revised estimate for 1918-1919 as compared with the budget for that year is due to heavy demands for jail-made goods, chiefly from the Military Department. The budget for 1919-1920 does not anticipate a continuance of such demands.

XVII. & 20. Police.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Police supplied to Municipal, Cantonment and Town funds ..	.01	..	..	..	..	..
Police supplied to public departments, private companies and persons	.49	.56	.63	.58	.64	.72
Presidency Police	.61	.67	.66	.69	.65	.65
Fees, fines and forfeitures	3.70	3.70	3.87	3.76	3.79	3.82
Superannuation receipts	.04	.03	.04	.04	.04	.04
Miscellaneous	.22	.24	.20	.25	.21	.23
Total	5.07	5.20	5.40	5.32	5.33	5.46

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Presidency Police	5.65	5.88	5.86	6.11	6.12	6.60
Superintendence	2.20	2.28	2.24	2.23	2.31	2.23
District Executive Force	79.96	84.50	86.79	89.00	89.07	90.42
Village Police	15.40	15.40	15.45	15.77	15.48	15.94
Criminal Investigation Department	1.68	1.63	1.61	1.69	1.65	1.68
Railway Police	1.46	1.38	1.40	1.50	1.43	1.49
Cattle Pounds	2.33	2.37	2.30	2.36	2.27	2.39
Miscellaneous	1.41	1.30	1.67	2.06	2.11	2.25
Refunds	.01	.01	.01	.01	.02	.01
Additional provision for enhanced war allowances	..	..	..	..	..	13.50
Total	110.10	114.75	117.33	120.73	120.46	136.51

Revenue.

47. The receipts under this head consist mainly of (a) fees and fines levied under the Cattle Trespass Act, 1871, (b) the recovery of the cost of the police supplied to the public departments, private companies and persons, and (c) fees levied under the Madras Hackney Carriage Act, 1911, and the Indian Motor Vehicles Act, 1914.

Expenditure.

48. The cost of the establishments maintained in connexion with cattle pounds is debited to this head, but the bulk of the expenditure relates to the Police department. The charges relating to the establishment and maintenance of settlements for

BUDGET OF THE

the reclamation of criminal tribes and for the reception of prisoners are also recorded under the minor head *Miscellaneous*. The settlements for the reception of prisoners have however been abolished as such since July 1917 and have been constituted as reformatory settlements under the Criminal Tribes Act.

49. *Presidency Police*.—The budget estimate for 1919-1920 allows for a full year's provision for a second Assistant Commissioner of Police in the Madras City, an increase in the number of city sub-inspectors and sergeants and better recruitment in the town and suburban police force. It also includes the usual lump grant of ₹22 for the renting of quarters for subordinate police officers in the Madras City. All subordinate officers of the City Police are entitled to free quarters, and residences are being constructed for them as funds are available. In the meanwhile the Inspector-General of Police has been empowered to rent houses for such of these officers as have not yet been provided with Government quarters.

50. *Superintendence*.—The salaries of the Inspector-General and of the Deputy Inspectors-General and of their establishments are accounted for under this minor head.

51. *District Executive Force*.—The salaries of District Superintendents, Assistant and Deputy Superintendents and of their establishments, and the cost of the District Police force, the Provincial Training School at Vellore and the recruit schools for constables are included under this minor head.

52. The scheme for the revision of the pay of the mufassal constabulary was brought into effect during 1916-1917 and it has contributed to increased expenditure from and after that year. The budget for 1918-1919 provided for the full sanctioned strength of the District Police force less probable savings representing the cost of so much of the force as was not likely to be recruited in 1918-1919. Savings are anticipated under 'Salaries' owing to several Assistant Superintendents having joined the Indian Army Reserve of Officers. There is also a saving under Police Force—General and Rewards. These savings are more than counterbalanced by the increases due to the grant of war allowances to the Police executive staff from the 1st January 1919 and by larger expenditure on the police entertained in consequence of plague. The budget estimate for 1919-1920 provides for the return of officers now on military duty and better recruitment. Larger provision has been made under travelling allowances as police constables have now been granted increased daily allowances and the concession of drawing family travelling allowance for journeys on transfer exceeding 200 miles. Larger provision has also been made under 'Supplies and services', chiefly in connexion with clothing, uniforms, arms and accoutrements and rewards. The lump provision of ₹73 entered in the budget for 1918-1919 for the renting of quarters for the mufassal constabulary has been repeated in the ensuing year's budget.

53. The expenditure in connexion with police talaiyaris appears under the minor head *Village Police*. Savings anticipated in the provision for talaiyaris in proprietary tracts account for the decrease in the revised estimate under this minor head.

54. The charges of the *Criminal Investigation Department* including the finger-print establishment, which forms part of this branch, are shown under the fifth minor head. The department is controlled by a Deputy Inspector-General who also supervises the Railway Police.

55. The minor head *Railway Police* includes the cost of the police staff employed on railways, and one-fourth of the salary of the Deputy Inspector-General for Criminal Investigation and Railways, and of his office establishment. The cost of supervision and of the police executive staff is distributed among the railway companies concerned in proportion to mileage. Seven-tenths of the aggregate cost is recoverable from the companies, the recoveries being shown as deductions from charges.

56. Under the next minor head is shown the expenditure on account of *cattle pounds* in the mufassal, the charges on account of the pounds in Madras being debited to the minor head *Presidency Police*.

57. *Miscellaneous*.—The budget estimate for 1918-1919 included a lump provision of ₹50 for the construction of school buildings in connexion with the industrial home for the children of criminals at Perambūr. A sum of ₹20 only is expected to be

GOVERNMENT OF MADRAS FOR 1919-1920

spent in the current year and a provision of ₹40 has been included in the budget estimate for 1919-1920. The budget for 1919-1920 also includes provision for non-recurring expenditure in the settlement at Bhumannagadda, Chittoor district, on various objects, such as the construction of a boarding school and an inspection bungalow.

XVIII. & 21. Ports and Pilotage.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Revenue	..	·01	·004	..	·01	·01

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Marine establishments	·47	·37	·51	·43	·49	·49

Revenue.

58. The actuals for 1917-1918 (Rs. 410) represent chiefly the value of unserviceable stores taken over by the Public Works Stores from the Agent for Government Consignments.

Expenditure.

59. The charges under this head relate to the office of the Agent for Government Consignments.

XIX. & 22. Education.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Fees—Government Colleges—General.	1·20	1·27	1·33	1·30	1·40	1·63
Fees—Government Colleges—Professional.	1·09	1·23	1·29	1·19	1·48	1·49
Fees—Schools—General	·40	·42	·43	1·32	·40	1·46
Fees—Schools—Special	·13	·14	·14	·15	·17	·23
Income from Endowments	·01	·01	·04	..	·07	·05
Contributions	·27	·47	·32	·32	·27	·34
Miscellaneous	..	..	..	..	..	..
Total ..	3·10	3·54	3·55	4·28	3·79	5·20

BUDGET OF THE

the reclamation of criminal tribes and for the reception of prisoners are also recorded under the minor head *Miscellaneous*. The settlements for the reception of prisoners have however been abolished as such since July 1917 and have been constituted as reformatory settlements under the Criminal Tribes Act.

49. *Presidency Police*.—The budget estimate for 1919-1920 allows for a full year's provision for a second Assistant Commissioner of Police in the Madras City, an increase in the number of city sub-inspectors and sergeants and better recruitment in the town and suburban police force. It also includes the usual lump grant of £22 for the renting of quarters for subordinate police officers in the Madras City. All subordinate officers of the City Police are entitled to free quarters, and residences are being constructed for them as funds are available. In the meanwhile the Inspector-General of Police has been empowered to rent houses for such of these officers as have not yet been provided with Government quarters.

50. *Superintendence*.—The salaries of the Inspector-General and of the Deputy Inspectors-General and of their establishments are accounted for under this minor head.

51. *District Executive Force*.—The salaries of District Superintendents, Assistant and Deputy Superintendents and of their establishments, and the cost of the District Police force, the Provincial Training School at Vellore and the recruit schools for constables are included under this minor head.

52. The scheme for the revision of the pay of the mufassal constabulary was brought into effect during 1916-1917 and it has contributed to increased expenditure from and after that year. The budget for 1918-1919 provided for the full sanctioned strength of the District Police force less probable savings representing the cost of so much of the force as was not likely to be recruited in 1918-1919. Savings are anticipated under 'Salaries' owing to several Assistant Superintendents having joined the Indian Army Reserve of Officers. There is also a saving under Police Force—General and Rewards. These savings are more than counterbalanced by the increases due to the grant of war allowances to the Police executive staff from the 1st January 1919 and by larger expenditure on the police entertained in consequence of plague. The budget estimate for 1919-1920 provides for the return of officers now on military duty and better recruitment. Larger provision has been made under travelling allowances as police constables have now been granted increased daily allowances and the concession of drawing family travelling allowance for journeys on transfer exceeding 200 miles. Larger provision has also been made under 'Supplies and services', chiefly in connexion with clothing, uniforms, arms and accoutrements and rewards. The lump provision of £73 entered in the budget for 1918-1919 for the renting of quarters for the mufassal constabulary has been repeated in the ensuing year's budget.

53. The expenditure in connexion with police talaiyaris appears under the minor head *Village Police*. Savings anticipated in the provision for talaiyaris in proprietary tracts account for the decrease in the revised estimate under this minor head.

54. The charges of the *Criminal Investigation Department* including the fingerprint establishment, which forms part of this branch, are shown under the fifth minor head. The department is controlled by a Deputy Inspector-General who also supervises the Railway Police.

55. The minor head *Railway Police* includes the cost of the police staff employed on railways, and one-fourth of the salary of the Deputy Inspector-General for Criminal Investigation and Railways, and of his office establishment. The cost of supervision and of the police executive staff is distributed among the railway companies concerned in proportion to mileage. Seven-tenths of the aggregate cost is recoverable from the companies, the recoveries being shown as deductions from charges.

56. Under the next minor head is shown the expenditure on account of *cattle pounds* in the mufassal, the charges on account of the pounds in Madras being debited to the minor head *Presidency Police*.

57. *Miscellaneous*.—The budget estimate for 1918-1919 included a lump provision of £50 for the construction of school buildings in connexion with the industrial home for the children of criminals at Perambūr. A sum of £20 only is expected to be

GOVERNMENT OF MADRAS FOR 1919-1920

spent in the current year and a provision of £40 has been included in the budget estimate for 1919-1920. The budget for 1919-1920 also includes provision for non-recurring expenditure in the settlement at Bhumannagadda, Chittoor district, on various objects, such as the construction of a boarding school and an inspection bungalow.

XVIII. & 21. Ports and Pilotage.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1916-1916.	1916-1917.	1917-1918.			
Revenue	..	·01	·004	..	·01	·01

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1916-1916.	1916-1917.	1917-1918.			
Marine establishments	·47	·37	·51	·43	·49	·49

58. The actuals for 1917-1918 (Rs. 410) represent chiefly the value of unserviceable stores taken over by the Public Works Stores from the Agent for Government Consignments.

59. The charges under this head relate to the office of the Agent for Government Consignments.

XIX. & 22. Education.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1916-1916.	1916-1917.	1917-1918.			
Fees—Government Colleges—General.	1·20	1·27	1·33	1·30	1·40	1·63
Fees—Government Colleges—Professional.	1·09	1·23	1·29	1·19	1·48	1·49
Fees—Schools—General	·40	·42	·43	1·32	·40	1·46
Fees—Schools—Special	·13	·14	·14	·15	·17	·23
Income from Endowments	·01	·01	·04	..	·07	·05
Contributions	·27	·47	·32	·32	·27	·34
Miscellaneous	..	..	..	..	..	..
Total ..	3·10	3·54	3·55	4·28	3·79	5·20

BUDGET OF THE

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
University	85	1-03	86	99	99	2-05
Direction	91	92	94	91	1-02	87
Inspection	8-47	8-47	8-71	9-26	9-06	9-94
Government Colleges—General ..	4-06	4-61	4-48	4-92	4-59	5-47
Government Colleges—Profes- sional.	2-54	2-80	3-29	3-57	3-38	3-68
Government Schools—General ..	21-15	22-34	31-51	31-83	40-22	46-67
Government Schools—Special ..	7-61	8-19	8-73	10-19	9-57	12-44
Grants-in-aid	29-50	32-91	33-52	38-74	37-13	43-16
Scholarships	1-44	1-58	1-67	1-71	1-68	1-93
Miscellaneous	43	30	33	36	33	36
Refunds	01	02	02	02	03	02
Lump allotment for the development of primary education.	..	..	..	5-50	..	..
Lump allotment for taking over the management of four secondary schools.	..	..	..	1-11	..	1-32
Lump allotment for opening three Government secondary schools for girls.	..	..	..	..	..	23
Lump allotment for Medical inspec- tion of schools	..	..	..	08	..	14
Other lump allotments	..	..	..	3-79	..	..
Additional provision for enhanced war allowances.	..	..	..	..	..	70
Total ..	76-97	83-17	94-05	112-98	108-00	128-98

Revenue.

60. *Fees—Government Colleges—General and Professional.*—The figures under these two minor heads depend upon the strength of the Government Arts Colleges and of the Law College. The budget estimate for 1919-1920 under "Government Colleges—General," takes credit for 23 being the anticipated fee-income from the Victoria College, Palghat, to be taken under Government management.

61. *Fees—Schools—General.*—The budget for 1918-1919 took credit for 89, being the estimated fee-income from secondary schools to be taken under Government management. The scheme will, however, not be introduced in 1918-1919. The budget for 1919-1920 includes (a) 89, being the fee-income from the schools referred to above, and (b) 14 being the fee-income from the school department of the Palghat College which is also to be taken under Government management.

Expenditure.

62. *University.*—The budget estimate of 2-05 for 1919-1920 is made up of (a) 65 being the recurring Imperial grant, (b) 20 for expenses in connexion with travelling allowances to Fellows, (c) 20 (against 13 in 1918-1919) as a grant towards the cost of publishing a Tamil lexicon, making a total of 87 out of 1 lakh promised, and (d) 1-00 for a further instalment for expenditure on the construction of the University library buildings, thus completing the promised grant of 3-00.

63. *Inspection.*—Of the 75 posts of additional Sub-Assistant Inspectors of Schools which have been sanctioned temporarily from time to time in order to cope with the increased work resulting from the advance of primary education, 54 posts have since been added to the permanent cadre. The variations between the figures relating to the budget and revised estimate for 1918-1919 occur mainly under "Salaries" and "Allowances." The budget for 1919-1920 includes a total provision of 60 (which comes out of the recurring Imperial grant of 5-50 for the development of primary education—vide paragraph 73 *infra*), for (i) appointment of an additional inspectress of schools (13), (ii) addition of four Inspectors' circles (23), and (iii) appointment of twelve additional Sub-Assistant Inspectors (24).

* The expenditure in the revised estimate for 1918-1919 is included under "Government Schools—General—Secondary schools for boys—Supplies and Services" (page 132, Civil Budget Estimate).

64. *Government Colleges—General.*—The decrease in the 1918-1919 as compared with the budget for that year occurs chiefly under "Supplies and Services—European Stores." The revised estimate for the current year includes expenditure on account of (1) the Ceded Districts College at Anantapur which has been raised to the status of a first-grade College, (2) additional Assistant Lecturers in the Presidency, Kumbakonam, Rajahmundry and Mangalore Colleges, and (3) the College for Muhammadans which has been opened in the Government Madrasa-i-Azam, Madras.

The budget for 1919-1920 contains provision for the Palghat College which it is proposed to take under Government management, and for larger allotments under "Supplies and Services."

65. *Government Schools—General.*—The details of the figures under this minor head are:—

	Accounts, 1917-1918.	Budget, 1918-1919.	Revised, 1918-1919.	Budget, 1919-1920.
(a) Government Schools, proper (secondary and elementary schools for boys and girls)	4-21	4-82	4-80	5-67
(b) Payments in support of local board and municipal schools (secondary, elementary and sessional).	27-30	27-01 + 2-20 *	35-42	41-00
Total ..	31-51	31-83 + 2-20 *	40-22	46-67

* For opening new board high and middle schools (2-09) and night schools (1-11).

66. *Government Schools—Proper.*—The budget for 1919-1920 contains larger provision for "Allowances," "Supplies and Services" and "Contingencies" and includes allotments of (i) 13 for Muhammadan secondary schools recently opened at Kurnool and Guntur, (ii) 05 for a Muhammadan secondary school to be opened at Trichinopoly, (iii) 14 for the opening of three secondary schools for girls (Masuli-patam, Cuddalore and Mangalore), (iv) 06 for the reorganization of the girls' schools at Vizianagram, Suryaraopet and Guntur, and (v) 09 for improvement of Muhammadan education.

67. *Payments in support of local board and municipal schools.*—It is under this sub-head and under the minor head "Grants-in-aid" that the bulk of the expenditure in connexion with the expansion and improvement of elementary education occurs. The following statement shows the details of the charges under this sub-head:—

	Actuals, 1917-1918.	Budget, 1918-1919.	Revised, 1918-1919.	Budget, 1919-1920.
<i>Recurring.</i>				
(i) Elementary schools	19-01	16-28 (a) + 4-50 (b) + 1-23	21-94 + 01	21-94 + 01
(ii) For opening new elementary schools and strengthening existing elementary schools..	..	..	1-60	4-07 + 2-00
(iii) For raising the minimum pay of teachers in elementary schools	..	[(c) 11]	11	1-27 12
(iv) Night schools	1-69	1-92 + 11	2-05	2-05
(v) Secondary and sessional schools	..	[(c) 2-09]	2-09	2-09
(vi) New Board high and middle schools ..	..	24-04 [(c) + 2-20]	26-19 + 1-61	30-27 + 3-28
Total ..	20-70	24-04 [(c) + 2-20]	26-19 + 1-61	30-27 + 3-28

NOTE.—The figures in italics represent expenditure from the recurring Imperial grant of 5-50—vide paragraph 73 *infra*.
(a) For opening new elementary schools, proposals in regard to which were sanctioned in 1917-1918.
(b) For raising the minimum pay of teachers proposals in regard to which were sanctioned in 1917-1918.
(c) These were entered as lump allotments in the summary under the major head in the budget for 1918-1919.

BUDGET OF THE

	Actuals, 1917-1918.	Budget 1918-1919.	Revised 1918-1919.	Budget 1919-1920.
<i>Non-recurring.</i>				
(vii) Elementary schools	3.41	1.00	{ 2.00 + 3.67 }	3.85
(viii) Secondary schools	3.19	(a) 1.97	(a) 1.95	(a) 3.60
Total ..	6.60	2.97	{ 3.95 + 3.67 }	7.45
Grand Total ..	27.30	27.01 +2.20]	30.14 + 5.28	37.72 + 5.28

NOTE.—The figures in italics represent expenditure from the recurring Imperial grant of 5.50—vide paragraph 73 infra.

(a) Includes .10 for equipment.

68. *Item (ii).*—Proposals costing 6.07 per annum have been sanctioned recently. They are made up of—

- (a) 4.48 for opening 1,170 new elementary schools (1,023 under local boards and 147 in municipalities);
- (b) .87 for strengthening the staff of 562 schools; and
- (c) .72 for opening higher standards in 300 existing schools.

6.07

69. *Item (vi).*—With the object of providing additional facilities for secondary education and of relieving congestion in the existing secondary schools in the Presidency, 18 of the incomplete secondary schools managed by local bodies have been raised to the grade of complete secondary schools and 49 new middle schools have been opened in the course of the current year under the management of local bodies.

70. *Items (vii) and (viii).*—The budget for 1919-1920 includes the following allotments which have been entered in accordance with the recommendation of the Finance Committee of January 1919:—

- (1) Grants to local bodies for elementary school buildings 3.85
- (2) Grants to local bodies for secondary school buildings 2.50
- (3) Grants to local bodies for the equipment of secondary schools 1.00

Total .. 7.35

71. *Government Schools—Special.*—The decrease in the revised estimate for 1918-1919 as compared with the budget for that year occurs chiefly under the provision for training schools for masters and mistresses and in the allotment of .62 for opening manual training centres. Of this latter amount, a sum of .06 will be spent on equipment, while .21, representing expenditure on buildings, will appear under the head “45. CIVIL WORKS—Public Works Department.” The balance of .35 has been resumed and provided for in the budget for 1919-1920 under “45. CIVIL WORKS—Public Works Department.”

The revised estimate for 1918-1919 includes expenditure on account of (1) the Civil Engineering School, Vizagapatam (a provision of .31 was entered in the budget in the summary under the major head); and (2) the Institute of Commerce, Madras.

The budget for 1919-1920, besides providing for a full year's charge on account of these two institutions, contains enhanced provision for training schools for masters and mistresses and allotments for the following purposes:—

- (a) .20 for manual training centres (in addition to .35 entered for buildings under 45. Civil Works—Public Works Department).
- (b) .25 for opening two agricultural middle schools (in addition to .25 entered for buildings under 45. Civil Works—Public Works Department); and
- (c) .66 for opening three elementary training schools.

GOVERNMENT OF MADRAS FOR 1919-1920

It also includes .53 from the recurring Imperial grant of 5.50—vide paragraph 73 infra—for opening (1) a higher elementary training school at Amalapur (.23), (2) a training school for Muhammadan women at Trichinopoly (.12), (3) a secondary training class at Ranipet (.04) and (4) an additional elementary training school (.14).

72. *Grants-in-aid.*—The total figures under this minor head may be broadly classified as follows:—

72. *Grants-in-aid*—The total classified as follows:—

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
<i>A—Recurring.</i>						
(1) Teaching grants—elementary schools	16.07	17.50	19.25	19.89	20.89	21.39 + 1.00*
(2) Teaching grants—training schools, including stipendiary grants	1.44	1.36	1.60	2.27	2.36	2.45 + .09*
(3) Teaching and other grants to colleges, secondary schools, and schools other than elementary	7.85	7.92	8.71	9.32	9.46	9.97
Total (recurring) ..	25.36	26.78	29.56	31.48	32.71	33.81 + 1.09*
<i>B—Special.</i>						
(4) Grants for buildings, furniture, apparatus, hostels, etc. ..	4.14	6.13	3.96	7.26	4.42	8.28
Grand total ..	29.50	32.91	33.52	38.74	37.13	43.16

* From the Imperial recurring grant of 5.50.

* From the Imperial recurring grant of 5.50.

Item (4).—The decrease in the revised estimate occurs under building grants. In accordance with the recommendation of the Finance Committee of January 1919, the budget for 1919-1920 includes a total provision of 1.50 for (i) grants to aided secondary schools for equipment (1.00) and (ii) grants for playgrounds (.50).

73. *Lump allotment for the development of primary education.*—With effect from 1918-1919 the Government of India have sanctioned a recurring assignment of 5.50 from Imperial revenues for the development of primary education. This sum, which was entered as a lump allotment in the budget for 1918-1919 in the summary under the major head has been distributed among the several minor heads both in the revised estimate for 1918-1919 and in the budget for 1919-1920 as shown below:—

REVISED ESTIMATE FOR 1918-1919.

<i>22-B. Government Schools—General—</i>		
(1) Subsidies to local bodies for opening elementary schools		1.60
(2) Subsidies to local bodies for elementary school buildings		3.67
(3) Subsidy to Gudiyattam municipality		.01
<i>22-F. Government Schools—Special—</i>		
(4) Schools for boys of fishermen under the Fisheries department		.22
		5.50

BUDGET FOR 1919-1920.

<i>(a) 22-B. Inspection—</i>		
(i) Appointment of an additional Inspectress of Schools (including allowances, supplies and services)		.13
(ii) Addition of four Inspectors' circles		.23
(iii) Appointment of twelve additional Sub-Assistant Inspectors		.24
		.60

BUDGET OF THE

(b) 22-E. Government Schools—General—			
(iv) Opening of new elementary schools	2-00		
(v) Raising the minimum pay of teachers in elementary schools	1-27		
(vi) Subsidy to Gudiyattam municipality	01	3-28	
(c) 22-F. Government Schools—Special—			
(vii) Opening of a higher elementary training school at Amalapur	23		
(viii) Opening of a training school for Muhammadan women at Trichinopoly	12		
(ix) Opening of a secondary training class at Ranipet ..	04		
(x) Opening an additional elementary training school ..	14	53	
(d) 22-G. Grants-in-aid—			
(xi) Raising the teaching grant of teachers in aided elementary schools	1-00		
(xii) Subsidy to aided secondary schools for training teachers	09	1-09	
		5-50	

73a. Lump allotment for medical inspection of schools.—In accordance with the recommendation of the Finance Committee, the provision of 08 originally entered in the budget for 1919-1920 has been raised to 14.

74. Other lump allotments.—The following items which appeared as lump allotments in the budget estimate for 1918-1919 have, in the revised estimate for 1918-1919 and the budget estimate for 1919-1920, been entered under the minor heads specified against each:—

(a) Opening new Board high and middle schools.	2-09	Government Schools—General.
(b) Improvement of Muhammadan education.	75	Government Colleges—General. Government Schools—General— Scholarships.
(c) Civil Engineering school, Vizagapatam.	31	Government Schools—Special.
(d) Female education	53	Government Schools—General. Government Schools—Special.
(e) Night schools	11	Government Schools—General.
	3-79	

75. The budget figure under the major head which stood at 94.79 in 1917-1918 rose to 112.98 in 1918-1919 after including the recurring Imperial grant of 5.50 given by the Government of India with effect from the current year for the development of elementary education. The budget for 1919-1920 is placed at 123.98 which exceeds the current year's budget by 16.00. Of this excess, a sum of 6.34 represents recurring charges for the improvement and expansion of elementary education. This sum of 6.34 is made up of 4.00 for subsidies to local bodies for elementary schools, .66 for opening three elementary training schools, and 1.68 for teaching grants to aided elementary and training schools.

GOVERNMENT OF MADRAS FOR 1919-1920

1197 Reference to page in the Civil Budget Estimate.

XX-A. & 24-A. Medical.

5-16

Revenue.						
	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1916-1916.	1916-1917.	1917-1918.			
Medical School and College fees ..	41	43	49	50	61	60
Hospital receipts	37	40	44	45	54	48
Lunatic Asylum receipts	23	23	25	25	24	25
Contributions	20	29	30	1.04	1.40	1.26
Miscellaneous	07	07	09	11	11	12
Total ..	1.28	1.42	1.57	2.35	2.90	2.71

141-177

Expenditure.						
	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1916-1916.	1916-1917.	1917-1918.			
	4.21	4.55	4.43	4.63	4.61	5.33
Medical establishment	7.63	8.29	11.75	14.35	14.42	22.49
Hospitals and dispensaries	17	01	02	02	15	15
Grants for medical purposes	2.78	3.21	3.53	4.86	4.64	5.32
Medical Schools and College	1.68	1.60	1.66	1.89	1.80	2.10
Lunatic Asylums	27	32	32	33	30	33
Chemical Examiner	03	01	02	02	03	02
Refunds	..	..	..	24	..	..
Revision of pay of Sub-Assistant Surgeons.	..	..	..	..	..	15
Constitution of a women's subordinate medical service.	..	..	..	..	..	25
Post-graduate course for Civil Assistant Surgeons.	..	..	..	..	..	50
Medical School for Women at Madras.	..	..	..	..	..	03
Additional provision for enhanced war allowances.	..	..	..	..	..	..
Total ..	16.77	17.99	21.73	26.34	25.95	36.67

76. The receipts and charges on account of sanitation were prior to the year 1916-1917 exhibited under the major head 'Medical.' In view of the increased interest now taken in sanitation, it was decided in 1916-1917 to create a separate major head for this purpose in order to bring out more prominently the provision made and the expenditure incurred on this object. The former heads XX. & 24. MEDICAL were accordingly subdivided into XX-A. & 24-A. MEDICAL and XX-B. & 24-B. SANITATION.

15-16

77. Medical school and college fees.—The increase from 1917-1918 is due to the increased rate of fees levied from private pupils and students coming from other provinces and Native States, to the opening of an additional medical school at Calicut and to increases in the number of pupils.

78. The minor head Lunatic Asylum receipts comprises payments by private persons for the maintenance of lunatics, and the sale-proceeds of work executed by patients in lunatic asylums.

15

79. Contributions.—The figures for 1918-1919 and 1919-1920 under this minor head include (i) the contributions from local bodies in consequence of the transfer of headquarter hospitals to Government, and (ii) the contribution of 29 from the Madras Corporation, towards the maintenance of Government hospitals and dispensaries in the city (20) and of the Georgetown dispensary (09).¹

15

Expenditure.

80. *Medical establishment.*—Since 1914–1915, there has been a decrease under this head, owing mainly to savings in the salaries of Indian Medical Service officers transferred to military duty in connexion with the war. The figures from 1916–1917 include additional expenditure on account of the revision of the pay of civil assistant surgeons, under which they were placed on a time-scale of pay rising from Rs. 100 to Rs. 300 with two senior grades on Rs. 325 and Rs. 350.

The increase in the budget estimate for 1919–1920 allows for the return of officers from military duty on demobilization being ordered.

81. *Hospitals and dispensaries.*—With effect from the year 1915–1916, grants to local and private bodies in aid of medical buildings have been shown under this minor head instead of under CIVIL WORKS.

The figures from 1916–1917 include expenditure on account of the maintenance of the new Rayapuram Hospital.

The increase in the actuals for 1917–1918 as compared with the previous year represents mainly large non-recurring grants given to local bodies for medical buildings. The revised estimate for the current year, besides including provision for similar grants to local and private bodies, takes account of the charges in connexion with the transfer of the management of headquarter hospitals to Government for which a lump provision of 2·50 was entered in the budget estimate for 1918–1919.

81a. The budget for 1919–1920 includes a provision of ·10 for the appointment of travelling sub-assistant surgeons in mufassal hospitals which has been entered in pursuance of the acceptance of a resolution moved during the discussion of the Amended Draft Financial Statement.

82. The large increase in the budget estimate for 1919–1920 is due to the following causes:—

(a) Increased provision for salaries and supplies and services under Presidency Hospitals and dispensaries.

(b) Provision for the taking over of the Royapetta Hospital by Government.

(c) Increase under mufassal hospitals and dispensaries on account of additional provision for headquarter hospitals taken over by Government from local bodies.

(d) Reorganization of certain hospital establishments.

(e) Larger provision on account of half grants for new hospitals opened by local bodies.

(f) Lump provision of ·50 on account of grants to private hospitals.

Item (b).—The taking over of the Royapetta Hospital by Government is under consideration and a provision of 3·25 has been entered for this purpose.

Item (c).—The hospital at Bellary was taken under Government management from the 1st December 1917 and the headquarter hospitals at Coimbatore, Anantapur, Berhampur, Chingleput, Chittoor, Cocanada, Cuddapah, Guntūr, Madura, Masulipatam, Ramnad, Tanjore and Vellore were taken under Government management with effect from the 1st April 1918. The hospitals at Cuddalore and Vizagapatam were taken over by Government with effect from 1st July 1918 and the hospitals at Kurnool and Mangalore will be transferred to Government from the 1st April 1919.

Item (d).—Provision has been made for the reorganization of the establishment of mufassal headquarter hospitals (·20), Presidency medical institutions (·06) and the X-ray department in the Government General Hospital, Madras (·06).

Item (e).—A provision of ·55 (·18 for municipalities and ·37 for district boards) has been made, as against ·45 in the current year, to meet half the initial and recurring charges of new hospitals and dispensaries opened by local bodies under the undertaking given by Government in March 1915. This amount is intended to meet recurring grants in respect of institutions opened up to the end of 1918–1919 and the initial charges for institutions to be opened in 1919–1920. The recurring grants for the latter are payable only with effect from 1920–1921.

83. On the recommendation of the Finance Committee a total provision of 3·00 has been entered in the budget estimate for 1919–1920 for grants to local bodies for medical buildings.

84. *Grants for medical purposes.*—With reference to the revised classification referred to in paragraph 76 ante, charges incurred on preventive measures in connexion with bubonic plague and the contribution of Government to the Pasteur Institute at Coonoor are now shown under the major head 24-B. SANITATION.

The grant hitherto paid to the Provincial Committee of the Countess of Dufferin's Fund to enable them to give stipends to women desirous of studying medicine has, with effect from the 1st September 1916, been disbursed direct from Provincial funds without the intervention of the committee. The expenditure is accordingly now debited to the more appropriate minor heads, Medical Schools and College, and 22-H. EDUCATION—*Scholarships*.

The increase in the revised estimate for the current year over the budget estimate is due to the inclusion of provision for the training of sub-assistant surgeons in Ankylostomiasis (·03) and for investigation of indigenous drugs (·10). The budget estimate for 1919–1920 contains a provision of ·13 for the latter purpose.

85. *Medical College and Schools.*—The increase in the budget estimate for 1919–1920 over the revised estimate for the current year occurs mainly under "Salaries" and is due to the increase in the number of instructors employed in the various medical schools and to the grant to them of teaching and hospital allowances at enhanced rates. This is counterbalanced to a small extent by a decrease under "Allowances."

86. *Lunatic Asylums.*—The increase in the budget estimate for 1919–1920 as compared with the revised estimate for 1918–1919 occurs mainly under 'Supplies and Services' and allows for a larger number of inmates and also for the rise in prices of provisions, bedding and clothing.

XX-B. & 24-B. Sanitation.*Revenue.*

	Accounts.			Budget estimate, 1918–1919.	Revised estimate, 1918–1919.	Budget estimate, 1919–1920.
	1915–1916.	1916–1917.	1917–1918.			
Sanitation and Vaccination receipts.	·11	·18	·16	·14	·47	·15

Expenditure.

	Accounts.			Budget estimate, 1918–1919.	Revised estimate, 1918–1919.	Budget estimate, 1919–1920.
	1915–1916.	1916–1917.	1917–1918.			
Sanitation and Vaccination establishment.	2·09	1·94	1·94	2·35	2·33	2·79
Grants for sanitary purposes ..	29·88	13·56	12·00	9·53	9·69	18·43
Expenses in connexion with Bubonic Plague, Malaria and Epidemics.	1·31	1·28	1·50	1·62	1·51	1·80
Bacteriological Laboratories and Pasteur Vaccine Institutes.	·23	·26	·98	·87	1·16	1·27
Refunds	..	·01	·01	·01	·01	·01
Additional provision for enhanced war allowances	..	..	..	..	..	·05
Total ..	33·51	17·05	16·43	14·38	14·70	24·35

Revenue.

87. Fees for chemical analyses at the King Institute, and the sale-proceeds of calves, are credited to this major head.

88. The revised estimate for 1918–1919 includes a special credit of ·30 being unspent balances of Provincial contributions to the Kurnool municipality for water-works, which were refunded.

Expenditure.

89. *Sanitation and Vaccination establishment.*—The expenditure shown under this minor head relates mainly to the staff of deputy inspectors of vaccination and the Sanitary and Deputy Sanitary Commissioners and their establishments.

The increase in the budget estimate for 1919–1920 as compared with the revised estimate for the current year is due mainly to the inclusion of a full year's provision for three Deputy Sanitary Commissioners instead of two only as in the

BUDGET OF THE

180

current year and the grant to deputy inspectors of vaccination of fixed travelling allowance at increased rates.

181

90. *Grants for sanitary purposes.*—From and after 1915–1916 grants to local bodies for minor sanitary works and for water-supply and drainage schemes appear under this minor head instead of under 'Civil Works.'

The main item of expenditure under this minor head is 'Contributions for sanitary purposes.' The details are—

	Actuals.			Budget estimate, 1918–1919.	Revised estimate, 1918–1919.	Budget estimate, 1919–1920.
	1915–1916.	1916–1917.	1917–1918.			
(1) Grants to local bodies for minor sanitary works.	8.02	6.13	6.38	6.00	6.67	7.00
(2) Grants to district boards and municipalities for water-supply and drainage schemes.	13.95	7.27	3.95	3.24	2.68	5.09
(3) Grant to the Madras Corporation for water-supply and drainage works.	7.10	..	1.50	..	..	5.00
(4) Grants to municipalities on account of health officers.	..	..	.02	.14	.14	.21
(5) Miscellaneous	.23	.05	.02	.02	.02	.03
(6) Grants to district boards for the acquisition of house-sites for the depressed classes.	..	..	..	..	..	1.00
Total ..	29.30	13.45	11.87	9.40	9.51	18.33

Item (1).—In accordance with the recommendation of the Finance Committee, a special grant of 6.00 has been entered for grants to local bodies for minor sanitary works in 1919–1920. This includes 1.00 for the Madras Corporation.

The budget estimate for 1919–1920 includes a provision of 1.00 for grants for the improvement of the sanitary conditions of the pilgrim centres, entered in pursuance of the acceptance of a resolution moved during the discussion of the Amended Draft Financial Statement.

Item (2).—The smaller provision in recent years is due to the heavy rise in the price of iron pipes and other materials obtained from Great Britain and to the extreme difficulty of getting supplies shipped to this country under war conditions.

The statement below shows approximately the distribution of the allotments of 2.68 in the revised estimate for 1918–1919 and of 5.09 in the budget estimate for 1919–1920:—

	Revised estimate, 1918–1919.	Budget estimate, 1919–1920.
Vizagapatam water-works improvements	.13	.02
Narasaraopet water-supply	.04	.25
Anantapur water-supply	.02	.25
Cuddapah water-works improvements	.02	.08
Chingleput water-supply improvements	.15	1.00
Conjeevaram water-works improvements	.29	..
Tuticorin water-supply (full power test)	.27	.50
Do. (from the Tambraparni)	.08	..
Do. (partial scheme)	..	1.00
Tanjore water-works improvements	..	.20
Madura drainage	.75	.62
Madura water-works improvements	.17	.15
Negapatam (extension of water-supply to Puduman street and Madasapalli)	.09	..
Tirupati water-supply	.13	..
Erode water-supply	.08	..
Coonoor water-works improvements	..	.56
Vellore drainage	..	.21
Ramnad (Ramēvaram water-supply)	.36	.25
Other minor schemes	.10	..
	2.68	5.09

GOVERNMENT OF MADRAS FOR 1919–1920

Item (3).—Towards the cost of water-supply and drainage works in the Madras Corporation estimated at 124.00, grants to the extent of 75.00 have been made by Government in the past. The amount required to complete the restricted programme of works in 1919–1920 and 1920–1921 is 19.00. The Corporation have undertaken to meet 7.00 out of this amount and it is proposed to make a Provincial grant of 12.00. The sum of 5.00 entered in the budget estimate for 1919–1920 represents the first instalment of the grant of 12.00 referred to above.

90-A. *Item (6).*—The provision in the budget estimate for 1919–1920 has been entered in pursuance of the acceptance of a resolution moved during the discussion of the Amended Draft Financial Statement.

91. *Expenses in connexion with bubonic plague, etc.*—The increase in the budget estimate for 1919–1920 over the revised estimate for the current year is due to a full year's provision having been made for six cholera reserve parties as against five in the current year. There is an increase anticipated under 'Plague charges' also.

92. *Bacteriological Laboratories and Pasteur Vaccine Institutes.*—The expenditure on the vaccine and the serum and bacteriological sections of the King Institute of Preventive Medicine, and the contribution of Government to the Pasteur Institute at Coonoor, are shown under this minor head.

25. Political.

* Expenditure.

	Accounts.			Budget estimate, 1918–1919.	Revised estimate, 1918–1919.	Budget estimate, 1919–1920.
	1915–1916.	1916–1917.	1917–1918.			
Political Agents	.86	.92	.89	.89	.91	.91
Additional provision for enhanced war allowances	..	..	..	..	..	.01
Total ..	.86	.92	.89	.89	.91	.92

* Purely Imperial minor heads which are not under the financial control of the Government of Madras are not shown here.

This head is not open to discussion.

93. To this head is debited the expenditure on account of Political Officers serving under the Madras Government and their establishments, and also a moiety of the cost of the Consul at Pondicherry. The charges in connexion with the Resident in Travancore and Cochin, the Paymaster of Carnatic Stipends, the Government Agent, Tanjore, the Stipend Pay offices, Kurnool and Vellore, and the Special Agent, South Arcot, are shown in full, but the expenditure connected with the Political establishments in Pudukkōttai and Sāndūr is recovered together with pensionary contributions from the Native States concerned, the recoveries being taken in abatement of charges.

XXI-A. & 26-A. Agriculture.

Revenue.

	Accounts.			Budget estimate, 1918–1919.	Revised estimate, 1918–1919.	Budget estimate, 1919–1920.
	1915–1916.	1916–1917.	1917–1918.			
Agricultural receipts	1.53	1.79	1.69	1.79	2.14	3.53
Veterinary receipts	.18	.19	.20	.20	.17	.21
Total ..	1.71	1.98	1.89	1.99	2.31	3.74

181

182

183–185

186–189

18

Reference to page
in the Civil Budget
Estimate.
189-202

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Agriculture	7.12	7.73	8.67	10.59	10.87	14.77
Veterinary charges	2.62	2.66	2.32	3.05	2.59	3.52
Co-operative credit	1.46	1.59	1.85	2.01	2.14	2.42
Refunds	.01	.03	.03	.03	.05	.05
Additional provision for enhanced war allowances	..	..	..	..	..	.21
Total ..	11.21	12.01	12.87	15.68	15.65	20.97

Revenue.

94. *Agricultural receipts* are made up mainly of sale-proceeds of farm produce at the Central Farm at Coimbatore and at district farms and of cotton seed distributed by the Agricultural Department.

The increase in the revised estimate for 1918-1919 over the budget for the year occurs mainly under 'fees' and 'farm and other receipts' in connexion with the 'Central Teaching and Research Institute.' The budget estimate for 1919-1920 takes credit for sale-proceeds of manure in the Tanjore district (.75) and of fish manure from the depot opened on the West Coast (.65).

95. The *Veterinary receipts* consist mainly of the fees levied for the treatment of horses and cattle at veterinary hospitals under Government management.

Expenditure.

96. The department is one which is being largely expanded and at the same time reorganized under a scheme sanctioned by the Secretary of State in 1915. At present the senior staff consists of the following principal officers:—(a) a Director of Agriculture, (b) a Superintendent of the Central Farm and Principal of the Agricultural College, (c) an Assistant Principal, (d) an Agricultural Chemist, (e) an Economic Botanist, (f) a Lecturing and Systematic Botanist, (g) a Sugarcane Expert, (h) six Deputy Directors of Agriculture (excluding the officer appointed to take charge of the cattle-breeding and dairy operations in the Presidency) and four Assistant Directors, (i) a Deputy Director of Agriculture, Planting districts, (j) a Mycologist, (k) an Entomologist, (l) an Agricultural Engineer and two Assistant Agricultural Engineers.

The appointment of the Deputy Director, Planting districts, was originally sanctioned for five years, and then extended for a second term of five years, which will expire in April 1919. A scheme for the development of the planting industries involving the establishment of four—to be raised ultimately to six—experimental stations, the appointment of a Mycologist and the continued employment of the Deputy Director, Planting districts, has been submitted to the Secretary of State. Pending his sanction, the Government of India have authorized the Local Government to proceed with the opening of the planting stations. Fixed annual contributions towards the cost of the scheme have been promised by the Mysore, Travancore and Cochin Darbars, the Administration of Coorg and the United Planters' Association of Southern India. The appointment of Sugarcane Expert was originally sanctioned for a period of five years, and has been continued for a further period of five years, from October 1917. In order to meet the cost of the sugarcane-breeding station, the Secretary of State has sanctioned the payment from Imperial funds of a recurring assignment of .44 lakh per annum with effect from the 26th October 1917, instead of a non-recurring grant for the total expenditure as formerly.

97. The budget estimate for 1918-1919 contained lump provision for the following schemes:—

(a) Cattle-breeding farm	..	..	..	..	..	.70
(b) Opening of a new farm in North Arcot	..	..	..	..	..	.08
(c) Cambodia farm at Coimbatore	..	..	..	..	..	.15
(d) Schools for boys employed on the farms	..	..	..	..	..	.04

The expenditure on item (c) is being increased to .39, while allotments have been made in the course of the year for a fish manure depot on the West Coast (.57) and for an experimental scheme of distribution of concentrated manure mixture in the Tanjore district (.10). On the other hand, there are nominal savings amounting to about .50 under the Pumping and Boring Department, owing to a change in the classification of the charges relating to the Industrial Branch which are being shown under the head 26-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS—Development of Industries, with effect from the 1st April 1918.

98. The budget estimate for next year provides for the appointment of an additional Deputy Director, and fifteen assistant managers, representing a further instalment of the scheme of reorganization sanctioned by the Secretary of State in 1915; it also contains increased provision for the scheme of distribution of manure in the Tanjore district, improvement of cotton cultivation and for expenditure on tools and plant in the Pumping and Boring Department. The following lump provision has been entered in the budget:—

	LAHRS.
(1) Cotton seed farm at Nandyal	.82
(2) Fish manure depot on the West Coast	.70
(3) Development of silk industry	.10
(4) Kangayam cattle farm	.10
(5) Improvement of milk supply—Madras breeding scheme (.14), experiments at the Military dairy farms in Bangalore (.10) and milk transport experiments (.01).	.25
(6) Development of the planting industries of Southern India	.27
	2.24

99. *Veterinary charges*.—The decrease in the revised estimate for 1918-1919 as compared with the budget occurs mainly under salaries of subordinate establishment and in the charges on account of veterinary hospitals. The budget estimate for 1919-1920 provides for two additional Deputy Superintendents entertained in 1918 and for an additional Superintendent and a second officer for the Veterinary College. It also includes enhanced provision under 'Supplies and Services' and 'Contingencies.' A lump provision of .12 has been entered for contributions by Government towards seven new veterinary institutions.

100. *Co-operative Credit*.—The gradual increase of expenditure under this head is due to the growth of the operations of the department which has necessitated the addition of three Assistant Registrars and 14 inspectors to the staff.

XXI-B. & 26-B. Scientific and Miscellaneous Departments.

Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Cinchona plantations	6.85	8.92	11.85	9.25	9.49	7.85
Emigration fees	(a) .09	(a) .06	..	(a) .01	..	..
Receipts from industrial operations.	(b) 1.37	(b) 1.91	(b) 3.95	5.23	5.71	8.96
Examination fees	2.11	2.12	2.12	2.17	2.06	2.15
Fees for inspection of boilers	.36	.39	.42	.40	.44	.44
Miscellaneous	.36	.45	.38	.15	.18	.16
Total ..	11.14	13.85	18.72	17.21	17.88	19.56

(a) Includes receipts from "Fees—Emigration Internal".
(b) These figures represent receipts under "Fishery receipts" prior to April 1918.

BUDGET OF THE

Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
Archæological department	39	40	41	43	44	48
Provincial museums	46	45	46	49	48	48
Imperial Institute	01	..	01	01	01	01
Steam-boiler inspection establish- ment	29	31	36	42	42	43
Donations to scientific societies ..	03	03	03	03	03	03
Cinchona plantations	2.61	3.80	4.16	4.66	4.16	4.77
Emigration	09	10	15	16	16	16
Inspector of Factories	27	31	31	33	26	42
Provincial statistics	30	30	31	35	32	41
Examinations	1.66	1.73	1.84	1.93	1.86	2.03
Registrar of Joint Stock Companies.	13	12	12	12	12	12
Development of industries	1.89	2.41	5.57	8.83	8.16	12.62
Miscellaneous	2.13	2.30	..	..	51	79
Refunds	01	02	05	01	16	01
Additional provision for enhanced war allowances	..	..	..	..	..	17
Total ..	10.27	12.28	13.78	17.77	17.09	22.98

Revenue.

101. Under *Cinchona plantations* appear the sale-proceeds of febrifuge, quinine bark, seeds, plants and jalap whether obtained from the Government plantations on the Nilgiris or (in the case of quinine) manufactured from purchased cinchona bark. The increase in the actuals for 1916-1917 and 1917-1918 was due partly to the large demand for quinine from the Medical Stores but mainly to the greatly enhanced rates adopted in the valuation of stock issued consequent upon the rise in the market price of quinine. The fall in the current year, as compared with the actuals for 1917-1918, is due to a decrease in the supply of quinine, while the further decrease in 1919-1920 is attributed to a large anticipated fall in the factory output owing to the comparatively poorer quality of the barks left to be worked in the factory. The effect of the recent fire at the Naduvattam factory on the estimates of receipts and expenditure cannot at present be forecasted.

102. *Receipts from industrial operations.*—This is a new minor head which has been opened with effect from 1st April 1918 to show the receipts of the Fisheries department, which were till then recorded under 'Fishery receipts,' and of other industrial concerns which were hitherto exhibited under the minor head 'Miscellaneous.' The increase since 1917-1918 is due mainly to receipts from the manufacture of soap. The revised estimate for 1918-1919 includes 40 on account of the sale-proceeds of the Government pencil factory. The budget estimate for 1919-1920 anticipates a further increase in the sale of soap and additional revenue under chank fisheries.

103. *Miscellaneous.*—The actuals for 1917-1918 included a special contribution of 16 paid by the Indian Research Fund towards expenditure to be incurred in this Presidency for a period of five years on the experimental registration of vital statistics in selected typical areas. The corresponding charges have been provided for under the head "26-B. SCIENTIFIC AND MISCELLANEOUS DEPARTMENTS—*Provincial Statistics.*"

Expenditure.

104. The charges of the Government cinchona plantations on the Nilgiris are recorded under the minor head *Cinchona plantations*. The bulk of the charges under this head relate to the purchase of cinchona bark. The budget for next year provides a sum of 2.00 for the purchase of bark; it also includes enhanced provision for the purchase of European stores, and lump grants aggregating 19 for the extension of the plantations, rejuvenating old estates and afforestation of grass lands.

GOVERNMENT OF MADRAS FOR 1919-1920

105. *Examinations.*—The rise in the expenditure is mainly under 'Special Tests' and 'Secondary School-Leaving certificates' due to the larger number of candidates appearing and the consequent increase in the expenses connected with the examinations.

106. *Development of industries.*—Under this minor head are recorded the charges relating to the Department of Fisheries, to pearl and chank fisheries, experiments in soap-making and industrial operations. The revised estimate for the current year provides for larger expenditure on soap-making and miscellaneous experiments and takes account of the revised classification introduced from 1918-1919 under which the "district industrial staff" is shown under this head instead of under 26-A. AGRICULTURE as previously. These items of increase are however counterbalanced by a lapse in the provision made for the Cocanada school and for the equipment of the mechanical engineering section of the Madura Technical Institute.

The budget for next year contains enhanced provision for soap-making experiments (5.00), piscicultural works (37), development of the Fisheries Department (20), the weaving, dyeing and leather trade branches of the Madura Technical Institute and grants-in-aid for industrial schools. With reference to the recommendation of the Finance Committee of January 1919, the provision for scholarships has been raised by 09 to provide for two industrial scholarships to Europe or America.

107. *Miscellaneous.*—Under this minor head are recorded the charges relating to the Director of Civil Supplies. The expenditure on this account is covered by an assignment from Imperial revenues.

XXII. & 29. Superannuations.

* Revenue.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
REVENUE	1.21	1.27	1.26	1.20	2.04	1.47

* Expenditure.

	Accounts.			Budget estimate, 1918-1919.	Revised estimate, 1918-1919.	Budget estimate, 1919-1920.
	1915-1916.	1916-1917.	1917-1918.			
EXPENDITURE	33.08	33.23	33.33	35.65	35.98	37.00

* Purely Imperial minor heads which are not under the financial control of the Government of Madras are not shown here.

Revenue.

108. The receipts under this head consist chiefly of contributions for pensions and gratuities on account of officers of Government lent to foreign service for employment under the Court of Wards, municipalities and other local bodies, Native States and landholders.

109. The increase in the revised estimate for 1918-1919, as compared with the budget for that year, is due chiefly to the recovery in the current year from local bodies of contributions for leave allowances and pensions of civil assistant surgeons in their employ with effect from the 1st March 1916.

Expenditure.

110. This head comprises charges for pensions, gratuities and compassionate allowances, and for the commuted value of pensions to Government servants.

The budget estimate for 1919-1920 provides for the normal expansion of the pension list.

RESOLUTION RE INTERPRETERS AND TRANSLATORS AT MEETINGS OF COUNCIL.

(Mr. Ramaswami Ayyar ; Mr. Narasimha Ayyar.)

[3RD APRIL 1919.]

the first purpose being the persuasion of those inside the Council, the second purpose undoubtedly being the conversion and education of those outside the Council, the public at large. In the second function there is no doubt that a great part will have to be played by the vernaculars in the way of dissemination of information imparted in this Council and in the popularisation of the ideas given expression to here. But if the object of the Honourable Members is to convert and persuade fellow members to take their point of view and adopt a basis of political unity, we must have common understanding and a perfect comprehension of each other's point of view. It seems to me that the English language will continue to be the common medium of communication. I for one hold that in this country the amount of political solidarity and unity already achieved is due to the fact that the English language has served as a lingua franca and unless Hindi takes its place, English will exercise that function most usefully. In the reformed Councils under the new dispensation which has been promised, the utmost good work will be produced by holding to the procedure hitherto adopted, of conducting our proceedings in the English language, at the same time not forgetting that there is a wider task before every Honourable Member, that of making his less educated countrymen outside, understand what is at the back of his mind. The discussions in this Council, therefore, would be most advantageously conducted in English until at least the members of the Indian Civil Service are compulsorily educated in the vernaculars and until all the non-official colleagues who are acquainted only with one language are compulsorily educated in the other tongues in vogue in this Presidency —until that time comes, it seems to me that political effort will bear the utmost good fruit by speaking in English. Of course, the task that lies before vernacular journalists and before the Members of the Legislative Council to make their countrymen understand what they are doing, to make every one who is going to take a part in the new régime capable of discharging his duty, is urgent and impressive, but it seems to me that it is a different question from the one now before the Council."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"I see that this discussion has had one clear result. It has placed before the Government the problem of deciding one way or the other about the admission of or permission to be given to the vernacular speeches here. I am glad to note that we have advanced in this Council from the last meeting to a certain extent. At the last meeting there was decided opposition to the employment of the vernacular. At this meeting the spokesman of the Government expressly denied that he wanted to shut out the vernaculars. He said that in reply to the Hon'ble Mr. Siva Rao. Though I consider that to be some advance, it is not completely satisfactory. I shall proceed to deal with another aspect of the attitude of the Government. The Government evidently find that if they refuse to allow the vernaculars they will be going against the law and certainly against popular ideas. The trend of popular opinion is distinctly in favour of the encouragement of the vernaculars. If the Government set their faces against that, they run the risk of being out of date. Therefore, I find that they say 'for the present the issue is not before us.' That is a very clever lawyer's defence. They adhere strictly to the wording. You want only translators and interpreters, and not the languages. I consider this a sublime feat of advocacy. But in this Council we are upon a fairer field and we must ask what the interpreters and translators are for. The resolution says interpreters, translators and shorthand reporters in the chief vernaculars of the Province should be requisitioned at meetings of the Council. What are the translators and interpreters for? They are not wanted as ornaments like so many wooden partitions. What purpose are they intended to serve? Obviously to the meanest intellect, the introduction of translators and interpreters must mean that they are employed for being used in this Council for the purpose of translating the speeches made in the vernaculars. To burk the issue by stating that the issue is not a straight one is hardly fair. My position is much fairer than the position of the defence. The attack is straight but the defence is not straight. The position is not met. The Government say 'we are not at present in a position to say anything definite.' I feel the difficulties of the Government, and feel the embarrassment of the Government. If the Government choose to take time I would not have the hardihood to say that it was not fair. This is a matter of the rights of the public and it ought not to be dealt with in this manner. If the Government wish to take time to think over that question, we cannot take serious exception to that. But the Honourable Member on behalf of Government went further and made remarks which were understood rightly by the Hon'ble Mr. Ranga Achariyar, when he said that the attitude of the Hon'ble Mr. Rajagopala Achariyar was adverse to the adoption of the vernaculars. The Honourable Member got up and said 'no.' I quite see that the Hon'ble Mr. Rajagopala Achariyar has not said that he was against it, but from the way in which he dealt with it, when he spoke of facing the situation and running the risk, we can read what exactly the purport of a person's mind is. What is the drift of your argument? The drift is that you consider it is too risky and the Council should not commit itself to the adoption of the vernaculars. So the Hon'ble Mr. Ranga Achariyar was quite right in saying that the attitude of the Hon'ble Mr. Rajagopala Achariyar was adverse to the adoption of the vernaculars and he was right in pointing out that that attitude could not be justified. Ultimately the Government have chosen to adopt an attitude of antagonism. I do not think the position needs arguing. I have only one or two words to say with reference to what fell from the Hon'ble Mr. Ramachandra Rao. The Hon'ble Mr. Ramachandra Rao has entirely misunderstood the situation. He says 'we will presently have an alteration of the rules.' They are as clear as daylight and there is nothing to prohibit the employment of the vernaculars. I do not think the decision of Lord Pentland as President added to the rules."

RESOLUTIONS RE INTERPRETERS AND TRANSLATORS AT MEETINGS OF COUNCIL AND PROCEEDINGS OF THE LEGISLATIVE COUNCIL TO BE PUBLISHED WITHIN A FORTNIGHT.

3RD APRIL 1919.]

(Mr. M. Ramachandra Rao ; Mr. Narasimha Ayyar.)

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO PANTULU (interrupting) :—"May I rise to a point of order? I was under the impression that if any Member of this Council wishes to talk in the vernacular, it would be necessary to give previous notice, so that interpreters and translators might be ready and it might be necessary to amend the rules in that way. I am not talking of the language of the Council which is not at all now decided by the rules. It may be necessary to amend other rules and lay down specific conditions under which vernacular speeches may be made. It may be that some discretion may be given either to the President or the Council. For the case of any person who is not very well acquainted with English and is much more at home in the vernaculars, provision will have to be made. I do not at all wish to contest the position that as the rules now stand, they prohibit any member from talking in any language he likes."

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"I take it therefore that the alteration of the rules does not affect the issue. Once we have the rules, further rules might be made. As to the employment of interpreters, no rule is necessary. It is like ordering more chairs or more fans. If this resolution is passed, there will be facilities enough. The matter is fairly clear. I do not think it is necessary to argue the matter further. The resolution does raise an issue which some of my friends thought it would not raise. By clear implication the resolution clearly connotes and pre-supposes that the vernaculars can be employed or may be permitted to be employed in certain circumstances. The Hon'ble Mr. Rajagopala Achariyar did not say that any person unable to talk in English is interdicted from talking in the vernacular. In these circumstances, I ask Your Excellency to put the resolution to the vote."

The resolution was put to the Council and lost.

RESOLUTION RE PROCEEDINGS OF THE LEGISLATIVE COUNCIL TO BE PUBLISHED WITHIN A FORTNIGHT.

The Hon'ble Mr. B. V. NARASIMHA AYYAR :—"The resolution that I have the honour to move runs in these terms :—

'IV. This Council recommends to His Excellency in Council that the proceedings of this Council should be published at as early a date as possible —and preferably within a fortnight of the date of the proceedings.'

"Honourable Members will see the answer to my question printed in the appendix on page 15 of the agenda paper. There we have a statement showing the dates of the meetings and the dates of the publication of the proceedings in the gazette. That would show that whereas in the early days, in 1910 and 1911, we had the proceedings of the meetings in our hands in a few days, sometimes in a week, now for the last year or two, from 1916 onwards, the average period for the proceedings to come into the gazette is 1½ or 2 months, and sometimes even more than two months. My attention was drawn to it pointedly when the last proceeding came into my hands on the 28th January 1919. Then it had been two months and seven days, and several of my constituents drew attention to the fact that there was very little use in having our proceedings two or three months old and asked 'who is going to follow these matters'—matters dealing with the rice situation. Matters became so stale. Therefore they want that pointed attention should be drawn to it. Whatever is possible should be done by the Government in this matter. Nobody would deny the advantage of having the proceedings as early as possible and now that the vernaculars are not to be employed in our proceedings, and the public is obliged to draw whatever information it can from what is published in the gazette, it is of the utmost importance that the public should have an early report of the proceedings. Whereas formerly we got things done in seven, eight, ten or fifteen days, now we take much longer. Probably one argument that may be put forward is that the work is increasing, that greater variety of subjects come up and greater energy and time are bestowed by those in this Council, and Honourable Members will have to thank themselves for the increase of the work. Even if we take the increase of work into calculation, it is hardly justifiable to ask the public to wait for one month or two months when the public would not remember what had gone on previously. In this connexion, it does not require much from me to point out the evil effect. It is considered so serious an evil that several of my constituents requested me to put this forward before the Government. I believe it is hardly likely to be controversial. I hope the Government will be pleased to expedite matters. The reports of our speeches sometimes take two or three weeks before they come up for correction. So much time need not be taken up. I would entreat the Government to try and see everything is hurried up."

"Then again, with reference to the printing, if the Government complain of excessive work and the great difficulty of getting through the printing work, I may suggest for the consideration of the Government the employment of private printers to get through the work. If we cannot get through the work with our press, we can pay other firms and enter into a contract with them. We are then sure to find the report in our hands within a week. I think that a fortnight which is roughly the time taken in the earlier years may be taken up. If there is difficulty in getting our printing work done through the Government Press, we might employ private agency. There may be other arrangements to be considered and I request that the matter may be considered."

The Hon'ble Mr. A. Suryanarayana Rao seconded the resolution.

1012 RESOLUTION RE PROCEEDINGS OF THE LEGISLATIVE COUNCIL
TO BE PUBLISHED WITHIN A FORTNIGHT.

(Mr. Todhunter; Mr. M. Ramachandra Rao.)

[3RD APRIL 1919.]

The Hon'ble Mr. C. G. TODHUNTER:—"Your Excellency, the general principle of this resolution is one which it is easy to accept. The Honourable Member desires that the proceedings of this Council should be published at as early a date as possible—and preferably within a fortnight of the date of the proceedings." Rule 67 of the business rules runs thus:—

"The Secretary shall publish in the *Fort St. George Gazette* in English as soon as may be after the conclusion of each meeting, an account, which should be as full as possible, of the proceedings of the Council."

"As to the intention, there is no difference whatever between us. The only question is as regards the interpretation of the words 'as soon as may be'. The Honourable Member does not say that he wants to tie us down to 15 days, but that is what he wishes to aim at. Our present average is something like 45 days."

"Before examining the measures which could be taken to speed up the publication of the proceedings, it is desirable to consider what benefit exactly is going to result from such speeding up. The Honourable Member has referred to the complaints made by his constituents as to the delay in receiving the full report in the *Fort St. George Gazette*. I am very glad to hear that his constituents take so much interest in the debates in this Council as to read the full text of them in the Gazette. My own impression was that very few people read the full report and that most people were content with the briefer reports that appear in the newspapers. I have no doubt that it would be a great advantage to the public and even more so to the Government, if we could get a really accurate report out in time to be read at the same time as the newspapers. There is no doubt that the reports in the latter are not always as accurate as they might be, though I should not have dared to criticise them in the terms in which the Honourable Member criticised them in speaking on the last resolution. It is difficult, however, to see how it would be possible to achieve the issue of a complete report in time to be read with the newspapers which must have their copy ready the day after the meeting. Even the House of Commons does not achieve this though arrangements have been made in the last ten years to issue a complete report on the day after the meeting, but this is always allowed to be challenged until the members have had an opportunity of seeing it. Even this does not apply to the House of Lords, perhaps because they are more nervous about the accurate reporting of their speeches."

"Granted then that the official report must come some time after the newspaper report, the question arises as to what difference there is between its publication after 15 days or after 45 days. I think we may take it for granted that hardly any members of the public read right through the full reports of the speeches in the Gazette. The delay of a few days is not therefore likely to affect the public. And so far as I can see, it is the Honourable Members of this Council and the Government officers who would be the principal persons benefited by having available for reference the reports of one debate before the commencement of another. How far this advantage is outweighed or otherwise by the expense and charges that would be involved in carrying out this proposal is for the Members of this Council to consider."

"I said just now that the time taken to publish the proceedings of this Council is 45 days. This period is calculated somewhat as follows:—the proceedings of six meetings of this Council in 1918 covered over 1,000 pages, the speeches alone covering 930 pages. This means that there was an average of 155 foolscap pages of print to be reported at each meeting, the official reporter sending, on the average, manuscript matter equivalent to ten printed foolscap pages per day. That is as much as we can expect of one man. The last of these reached the office 15 days after the close of the meeting. The next stage was the comparison of this transcript with the Secretary's report of the proceedings and the checking of it in various other respects such as the spelling of proper names. This took the office on the average three days. Meanwhile it was being sent to the Press and the Press took on the average five days after receipt of the last batch to deliver proof. The proofs as soon as they were received were sent to the members for check and took one day for dispatch. Seven days were allowed for check and return. A consolidated proof of the whole business of the meeting, amounting to over 150 pages, was then prepared. The examination and checking of this by the officers concerned took seven days and the interval between the return of the proof to the Press and the issue of the Gazette was four days, making a total of 45 days."

"The question now arises how far we can reduce these periods. The Honourable Member suggests that we can reduce the time taken by the Press. Probably we can do this to some extent, but not to a very great extent. We may also be able to reduce the time taken in the office, though I do not see how we can do this without extra expense, because the work while the Council is sitting is very heavy. I do not think we can reduce the time taken for sending the proofs to the Honourable Members and the return of the same, since many of the members leave Madras at the close of the meeting and the best part of the week allowed is sometimes taken up in the journey to places like Vizagapatam and South Kanara and back."

The Hon'ble Diwan Bahadur M. RAMACHANDRA RAO:—"We may not be at home when the proof comes."

The Hon'ble Mr. C. G. TODHUNTER:—"There remains the question of the Official Reporter. In that respect, this Council is peculiar. All the other Councils have teams of reporters. In this Council for a period of something like a quarter of a century, Rao Bahadur N. C. Rajagopala Achariyar has reported the whole of our proceedings—and I think Honourable Members will agree—with an accuracy, for a single reporter, and a despatch, which is exemplary. If we want to speed up the transcript, we shall have to give him assistance by

RESOLUTIONS RE PROCEEDINGS OF THE LEGISLATIVE COUNCIL 1013
TO BE PUBLISHED WITHIN A FORTNIGHT AND TRANSLATION OF THE PROCEEDINGS OF THE LEGISLATIVE COUNCIL.

[3RD APRIL 1919.] (Mr. Todhunter; Mr. Narasimha Ayyar; the President.)

arranging to relieve him from time to time as is done elsewhere; and we shall have to reconcile ourselves for a time at least to a certain loss of accuracy. That also, no doubt, would involve some increase in the staff and in the cost. The Government of India have as many as six men taking turns of ten minutes each and taking up the rest of the hour in transcribing what they record in the ten minutes."

"I have put forward these figures not for the sake of opposing the proposal, but for the sake of showing that it is not so simple as at first sight appears. The Government are perfectly willing to go into the matter of speeding up the reporting in consultation with the Official Reporter, though they cannot undertake to reduce the time taken in issuing the reports to the Honourable Member's limit of 15 days, because the only Council which achieves this is the Legislative Council of the Government of India which employs a staff of six highly-paid reporters. I hope that this assurance will satisfy the Honourable Member."

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I am thankful for the assurance given by the Hon'ble Mr. Todhunter. I was going to say that in the Government of India they are issuing the report before the next meeting, within five or six days. He explains it evidently by their team of six. I think it is a very good experiment. The expenditure is worth the money because it will save fifteen days' delay. The members who speak in the morning will have the advantage of having their proofs at night or the next morning. That seems to avoid all our difficulties. The time taken for sending the transcript, 15 days, is a very serious evil. As I have already said, we quite clean forget what we said. We cannot blame the reporter for not taking everything quite accurately, especially in regard to those who do not pause sufficiently. The direction in which I would like the Government to proceed is to have a team, in spite of the expenditure involved. As it is being attended to, I do not wish to press the resolution."

The Hon'ble Mr. C. G. TODHUNTER:—"The Honourable Member says that the Government of India get their proceedings out in five or six days. I have a table here and I find on two occasions it took eight days, on one occasion nine, on two occasions 11 and on one 14."

His Excellency the PRESIDENT:—"I am sure that the Council may be quite confident that the Government will try and do something to expedite the publication of the proceedings. The time is at present excessive and I hope an arrangement will be possible to reduce it. As the Honourable Member does not press the resolution, it will be by leave withdrawn."

With the permission of His Excellency the President, the resolution was withdrawn.

RESOLUTION RE TRANSLATION OF THE PROCEEDINGS OF THE
LEGISLATIVE COUNCIL.

The Hon'ble Mr. B. V. NARASIMHA AYYAR:—"I beg to move:—

'V. This Council recommends to His Excellency in Council that the proceedings of this Council should be translated into the chief vernaculars of this province and that the translations may be published at as early a date as the original proceedings.'

"I think the object of this resolution would be quite patent. As we do not have the public present here following our proceedings and as the newspaper accounts are not quite accurate, it is absolutely essential that facilities should be given to such of the public as care to follow the proceedings of this Council by reading what we are doing here in the vernacular. When we conduct the proceedings in English, very estimable persons having a desire to follow at leisure what is done in this Council are handicapped. I no doubt endorse to a certain extent the truth of what the Hon'ble Mr. Todhunter stated, namely that very few persons go through the Gazette. Most of the persons get the information from the newspapers; and the newspapers sometimes are very very defective. He said that he dared not use the language with regard to newspapers that I had used. I am not likely to be mistaken. I know that they send their best reporters, but it is not possible to hear us all, because of the acoustic difficulties of the hall. The speakers have to speak against time. The space in newspapers is limited. To report the entire discussion which runs for two or three hours within their limited space is impossible and would mean a special edition. They try to please their constituents by summarising. Therefore it is necessary that an authoritative report should be available to those who are anxious to know what their representatives in the Council have said and what the Government's position may be. It is an important matter. I therefore think the object of the translation into the chief vernaculars is patent. It will be patent also to Honourable Members that, in respect of legislation, Bills and Acts are translated into the vernaculars. That has been hitherto done, because every one is supposed to know the law; and we must make the law, even the earlier stages of the law available in the chief vernaculars, so that criticisms from the public may come up in regard to our legislative proposals. Recognizing the theory of legislation, that the people must be given an opportunity to criticize the Bills and to know the law after they are passed, we adopt the procedure with regard to publishing the Bills and Acts in the vernacular. Now it is one step further that I wish to carry the Council. The reason for that is patent. Till now we have been under the impression that it is only Bills and the perfected Acts that should go